

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 449

Short Title: Certain Beach Towns/Navigable Waters. (Local)

Sponsors: Representative Carson Smith.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Local Government, if favorable, Rules, Calendar, and Operations of the House

March 23, 2023

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE TOWNS OF NORTH TOPSAIL BEACH, SURF CITY, AND
3 TOPSAIL BEACH TO REMOVE ABANDONED VESSELS FROM NAVIGABLE
4 WATERS IN THEIR ORDINANCE-MAKING JURISDICTION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 8 of Chapter 160A of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 160A-205.6. Navigable waters; removal and disposal of abandoned vessels.**

9 (a) A municipality may, by ordinance, prohibit the abandonment of vessels in navigable
10 waters within the municipality's ordinance-making jurisdiction, subject to the provisions of
11 G.S. 160A-303. The provisions of G.S. 160A-303 shall apply to abandoned vessels in the same
12 manner that they apply to abandoned or junked motor vehicles to the extent that the provisions
13 may apply to abandoned vessels. For purposes of this section, an "abandoned vessel" is one that
14 meets any of the following:

15 (1) A vessel that is moored, anchored, or otherwise located for more than 30
16 consecutive days in any 180 consecutive-day period without permission of the
17 dock owner.

18 (2) A vessel that is in danger of sinking, has sunk, is resting on the bottom, or is
19 located such that it is a hazard to navigation or is an immediate danger to other
20 vessels.

21 (b) Shipwrecks, vessels, cargoes, tackle, and other underwater archeological remains that
22 have been in place for more than 10 years shall not be considered abandoned vessels and shall
23 not be removed under the provisions of this section without the approval of the Department of
24 Natural and Cultural Resources, which is the legal custodian of these properties pursuant to
25 G.S. 121-22 and G.S. 121-23."

26 **SECTION 2.** This act applies only to the Towns of North Topsail Beach, Surf City,
27 and Topsail Beach.

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

