



Town of Southern Shores

“A Town of Volunteers”

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AN ORDINANCE AMENDING CHAPTER 10, ARTICLE II, OF THE CODE OF ORDINANCES OF THE TOWN OF SOUTHERN SHORES

Be it ordained by the Town Council of the Town of Southern Shores as follows:

PART 1. Preamble. It is the intent of the Town Council of the Town of Southern Shores to revise the Town ordinance governing personal watercraft as a result of the adoption by the North Carolina General Assembly of G.S. 75A-13.3 effective December 1, 1999, and in order to provide certain more restrictive regulations than contained in G.S. 75A-13.3 and to exercise the powers granted to the Town by G.S. 160A-176.2.

PART 2. Section 10-14, of Article II, BEACH AND WATERWAY USAGE, of the Code of Ordinances is hereby deleted in its entirety and replaced with the following revised Section 10-14:

Sec. 10-14. Personal Watercraft Operation. Personal watercraft operations within the Town of Southern Shores and the areas of its extraterritorial jurisdiction shall be governed by the provisions of North Carolina General Statute 75A-13.3 which is incorporated herein as if fully set out and those more restrictive regulations as provided herein which shall control and govern over conflicting provisions of G.S. 75A-13.3 as provided by G.S. 75A-13.3 (h) and 160A-176.2. The more restrictive regulations are as follows:

- (a) No person under the age of 16 shall operate a personal watercraft, nor shall any person knowingly allow a person under the age of 16 to operate a personal watercraft, on and upon the waters of the Town of Southern Shores and the waters within the area of extraterritorial jurisdiction of the Town.
- (b) No person may launch or operate a personal watercraft before obtaining a permit from the Southern Shores Police Department. The permit so obtained shall be carried by the personal watercraft operator whenever operating the watercraft and be exhibited to any police officer upon request. In order to obtain a permit the operator must:
 - (1) Appear in person at the Southern Shores Police Department during normal office hours 8:00 A.M. to 5:00 P.M. weekdays, excepting holidays, and

- (2) Sign a statement that the provisions of G.S.75A-13.3, The Rules of The Road, and this ordinance are understood, and
 - (3) Present proof of current registration of the personal watercraft with the State of North Carolina or with another state and exhibit the identifying number displayed on each side of the bow, and
 - (4) Provide proof of insurance covering the operation of the personal watercraft showing a minimum coverage of \$100,000.00 for each person, \$100,000.00 each occurrence, and \$50,000.00 property damage, and
 - (5) Show proof of having attended (in person or via the Internet) a U.S. Coast Guard approved course on safe boating and navigational rules of the road or a boater safety education course approved by the National Association of State Boating Law Administrators (NASBLA).
- (c) Upon compliance with the above subsection (b), the Police Department shall issue a permit to a permanent or non-permanent resident or real property owner of the Town of Southern Shores or Martin's Point which expires on December 31st of the calendar year in which it is issued.
- (d) The following operating regulations shall apply to all personal watercraft operations:
- (1) No person shall operate a personal watercraft at any time between sunset and sunrise.
 - (2) Except for purposes of ingress and egress to and from the point of launch and waters where personal watercraft operations are conducted, and then at no wake speed sufficient to maintain steerageway but not more than five (5) miles per hour, no personal watercraft shall be operated:
 - [a] In the Atlantic Ocean within 200 yards of the shoreline or within 100 yards of a fishing pier;
 - [b] On any waters within the Town canal and lagoon system;
 - [c] In Ginguite (a/k/a/ Jean Guite) Bay and Creek which is defined as all waters southward of a straight line drawn from the northern tip of Martin's Point Northeastward to the Southern edge of the Southern Shores Civic Association Bathing Beach located on the west shoreline of Southern Shores;
 - [d] In Currituck Sound within 400 yards of the shoreline of Southern Shores and within 400 yards of the shoreline of Martin's Point where such waters fall within the Extraterritorial Jurisdiction of Southern Shores.

(3) Personal watercraft transiting the marked navigation channels leading from the Southern Shores Civic Association's north marina to Currituck Sound and from Martin's Point marina to the above channel, may proceed through those channels at speeds up to those of any other motorized vessel (excluding other personal watercraft) also transiting the channels.

(4) The harassment of wildlife by any activities such as repeated circling or other repetitive maneuvers in close proximity to nesting areas is prohibited.

PART 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART 4. This ordinance shall be in full force and effect from and after October 3, 2000 and upon the installation of notice signs at each highway entrance to the Town except along U.S. Highway 158 where signs shall be posted at each Town street entrance. Further a sign shall be posted on a Town Street in close proximity to any boat launch area which is provided for us by the public or SSCA Members and guests. The signs required shall give notice that (1) the Town has personal watercraft regulations more strict than state law, and (2) all personal watercraft operators must obtain a permit from the Town Police Department.

Adopted this the 3rd day of October, 2000.



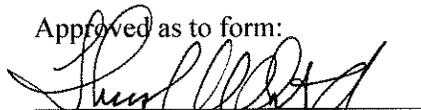
Mayor

ATTEST:



Town Clerk

Approved as to form:



Town Attorney