



HOUSE BILL 591: Cities/Public Trust Areas

2015-2016 General Assembly

Committee:	Senate Re-ref to State and Local Government.	Date:	May 18, 2015
	If fav, re-ref to		
	Agriculture/Environment/Natural Resources		
Introduced by:	Rep. Tine	Prepared by:	R. Erika Churchill
Analysis of:	Second Edition		Committee Counsel

SUMMARY: *House Bill 591 would authorize 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, with a require 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 would amend 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.

Giles S. Perry substantially contributed 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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