

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 690
HOUSE BILL 1066

AN ACT TO AUTHORIZE COUNTIES AND MUNICIPALITIES BY ORDINANCE TO
PROHIBIT OR REGULATE FISHING FROM ANY BRIDGE.

The General Assembly of North Carolina do enact:

Section 1. G.S. 153-9 is hereby amended by adding thereto a new division, which shall read as follows:

"(66) To enact an ordinance prohibiting or regulating fishing from any bridge for the purpose of protecting persons fishing on the bridge from passing vehicular or rail traffic. Such ordinance may also prohibit or regulate fishing from any bridge within the territorial jurisdiction of any municipality whose governing body by resolution agrees to such prohibition or regulation; provided, however, that any such municipal governing body may upon thirty days' written notice withdraw its approval of the county ordinance, and that ordinance shall have no further effect within the municipality's jurisdiction. The ordinance shall provide that signs shall be posted on any bridge where fishing is prohibited or regulated reflecting such prohibition or regulation. In any event, no one may fish from the draw span of any regularly attended bridge."

Sec. 2. The governing body of any municipality is hereby authorized to enact an ordinance prohibiting or regulating fishing from any bridge for the purpose of protecting persons fishing on the bridge from passing vehicular or rail traffic. Such ordinance may also prohibit or regulate fishing from any bridge one (1) mile beyond the corporate limits of the municipality where the board or boards of county commissioners by resolution agree to such prohibition or regulation; provided, however, that the board or boards of county commissioners may upon thirty days' written notice withdraw their respective approval of the municipal ordinance, and that ordinance shall have no further effect within that county's jurisdiction. The ordinance shall provide that signs shall be posted on any bridge where fishing is prohibited or regulated reflecting such prohibition or regulation. In any event, no one may fish from the draw span of any regularly attended draw bridge.

Sec. 3. The police department of the municipality is hereby vested with the jurisdiction and authority to enforce any ordinance passed pursuant to Section 2. of this act.

Sec. 4. G.S. 113-265 is hereby amended by deleting subsection (a) and relettering subsections (b), (c), (d), (e), and (f) as subsections (a), (b), (c), (d), and (e) respectively.

Sec. 5. When requested to do so by any county or municipality that has enacted an ordinance under this Chapter regulating or prohibiting fishing on any bridge of the North Carolina State Highway System, the North Carolina State Highway Commission shall erect signs on such bridges indicating the prohibition or regulation of the ordinance enacted under this Chapter.

Sec. 6. The authority granted under the provisions of this act shall be subject to the authority of the State Highway Commission to prohibit fishing on any bridge on the State Highway System.

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1971.