

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 67
HOUSE BILL 493

AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE CITY OF SOUTHPORT
AND TO ALLOW THE CITY OF SOUTHPORT TO REGULATE CERTAIN
ACTIVITIES IN WATERWAYS ADJACENT TO THE CITY.

The General Assembly of North Carolina enacts:

Section 1. It is unlawful to operate a vessel at greater than a no-wake speed in the Intracoastal Waterway between Waterway Marker 1A and Waterway Marker 2A in the area abutting the City of Southport. No-wake speed is idle speed or a slow speed creating no appreciable wake.

Sec. 2. With regard to marking the no-wake speed zone established in Section 1 of this act, the City of Southport or its designee may place and maintain the markers in accordance with the Uniform Waterway Marking System and any supplementary standards for such system adopted by the Wildlife Resources Commission. All markers of the no-wake speed zone must be buoys or floating signs placed in the water and must be sufficient in number and size as to give adequate warning of the no-wake speed zone to vessels approaching from various directions.

Sec. 3. Section 1 of this act is enforceable under G.S. 75A-17 as if it were a provision of Chapter 75A of the General Statutes.

Sec. 4. Violation of Section 1 of this act is a misdemeanor punishable by a fine not to exceed two hundred fifty dollars (\$250.00) for each violation.

Sec. 5. G.S. 160A-176.2 reads as rewritten:

"§ 160A-176.2. Ordinances effective in Atlantic Ocean.

(a) A city may adopt ordinances to regulate and control swimming, personal watercraft operation, surfing and littering in the Atlantic Ocean and other waterways adjacent to that portion of the city within its boundaries or within its extraterritorial jurisdiction; provided, however, nothing contained herein shall be construed to permit any city to prohibit altogether swimming or surfing or to make these activities unlawful.

(b) Subsection (a) of this section applies to the Towns of Atlantic Beach, Carolina Beach, Caswell Beach, Emerald Isle, Holden Beach, Long Beach, Ocean Isle Beach, Sunset Beach, Topsail Beach, Wrightsville Beach, and Yaupon ~~Beach~~ Beach, and the City of Southport only."

Sec. 6. This act is effective upon ratification. Section 1 of this act is enforceable after markers complying with Section 2 of this act are placed in the water.

In the General Assembly read three times and ratified this the 24th day of May, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives