

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS15210-LM-87

Short Title: Cities/Remove & Dispose of Abandoned Vessels. (Public)

Sponsors: Senator Lazzara (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING CITIES TO REMOVE ABANDONED VESSELS FROM
3 NAVIGABLE WATERS IN THEIR ORDINANCE-MAKING JURISDICTION IN THE
4 SAME MANNER AS COUNTIES AND GRANTING ALL COUNTIES THE SAME
5 AUTHORITY TO REMOVE ABANDONED VESSELS FROM NAVIGABLE WATERS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 153A-132 reads as rewritten:

8 "**§ 153A-132. Removal and disposal of abandoned and junked motor vehicles; abandoned**
9 **vessels.**

10 ...
11 (i) A county may by ordinance prohibit the abandonment of vessels in navigable waters
12 within the county's ordinance-making jurisdiction, subject to the provisions of this subsection.
13 The provisions of this section shall apply to abandoned vessels in the same manner that they
14 apply to abandoned or junked motor vehicles to the extent that the provisions may apply to
15 abandoned vessels. For purposes of this subsection, an "abandoned vessel" is one that meets any
16 of the following:

- 17 (1) A vessel that is moored, anchored, or otherwise located for more than 30
18 consecutive days in any 180 consecutive-day period without permission of the
19 dock owner.
20 (2) A vessel that is in danger of sinking, has sunk, is resting on the bottom, or is
21 located such that it is a hazard to navigation or is an immediate danger to other
22 vessels.

23 Shipwrecks, vessels, cargoes, tackle, and other underwater archeological remains that have been
24 in place for more than 10 years shall not be considered abandoned vessels and shall not be
25 removed under the provisions of this section without the approval of the Department of Natural
26 and Cultural Resources, which is the legal custodian of these properties pursuant to G.S. 121-22
27 and G.S. 121-23. ~~This subsection applies only to the counties set out in G.S. 113A-103(2).~~

28 **SECTION 2.** Article 8 of Chapter 160A of the General Statutes is amended by
29 adding a new section to read:

30 "**§ 160A-205.6. Removal and disposal of abandoned vessels.**

31 (a) A city may, by ordinance, prohibit the abandonment of vessels in navigable waters
32 within the city's ordinance-making jurisdiction, subject to the provisions of G.S. 160A-303. The
33 provisions of G.S. 160A-303 shall apply to abandoned vessels in the same manner that they apply
34 to abandoned or junked motor vehicles to the extent that the provisions may apply to abandoned
35 vessels. For purposes of this section, an "abandoned vessel" is one that meets any of the
36 following:



(1) A vessel that is moored, anchored, or otherwise located for more than 30 consecutive days in any 180 consecutive-day period without permission of the dock owner.

(2) A vessel that is in danger of sinking, has sunk, is resting on the bottom, or is located such that it is a hazard to navigation or is an immediate danger to other vessels.

(b) Shipwrecks, vessels, cargoes, tackle, and other underwater archeological remains that have been in place for more than 10 years shall not be considered abandoned vessels and shall not be removed under the provisions of this section without the approval of the Department of Natural and Cultural Resources, which is the legal custodian of these properties pursuant to G.S. 121-22 and G.S. 121-23."

SECTION 3. Any local acts authorizing ordinances regulating the removal and/or disposal of vessels from navigable waters and any ordinances that were adopted under that authority before the date this act becomes law shall remain in effect after this act becomes law.

SECTION 4. This act is effective when it becomes law.