

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

**SESSION LAW 2018-20
HOUSE BILL 1027**

AN ACT PROVIDING THAT A VIOLATION OF THE NO-WAKE SPEED ZONE UPON THE WATERS WITHIN THE COMMUNITY OF THE VILLAGE OF BALD HEAD ISLAND IS AN INFRACTION AND THAT A VIOLATION IS ENFORCEABLE AS IF IT WERE A PROVISION OF THE GENERAL LAWS REGULATING BOATING SAFETY.

The General Assembly of North Carolina enacts:

SECTION 1. Section 2.1 of Chapter 688 of the Session Laws of 1987 reads as rewritten:

"Sec. 2.1. Any person who violates this act ~~shall be guilty of a misdemeanor and on conviction thereof shall be subject to a fine not to exceed two hundred and fifty dollars (\$250.00)~~ is responsible for an infraction as provided in G.S. 14-3.1 and shall pay a fine of fifty dollars (\$50.00). A person responsible for an infraction under this act shall not be assessed court costs."

SECTION 2. Section 3 of Chapter 688 of the Session Laws of 1987 reads as rewritten:

"Sec. 3. This law ~~shall be enforced by officers of the Wildlife Resources Commission, and by the Brunswick County Sheriff~~ act is enforceable under G.S. 75A-17 as if it were a provision of Chapter 75A of the General Statutes."

SECTION 3. This act applies to the Village of Bald Head Island only.

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 21st day of June, 2018.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives



**A RESOLUTION OF THE VILLAGE OF BALD HEAD ISLAND
IN SUPPORT OF A LOCAL ACT TO ALLOW THE VILLAGE
DEPARTMENT OF PUBLIC SAFETY TO ENFORCE THE
NO-WAKE SPEED ZONE WITHIN ITS COMMUNITY WATERS**

WHEREAS, pursuant to Chapter 688 of the 1987 Session Laws of the General Assembly of North Carolina, a “no-wake” speed zone was established for the waters within the community of the Village of Bald Head Island, provided that the restricted areas are appropriately marked in accordance with Uniform Waterway Marking System by the Village or its designee;

WHEREAS, pursuant to Chapter 688 of the 1987 Session Laws of the General Assembly of North Carolina, the “no-wake” speed zone established for the waters within the community of the Village of Bald Head Island may currently be enforced by officers of the Wildlife Resources Commission and the Brunswick County Sheriff’s Office;

WHEREAS, Article 7.1 of the Charter of the Village of Bald Head Island, Chapter 324 of the 1997 Session Laws of the General Assembly of North Carolina, continued the “no wake” speed zone established by Chapter 688 of the 1987 Session Laws as originally authorized;

WHEREAS, Article 8.1 of the Charter of the Village of Bald Head Island, further authorizes the Village to regulate the speed and operation of motorboats within the Village jurisdiction to preserve the tranquility and environment of the Village;

WHEREAS, a local act is necessary to extend specific authority to enforce the existing “no-wake” speed zone for the waters within the community to the Village Department of Public Safety;

WHEREAS, the Village Council has determined that it is in the public interest and best interest of the Village; that it will further the health, safety, and welfare of citizens and visitors to the island; and that it will protect and preserve the tranquility and environment of the Village, which is integral to our unique brand of island tourism, to extend authority to enforce the existing “no-wake” speed zone for the waters within the community to the Village Department of Public Safety.

NOW, THEREFORE, BE IT RESOLVED, by the Village Council of the Village of Bald Head Island that the Village officials and staff are authorized and directed to pursue with the General Assembly of North Carolina a local act to extend enforcement of the existing “no-wake”

speed zone for the waters within the community of the Village of Bald Head Island to the Village Department of Public Safety.


This the 20th day of February, 2018.





J. Andrew Sayre, Mayor

ATTEST:



Daralyn Spivey, Village Clerk

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 688
HOUSE BILL 774

AN ACT TO ESTABLISH A "NO-WAKE" SPEED ZONE FOR MOTORBOATS AT
SUNSET HARBOR AND THE VILLAGE OF BALD HEAD ISLAND.

The General Assembly of North Carolina enacts:

Section 1. No person shall operate any motorboat or vessel at greater than no-wake speed upon any of the waters within the community of Sunset Harbor and the Village of Bald Head Island, provided that the restricted areas are marked in accordance with the Uniform Waterway Marking System by the community or its designee.

Sec. 2. "No-wake speed" is idle speed or a slow speed creating no appreciable wake.

Sec. 2.1. Any person who violates this act shall be guilty of a misdemeanor and on conviction thereof shall be subject to a fine not to exceed two hundred and fifty dollars (\$250.00).

Sec. 3. This law shall be enforced by officers of the Wildlife Resources Commission, and by the Brunswick County Sheriff.

Sec. 4. This act shall become effective August 1, 1987.

In the General Assembly read three times and ratified this the 28th day of July, 1987.