

**AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE**

WHEREAS, Town Council has found that the intent of the outdoor events and gatherings ordinance was not to regulate outdoor sales; and

WHEREAS, occasional outdoor sales of store merchandise will not be detrimental to the Town; and

WHEREAS, the Town Council of Kitty Hawk has found this amendment to be consistent with the Town's adopted CAMA Land Use Plan.

BE IT ORDAINED by the Town Council of Kitty Hawk that Section 42-502 Kitty Hawk Town Code be amended as follows:

**Sec. 16-2. Yard sales.**

**(a) Definitions.**

**1. Commercial yard sale means outdoor sales of commercial products at an approved commercial establishment. Products offered as part of the commercial yard sale must be those same products offered for sale within the approved commercial establishment.**

**2. Residential yard sale means an event, by whatever name, held by a property owner or resident for the purpose of selling used personal property or common household merchandise. The term "yard sale" shall not be interpreted to permit a flea market.**

**(b) Residential yard sales.**

**(1) Up to five residential yard sales are permitted on any residential property during a calendar year.**

~~**(2) The type of goods sold must be consistent with the definition of "yard sale" found in section 42-1.**~~

**(c) Commercial yard sales**

**(1) No more than four events per 12-month period;**

**(2) Ten percent of required parking can be used for merchandise sales;**

**(3) No longer than seven consecutive days;**

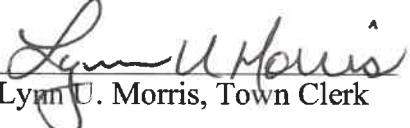
**(4) Must be approved by Planning & Inspections Department prior to the held event.**

**Sec. 42-1. Definitions**

~~Yard sale means an event, by whatever name, held by a property owner or resident for the purpose of selling used personal property or common household merchandise. The term "yard sale" shall not be interpreted to permit a flea market.~~

This ordinance amending the Kitty Hawk Town Code shall take effect the 7th day of August, 2023. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 7th day of August, 2023, with 5 in favor and 0 opposed.

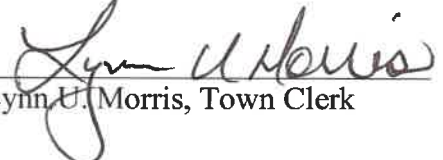
  
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Craig Garriss, Mayor

  
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Lynn U. Morris, Town Clerk

APPROVED AS TO FORM:

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Casey Varnell, Town Attorney

The undersigned certifies that the foregoing official ordinance designated ORDINANCE AMENDMENT OF THE TOWN CODE OF KITTY HAWK, NORTH CAROLINA was filed in the Kitty Hawk Ordinance Book on the 8<sup>th</sup> day of August, 2023, at 2:05 o'clock p.m.

  
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Lynn U. Morris, Town Clerk