

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 607

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

S607-ABR-97 [v.5]

Page 1 of 2

Amends Title [NO]
Fourth Edition

Date _____, 2024

Representative Cairns

1 moves to amend the bill on page 28, lines 19–20, by inserting between those lines:

2
3 **"AMEND STATUTES AND RULES APPLICABLE TO DOCK, PIER, AND WALKWAY**
4 **REPLACEMENT IN THE COASTAL AREA**

5 **SECTION 15.1.(a)** Definitions. – For purposes of this section:

- 6 (1) "CAMA Rules" means 15A NCAC Subchapter 07J (Procedures for
- 7 Processing and Enforcement of Major and Minor Development Permits,
- 8 Variance Requests, Appeals from Permit Decisions, Declaratory Rulings, and
- 9 Static Line Exceptions).
- 10 (2) "Replacement of Existing Structures Rule" means 15A NCAC 07J .0210
- 11 (Replacement of Existing Structures).

12 **SECTION 15.1.(b)** Replacement of Existing Structure. – Until the effective date of
13 the revised permanent rules that the Coastal Resources Commission is required to adopt pursuant
14 to subsection (d) of this section, the Commission shall implement the Replacement of Existing
15 Structures Rule and the CAMA Rules as provided in subsection (c) of this section.

16 **SECTION 15.1.(c)** Implementation. – For fixed docks, floating docks, fixed piers,
17 floating piers, or walkways damaged or destroyed by natural elements, fire, or normal
18 deterioration, activity to rebuild the dock, pier, or walkway to its pre-damage condition shall be
19 considered repair of the structure, and shall not require CAMA permits, without regard to the
20 percentage of framing and structural components required to be rebuilt. At the time a dock, pier,
21 or walkway damaged or destroyed by natural elements, fire, or normal deterioration is repaired,
22 the width and length of the dock, pier, or walkway structure may be enlarged by not more than 5
23 feet or five percent (5%), whichever is less, and the structure may be heightened, without need
24 for a CAMA permit. The owner shall, however, be required to comply with all other applicable
25 State and federal laws. The provisions of this subsection shall not apply to docks and piers (i)
26 greater than 6 feet in width, (ii) greater than 800 square feet of platform area, or (iii) that are
27 adjacent to a federal navigation channel.

28 **SECTION 15.1.(d)** Additional Rulemaking Authority. – The Commission shall
29 adopt rules to amend the Replacement of Existing Structures Rule and any other pertinent CAMA
30 Rules consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rules
31 adopted by the Commission pursuant to this section shall be substantively identical to the
32 provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject



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1 to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this
2 section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written
3 objections had been received as provided in G.S. 150B-21.3(b2).

4 **SECTION 15.1.(e)** Sunset. – This section expires when permanent rules adopted as
5 required by subsection (d) of this section become effective.

6 **SECTION 15.1.(f)** No later than August 1, 2024, the Department of Environmental
7 Quality shall prepare and submit to the United States National Oceanic and Atmospheric
8 Administration for approval by that agency the proposed changes made to the CAMA Rules, as
9 enacted by this section. The Department of Environmental Quality shall report to the
10 Environmental Review Commission on the status of their activities pursuant to this section
11 quarterly, beginning September 1, 2024, until such time as the General Assembly repeals this
12 reporting requirement.

13 **SECTION 15.1.(g)** Subsections (a) through (e) of this section become effective on
14 the later of the following dates and apply to applications for permits pending or filed on or after
15 that date:

16 (1) October 1, 2024.

17 (2) The first day of a month that is 60 days after the Secretary of the Department
18 of Environmental Quality certifies to the Revisor of Statutes that the National
19 Oceanic and Atmospheric Administration has approved the changes made to
20 the CAMA Rules, as enacted by subsections (a) through (e) of this section, as
21 required by subsection (f) of this section. The Secretary shall provide this
22 notice along with the effective date of this act on its website.

23 **SECTION 15.2.(a)** G.S. 160D-1104 is amended by adding a new subsection to read:
24 "(g) No later than 60 days after an inspection of a dock, pier, or catwalk or walkway that
25 has been replaced in the coastal area, as that term is defined under G.S. 113A-103(2), an
26 inspection department shall notify the Division of Coastal Management of the replacement."

27 **SECTION 15.2.(b)** Notwithstanding Section 35 of S.L. 2023-137, the North
28 Carolina Residential Building Code shall not require a professional engineer or architect to
29 design or otherwise certify the construction of residential docks, piers, or catwalks or walkways."

SIGNED _____
Amendment Sponsor

SIGNED _____

**The official copy of this document, with signatures
and vote information, is available in the
House Principal Clerk's Office**