



HOUSE BILL 591: Cities/Public Trust Areas

2015-2016 General Assembly

Committee: House Local Government
Introduced by: Rep. Tine
Analysis of: PCS to First Edition
H591-CSRW-19

Date: April 24, 2015
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SUMMARY: *House Bill 591 (proposed committee substitute) authorizes cities to regulate, restrict, or prohibit the placement, maintenance, location or use of structures that are uninhabitable and without water and sewer service for more than 60 days on the State's ocean beaches.*

The proposed committee substitute clarifies when the 60 day period ends, and requires notification to the owner of record by certified mail.

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 591 (proposed committee substitute) amends G.S. 160A-205 to:

- authorize a city to regulate, restrict, or prohibit the placement, maintenance, location or use of structures that are uninhabitable and without water and sewer service for more than 60 days on the State's ocean beaches.
- require the city to make the determination that the structure has been uninhabitable and without water and sewer service for more than 60 days, and then notify the owner of record by certified mail.

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

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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