



HOUSE BILL 1004: Wrightsville Beach Local Act Changes.

2017-2018 General Assembly

Committee:	House State and Local Government I	Date:	June 6, 2018
Introduced by:	Rep. Davis	Prepared by:	Jessica Sammons Staff Attorney
Analysis of:	PCS to First Edition H1004-CSBK-37		

OVERVIEW: *The Proposed Committee Substitute to House Bill 1004 would allow the Town of Wrightsville Beach to use the Town's property located in between private land owners' property and the Atlantic Ocean for the construction of public restrooms, gazebos, park facilities, and public beach access facilities without the property reverting back to the State.*

The PCS amends the title of the bill.

CURRENT LAW: Chapter 246 of the Public Laws of 1939 describes property that had been filled in, restored, or constructed by the Town of Wrightsville Beach following years of erosion. Section 1 incorporates this filled in, restored, and newly constructed land into the corporate limits of the Town of Wrightsville Beach. Section 2 establishes a set "property line" to distinguish private from public land. All of the newly constructed land to the west of the property line is conveyed to the adjacent land owners, and all newly constructed land to the east of the property line is conveyed to the Town of Wrightsville Beach.

No building or structure may be built on land lying to the east of the property line. All land to the east of the property line is to be kept open at all times by the Town for either (1) streets and highways for public use, or (2) development and use as a public square or park. If the land is not used for one of these purposes, the land reverts and becomes property of the State.

BILL ANALYSIS: The PCS to House Bill 1004 would:

- Clarify that use of the land to the east of the property line for development and use as a public square or park includes any construction of public restrooms, gazebos, and typical park facilities on that land.
- Allow for the land to the east of the property line to be used by the Town for the construction of public beach access facilities.

EFFECTIVE DATE: Effective when it becomes law.

Karen Cochrane-Brown
Director



H 1 0 0 4 - S M B K - 1 2 6 C S B K - 3 7 - V - 4

Legislative Analysis
Division
919-733-2578