

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015**

**H**

**2**

**HOUSE BILL 478  
Senate State and Local Government Committee Substitute Adopted 7/21/15**

Short Title: Brunswick Cty/Navigable Waters.

(Local)

---

Sponsors:

---

Referred to:

---

April 2, 2015

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING BRUNSWICK COUNTY TO REGULATE NAVIGABLE  
2 WATERS WITHIN ITS BOUNDARIES.  
3

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 Division of Marine Fisheries in the Department of Environment and Natural  
17 Resources, the Marine Fisheries Commission, the U.S. Coast Guard, or the U.S. Army Corps of  
18 Engineers expressly conflict with ordinances adopted by the county under the authority granted  
19 by this act, then the State or federal rule or regulation shall prevail over the county ordinance to  
20 the extent of the conflict.

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

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

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



\* H 4 7 8 - V - 2 \*