

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 449
Mar 22, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30198-LM-52

Short Title: Certain Beach Towns/Navigable Waters. (Local)

Sponsors: Representative Carson Smith.

Referred to:

A BILL TO BE ENTITLED
AN ACT AUTHORIZING THE TOWNS OF NORTH TOPSAIL BEACH, SURF CITY, AND
TOPSAIL BEACH TO REMOVE ABANDONED VESSELS FROM NAVIGABLE
WATERS IN THEIR ORDINANCE-MAKING JURISDICTION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 160A of the General Statutes is amended by
adding a new section to read:

"§ 160A-205.6. Navigable waters; removal and disposal of abandoned vessels.

(a) A municipality may, by ordinance, prohibit the abandonment of vessels in navigable waters within the municipality's ordinance-making jurisdiction, subject to the provisions of G.S. 160A-303. The provisions of G.S. 160A-303 shall apply to abandoned vessels in the same manner that they apply to abandoned or junked motor vehicles to the extent that the provisions may apply to abandoned vessels. For purposes of this section, an "abandoned vessel" is one that meets any of the 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 2. This act applies only to the Towns of North Topsail Beach, Surf City, and Topsail Beach.

SECTION 3. This act is effective when it becomes law.



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