



HOUSE BILL 346: Counties/Public Trust Areas

2015-2016 General Assembly

Committee: Senate State and Local Government
Introduced by: Rep. Steinburg
Analysis of: First Edition

Date: June 2, 2015
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SUMMARY: *House Bill 346 authorizes counties to adopt ordinances to abate unreasonable restrictions of the public's right to use ocean beaches.*

CURRENT LAW: In 2013, the General Assembly enacted G.S. 160A-205, which authorizes *cities* to adopt ordinances to abate unreasonable restrictions of the public's right to use ocean beaches. This statute authorizes a city to regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris on the State's ocean beaches.¹

BILL ANALYSIS: House Bill 346 authorizes *counties* to adopt ordinances to abate unreasonable restrictions of the public's right to use ocean beaches.

The bill authorizes a *county* by ordinance to regulate, restrict, or prohibit the placement, maintenance, location or use of equipment, personal property, or debris on the State's ocean beaches.

The bill does not apply to the removal of permanent residential or commercial structures from the State's ocean beaches.

EFFECTIVE DATE: This act is effective when it becomes law.

Giles Perry, Counsel to House Local Government, contributed substantially to this summary.

¹ This statute was enacted following the decision in *Town of Nags Head v. Cherry*, 219 N.C.App. 66 (2012)

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