

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

S

1

SENATE BILL 279

Short Title: Local Governments/Regulate Navigable Waters. (Local)

Sponsors: Senator Sanderson (Primary Sponsor).

Referred to: Rules and Operations of the Senate

March 15, 2021

A BILL TO BE ENTITLED
AN ACT AUTHORIZING THE CITY OF NEW BERN AND THE TOWNS OF BRIDGETON,
ORIENTAL, AND TRENT WOODS TO REGULATE NAVIGABLE WATERS WITHIN
THEIR CORPORATE LIMITS AND EXTRATERRITORIAL JURISDICTION.

The General Assembly of North Carolina enacts:

SECTION 1.(a) A municipality is empowered to make, adopt, and enforce ordinances for the navigable waters within its municipal limits as they presently exist and as the municipal limits may be extended by law in the future and within its extraterritorial jurisdiction as to:

- (1) Operation of boats and vessels, including restrictions concerning speed zones, no-wake zones, and types of activities conducted on the navigable waters within the municipal limits of the municipality.
- (2) Restrict the anchoring and mooring of boats and vessels as to location and generally to regulate the anchoring and mooring of vessels within the navigable waters within the municipal limits of the municipality.
- (3) Place and maintain channel aids and markers, anchoring aids and markers, and navigational aids and markers in conformity with the United States Aids to Navigation System and the rules of the Wildlife Resources Commission as adopted for use on the waters of North Carolina pursuant to G.S. 75A-15(c).
- (4) Make all reasonable rules and regulations as it deems necessary for the safe and proper use of the navigable waters within the municipal limits of the municipality for the occupants of boats, vessels, swimmers, and others using said navigable waters.
- (5) Provide for the enforcement of ordinances adopted under the authority of this act in accordance with G.S. 160A-175.

SECTION 1.(b) In the event of conflict between any local ordinance adopted under the authority of this act and the rules or regulations of the Wildlife Resources Commission, the Department of Environmental Quality, the United States Coast Guard, or the United States Army Corps of Engineers, the State or federal rule or regulation shall supersede and prevail over the local ordinance to the extent of the conflict.

SECTION 1.(c) Duly sworn law enforcement officers of the municipality shall have the authority to enforce any local ordinances adopted under the authority of this act.

SECTION 1.(d) A municipality may appropriate funds to carry out the power and authority granted by this act.

SECTION 2. This act applies to the City of New Bern and the Towns of Bridgeton, Oriental, and Trent Woods only.



1

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