

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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HOUSE BILL 478

Short Title: Brunswick Cty/Navigable Waters. (Local)

Sponsors: Representative Iler (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Local Government, if favorable, Transportation.

April 2, 2015

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING BRUNSWICK COUNTY TO REGULATE NAVIGABLE
2 WATERS WITHIN ITS BOUNDARIES.

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4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The Board of Commissioners of Brunswick County may adopt and
6 enforce ordinances for the navigable waters within the County's jurisdictional boundaries which
7 (i) relate to the operation of boats and vessels, including restrictions concerning the types of
8 activities conducted on the navigable waters within the jurisdictional limits of the County; (ii)
9 restrict the anchoring of boats and vessels as to location; and (iii) generally, regulate the
10 anchoring of vessels within its navigable waters. The Board may make all reasonable rules and
11 regulations as it deems necessary for the safe and proper use of the navigable waters within the
12 jurisdictional limits of the County for the occupants of boats and vessels, swimmers, fishermen,
13 and others using the navigable waters and may provide for enforcement of ordinances adopted
14 by the County under this act in accordance with G.S. 153A-123.

15 **SECTION 2.** If any rules or regulations of the North Carolina Wildlife
16 Commission, the U.S. Coast Guard, or the U.S. Army Corps of Engineers expressly conflict
17 with ordinances adopted by the County under the authority granted by this act, then the State or
18 federal rule or regulation shall prevail over the County ordinance to the extent of the conflict.

19 **SECTION 3.** Brunswick County may appropriate funds to carry out the power and
20 authority granted by this act.

21 **SECTION 4.** If any part or parts of this act shall be held to be unconstitutional, the
22 unconstitutionality shall not affect the validity of the remaining parts of this act.

23 **SECTION 5.** This act is effective when it becomes law.

