



HOUSE BILL 52: Wrightsville Beach Local Act Amendment.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	March 4, 2019
Introduced by:	Rep. Davis	Prepared by:	Wendy Ray
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 52 would allow the Town of Wrightsville Beach to use the Town's property located between private property and the Atlantic Ocean for public purposes and would provide the Town discretion to license and regulate the operation of private businesses on this land without the property reverting to the State.*

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 (1) streets and highways for public use, (2) development and use as a public square or park, which includes the construction of public restrooms, gazebos, and typical park facilities, and (3) construction of public beach access facilities. If the land is not used for these purposes, the land reverts and becomes property of the State.

BILL ANALYSIS: House Bill 52 would remove the prohibition on erecting buildings or structures on the land lying east of the property line and deletes the specific list of public purposes for which the land may be used. The bill would allow the land to be used only for public purposes, except that the Town would be authorized to license and regulate the operation of private businesses on the land.

EFFECTIVE DATE: This act would be effective when it becomes law.

Nicholas Giddings, counsel to House State and Local Government, substantially contributed to this summary.

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