

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 656
Committee Substitute Favorable 4/23/97

Short Title: Watershed Exemption/Annexation.

(Public)

Sponsors:

Referred to:

March 27, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE PROVISIONS OF THE WATERSHED PROTECTION
3 ACT AS THEY APPLY TO SCHOOLS, TO MODIFY THE LAWS RELATING TO
4 SATELLITE ANNEXATION WHICH APPLY TO MOORESVILLE, AND TO
5 LIMIT THE SPEED OF BOATS ON LAKE NORMAN.

6 The General Assembly of North Carolina enacts:

7 **PART I. WATERSHED PROTECTION ACT MODIFICATION.**

8 Section 1. Notwithstanding any other law, the provisions in G.S. 143-214.5
9 concerning water supply watershed areas shall not apply to a school administrative unit
10 that is expanding its existing facilities to accommodate rapid school enrollment growth.

11 Section 2. Section 1 of this act applies only to school administrative units in a
12 county which has two school administrative units, one of which is subject to G.S. 160A-
13 20(h)(6).

14 **PART II. SATELLITE ANNEXATION.**

15 Section 3. Section 2 of Chapter 82 of the 1995 Session Laws reads as
16 rewritten:

17 "Sec. 2. This act applies only to the ~~Towns~~ Town of Apex and ~~Mooreville~~ and only
18 with respect to annexation ordinances adopted on or before December 31, 2000. The
19 authority this act grants to the Town of Apex does not apply to property in Chatham

1 County; therefore, the Town of Apex may not annex property in Chatham County by
2 satellite annexation if the area to be annexed, when added to the area within the satellite
3 corporate limits of the Town of Apex, exceeds the limit set by general law in G.S. 160A-
4 58.1(b)(5)."

5 Section 4. G.S. 160A-58.1(b)(5) does not apply to the Town of Mooresville.

6 Section 5. G.S. 160A-58.4, as amended by Chapter 289 of the 1991 Session
7 Laws, reads as rewritten:

8 "**§ 160A-58.4. Extraterritorial powers.**

9 Satellite corporate limits for areas annexed prior to May 1, 1997, shall be considered a
10 part of the city's corporate limits for the purposes of extraterritorial land-use regulation
11 pursuant to G.S. 160A-360, but not for purposes of abatement of public health nuisances
12 pursuant to G.S. 160A-193. Satellite corporate limits for areas annexed on or after May
13 1, 1997, shall not be considered a part of the city's corporate limits for the purposes of
14 extraterritorial land-use regulation pursuant to G.S. 160A-360, or abatement of public
15 health nuisances pursuant to G.S. 160A-193. However, a city's power to regulate land use
16 pursuant to Chapter 160A, Article 19, or to abate public health nuisances pursuant to G.S.
17 160A-193, shall be the same within satellite corporate limits as within its primary
18 corporate limits."

19 Section 6. Sections 4 and 5 of this act apply only to the Town of Mooresville.

20 **PART III. NO-WAKE SPEED ZONES ON LAKE NORMAN.**

21 Section 7. It is unlawful to operate a vessel at greater than a no-wake speed
22 within 50 yards of a boat launching area, bridge, dock, pier, marina, boat storage
23 structure, or boat service area on the waters of Lake Norman. No-wake speed is idle
24 speed or slow speed creating no appreciable wake.

25 With regard to marking the no-wake speed zone established in this section,
26 each of the boards of commissioners of Catawba, Iredell, Lincoln, and Mecklenburg
27 Counties may place and maintain navigational aids and regulatory markers of a general
28 nature on the waters of Lake Norman within the boundaries of each respective county.
29 Provided the counties exercise their supervisory responsibility, they may delegate the
30 actual process of placement or maintenance of the markers to some other agency,
31 corporation, group, or individual. With regard to marking the restricted zones, markers
32 may be placed and maintained by the individuals using the protected areas and facilities
33 in accordance with the Uniform Waterway Marking System and any supplementary
34 standards for that system adopted by the Wildlife Resources Commission.

35 This section is enforceable under G.S. 75A-17 as if it were a provision of
36 Chapter 75A of the General Statutes.

37 **PART IV. EFFECTIVE DATE.**

38 Section 8. Section 7 of this act is effective when it becomes law and is
39 enforceable after markers complying with Section 7 are placed in the water. The
40 remainder of this act is effective when it becomes law.