**GENERAL ASSEMBLY OF NORTH CAROLINA**
**SESSION 2015**

**H** **D**

**HOUSE BILL 478**
**PROPOSED SENATE COMMITTEE SUBSTITUTE H478-PCS40491-TV-25**

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

Sponsors:

Referred to:

April 2, 2015

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

**SECTION 2.** If any rules or regulations of the North Carolina Wildlife Commission, the Division of Marine Fisheries in the Department of Environment and Natural Resources, the Marine Fisheries Commission, the U.S. Coast Guard, or the U.S. Army Corps of Engineers expressly conflict with ordinances adopted by the county under the authority granted by this act, then the State or federal rule or regulation shall prevail over the county ordinance to the extent of the conflict.

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

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

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