



ORDINANCE NO. 2025- 0903

**AN ORDINANCE OF THE VILLAGE OF BALD HEAD ISLAND, NORTH CAROLINA TO
AMEND COMMERCIAL-USE VEHICLES AND TRAILERS**

WHEREAS, pursuant to N.C. Gen. Stat. § 160A-174, the Village of Bald Head Island (the “Village”) may enact and amend ordinances that define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and peace and dignity of the Village; and

WHEREAS, the state of North Carolina recognized and honored the uniqueness of the island within Article X, Section 10.1 of its Charter, entitled “Motor Vehicle Regulation”, wherein the Island was granted an exemption from a considerable portion of Chapter 20 of the North Carolina General Statutes, and authorized the Village to regulate motor vehicles and other means of transportation within the jurisdiction of the Village, including the following:

- (1) Regulation of the use and operation of all vehicles, as defined in G.S. 20-4.01(49).
- (2) Regulation of all electrically powered vehicles or vehicles powered by fossil fuel or internal combustion engines.
- (3) Regulation of the size, weight, lighting, safety standards, and engine or motor size or power characteristics of all vehicles or other means of transportation within the jurisdiction of the Village; and

WHEREAS, the Village Department of Public Safety (the “Department”) is responsible for protecting and maintaining the safety and well-being of all residents and visitors to the island, including with respect to regulating and permitting commercial-use vehicles and trailers in public spaces; and

WHEREAS, the Village is an environmentally focused community living in harmony with nature. Safety for all who inhabit and visit the island is paramount. All users must share the roadways and be encouraged to use care, show courtesy, and to use common sense; and

WHEREAS, the Village recognizes that ordinances governing traffic and vehicles have been amended to align with the spirit and the intent of the uniqueness of the island and balance of the developmental needs; and

WHEREAS, the Village Council has determined it to be in the best interests of the Village to adopt this amendment to the Village Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED, by the Village of Bald Head Island, North Carolina that:

Section 1. That section 28-71 of the Village Code of Ordinances is hereby amended and restated to read as follows:

Sec. 28-71. Mandatory permits for commercial-use vehicles.

(a) Permit required. The owner of every commercial-use vehicle operated on village streets must be permitted annually with the village.

(b) Permit fees and insurance. The permits issued pursuant to this section shall be issued by the village upon payment of a permit fee as determined by the Village Council from time to time by resolution and proof of current insurance in amounts not less than those statutorily required for liability insurance under G.S. 20-279.1 et seq.

(c) Prohibited.

(1) No commercial-use vehicle shall be allowed to remain overnight within the village for a total of five nights or more, during any consecutive 12-month period if the overall dimensions exceed:

Maximum Allowable Dimensions	Length	Width	Height
(a) Pick-up trucks & cargo vans:	230 inches	AND 82 inches	
(b) Box trucks (1) Delivery Use:	28 feet box	AND 102 inches	13 feet
(c) Box trucks (2) Contractor Use	16 feet box	AND 96 inches	13 feet

(d) Exemptions

(i.) Daily. Commercial Vehicles that exceed maximum allowable dimensions may be eligible for a daily permit, in the discretion of Public Safety Department Chief.

(ii.) Annual. Commercial vehicles that exceed maximum allowable length dimensions may be eligible for an annual permit limited to one (1) pickup truck registered to a person or entity possessing a North Carolina General Contractor's license (and further limited to one (1) pickup truck to any single commercial construction entity or North Carolina General Contractor's license, but not to both an entity and licensee in the same business organization or its affiliates) and in the discretion of the Public Safety Department Chief.

(2) No owner shall fail to secure a permit.

(3) No owner shall fail to renew an annual permit within 30 days of expiration.

(4) No person operating a non-electric commercial-use vehicle shall fail to honor the workday use parameters.

(5) No person shall operate any non-electric commercial-use vehicle on streets with vehicle restrictions without a special use permit.

(6) No person operating a commercial-use vehicle shall fail to comply with the specified terms and conditions of the commercial-use vehicle permit as issued.

(7) All commercial vehicles are subject to village sign ordinances.

(d) Revocation of permit. For failure to comply with any of the provisions set forth in this division, the village in its sole discretion may refuse to permit the vehicle or may choose to revoke any permit previously issued.

(Ord. of 2019, 10-15-2019)

Section 2. That section 28-91 of the Village Code of Ordinances is hereby amended and restated to read as follows:

Sec. 28-91. Classes of trailers.

(a) Personal-use trailers. Registration and permitting are not required.

(1) Trailers for boats 16 feet or less in length.

(2) Multi-purpose trailers such as those used for gardening or transporting beach and fishing paraphernalia.

(b) Commercial-use trailers. Registration and permitting are required annually.

(1) A trailer that is parked for a considerable period of time while construction of improvements is ongoing on the property where parked.

(2) A trailer that is used to transport goods, materials, and/or equipment from job site to job site during workdays.

(3) No commercial-use trailer shall be permitted or approved for use on village streets if the box's overall width exceeds six feet, or seven feet if it is a deck-over trailer where the wheels are underneath the trailer and do not extend from underneath, there are no external wheel wells, and the overall length exceeds 16 feet.

(4) Trailers that exceed maximum allowable dimensions may be permitted by a daily permit when a State of Emergency proclamation is declared by the mayor for a natural disaster event and approved by the Public Safety Department Chief and may be extended for a reasonable time after the State of Emergency is rescinded.

(Ord. of 2019, 10-15-2019)

Section 3. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Annual ICE permit holders for ICE vehicles that have current valid permits, will be granted an additional year to come into compliance. That date will be July 1, 2027.

Section 5. Annual permit holders for trailers that have current valid permits, will be required to come into compliance on July 1, 2026.

Section 6. This ordinance shall become effective immediately upon adoption.

Passed and adopted by the Village Council this the 19 day of September, 2025.

BY: _____

PETER QUINN, Mayor

ATTEST:

Darcy Sperry
DARCY SPERRY, Village Clerk

