



HOUSE BILL 346: Counties/Public Trust Areas

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-70

Date:

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Staff Attorney

SUMMARY: *S.L. 2015-70 authorizes counties to adopt ordinances to abate unreasonable restrictions of the public's right to use ocean beaches.*

This act became effective June 11, 2015.

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: This act authorizes *counties* to adopt ordinances to abate unreasonable restrictions of the public's right to use ocean beaches.

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

EFFECTIVE DATE: This act became effective June 11, 2015.

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

O. Walker Reagan
Director



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