

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 912
HOUSE BILL 497

AN ACT TO PROHIBIT DISCHARGE OF RAW SEWAGE, GARBAGE OR REFUSE IN THE WATERS OF LAKE JAMES IN BURKE AND MCDOWELL COUNTIES, AND TO PROMOTE PUBLIC HEALTH BY REGULATING SEWAGE DISPOSAL ON AND NEAR THE WATERS OF LAKE JAMES IN SAID COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful for any person or group of persons to occupy, use, or permit to be used, upon the waters of Lake James in Burke and McDowell Counties, any boathouse, houseboat, or raft containing an enclosed area for living quarters, or any other water craft containing living quarters without such craft being equipped with chemical toilets approved by the health department of either Burke or McDowell Counties, or other sanitary toilet facilities which will prevent the discharge of any raw sewage into the waters of the said Lake.

Sec. 2. It shall be unlawful for any person or group of persons to place upon the waters of Lake James in Burke or McDowell Counties any boat, houseboat, or raft without having had the same inspected by the health department of either Burke or McDowell Counties for the existence of sanitary toilet facilities meeting the requirements of the said health departments and of this Article.

Sec. 3. It shall be unlawful for any person, firm or corporation to erect, use, or permit to be used, any outdoor privy within 150 feet of the shore line of Lake James in Burke or McDowell Counties, or to erect, use or permit to be used any toilets or privys so constructed that untreated sewage may be discharged therefrom into the waters of Lake James in Burke and McDowell Counties.

Sec. 4. It shall be unlawful for any person or group of persons to discharge or permit to be discharged from any pier, boathouse, water craft, shore structure or from the banks adjoining the waters of Lake James any untreated sewage, refuse, or garbage, or any other material which is, or is likely to be, deleterious to the health of persons swimming, fishing, boating or otherwise using the waters of the said Lake.

Sec. 5. The Public Health Departments of Burke and McDowell Counties are hereby authorized and directed to inspect water craft, structures and buildings located on or near the shore of Lake James in said counties to determine whether toilet facilities meeting the sanitary requirements of this Act have been provided, and, if any violation of the sanitary requirements is determined to exist, shall notify the sheriff of the county in which such violation has occurred.

Sec. 6. Violation of any of the provisions of this Act shall constitute a misdemeanor, punishable by fine or imprisonment in the discretion of the court. After the owner has been notified of such violation, each day in which the water craft, structures or buildings not meeting the sanitary requirements of this Act is permitted by the owner to continue without remedial action being taken, shall constitute a separate violation.

Sec. 7. The county commissioners of Burke and McDowell Counties are authorized to appropriate funds for the enforcement of this Act.

Sec. 8. The Public Health Departments of the counties concerned shall cause the provisions of this Act to be printed and posted at piers, docks, landings, access areas, and other places bordering the shores of Lake James in Burke and McDowell Counties.

Sec. 9. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 10. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of June, 1963.