

S. B. 660

CHAPTER 710

**AN ACT AUTHORIZING THE TOWN OF BEAUFORT TO REGULATE
NAVIGABLE WATERS WITHIN ITS BOUNDARIES.**

The General Assembly of North Carolina enacts:

Section 1. The Town of Beaufort is empowered to make, adopt and enforce ordinances for the navigable waters within its municipal limits as they presently exist and as the municipal limits may be extended by law in the future, as to:

(1) operation of boats and vessels, including restrictions concerning speed zone, no-wake zones, and types of activities conducted on the navigable waters within the municipal limits of the Town of Beaufort;

(2) to restrict the anchoring of boats and vessels as to location and generally to regulate the anchoring of vessels within its navigable waters;

(3) to place and maintain channel aids and markers, anchoring aids and markers, and navigational aids and markers in conformity with the Uniform State Marking System as adopted for use on the waters of North Carolina pursuant to G.S. 75A-15(c);

(4) to make all reasonable rules and regulations as it deems necessary for the safe and proper use of the navigable waters within the municipal limits of the Town of Beaufort for the occupants of boats and vessels, swimmers, fishermen, and others using said waters;

(5) to provide for enforcement of ordinances adopted by the Town of Beaufort under this act in accordance with G.S. 160A-175.

Sec. 2. In case any rules or regulations of the North Carolina Wildlife Commission, the U. S. Coast Guard, or the U. S. Army Corps of Engineers shall expressly conflict with ordinances adopted by the town under the authority of this act, then the State or federal rule or regulation shall prevail over the town ordinance to the extent of the conflict.

Sec. 3. The Town of Beaufort may appropriate funds to carry out the power and authority granted by this act.

Sec. 4. Law officers of the Beaufort Police Department shall have the authority to enforce the ordinances adopted by the Town of Beaufort pursuant to this act. The Town of Beaufort is further authorized to appoint one or more special or auxiliary officers who shall have the authority to enforce the ordinances adopted by the Town of Beaufort pursuant to this act. Those special or auxiliary officers appointed by the Town of Beaufort shall take the oath required for regular police officers, and shall be entitled to all powers, privileges and immunities afforded by law to regularly employed law enforcement officers of the Town of Beaufort including benefits under the workers' compensation act.

Sec. 5. If any part or parts of this act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this act.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 26th day of June, 1981.