ORDINANCE NO. 24

ORDINANCE REGULATING PUBLIC USE OF S. R. FARMER LAKE AND RECREATION FACILITIES

The County of Caswell, pursuant to General Statutes 153A-121 granting the counties of this State authority to adopt ordinances in exercise of the general police power not inconsistent with the Constitution and laws of the State or the Constitution and laws of the United States, does hereby enact this Chapter of Ordinances designated to regulate the use by the public of the waters and lands under the supervision and control of the Caswell County Board of Commissioners and of recreation facilities established thereon.

I-1. Declaration of Policy - It is the policy of this County to generally promote safety for persons and property in the use and enjoyment of S. R. Farmer Lake, popularly known as Farmer Lake.

I-2. Definition

(1) As used in this chapter, the word "Lake" shall mean the S. R. Farmer Lake, more popularly known as Lake Farmer.

(2) "Motorboat" means any vessel propelled by machinery whether or not such machinery is the principal source of propulsion.

(3) "Operate" means to navigate or otherwise use a motorboat or a vessel on the said Lake.

(4) "Person" means individual, partnership, firm, corporation, association, or other entity.

(5) "Vessel" means every description or watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

(6) "No Wake Speed" means idle speed or a low speed creating no appreciable wake.

I-3. Speed Limit Near Ramps - No person shall operate a vessel at greater than no-wake speed within 200 feet of any public boat launching ramp while on the waters of Lake Farmer in Caswell County.

I-4. Speed Limit in Mooring and Other Marked Areas - No person shall operate a vessel at a greater than no-wake speed while within a marked mooring area or any other area marked with a no-wake buoy pursuant to the Uniform State Waterway Marking System.

I-5. Regattas, Race, or Exhibitions - The Caswell County Board of Commissioners may authorize the holding of regattas, motorboat or other boat races, marine parades, tournaments, or exhibitions on the Lake. Whenever a regatta, motorboat, or other boat race, marine parade, tournament, or exhibition is proposed to be held, the person in charge thereof, shall, at least fifteen days prior thereto, file an application with the Caswell County Board of Commissioners through its Clerk for permission to hold such regatta, motorboat, or other race, marine parade, tournament, or exhibition.

The application shall set forth the date, time and location where it is proposed to hold such regatta, motorboat, or other boat race, marine parade, tournament, or exhibition, and such event shall not be conducted without first obtaining authorization from the Caswell County Board of Commissioners in writing.

I-6. Other Acts - It shall be unlawful for any person to do any of the following acts:

(a) It shall be unlawful for any person to throw trash, bottles, or other debris from boats or from the shore into the Lake or upon the shore surrounding the Lake.

(b) It shall be unlawful for any person under the age of 16 to operate a motorboat unless such person is accompanied by an adult in the motorboat.

(c) It shall be unlawful for any person to use any Lake property under the control of the Caswell County Board of Commissioners for toilet purposes except the standard toilet facilities provided by the Caswell County Board of Commissioners.

(d) It shall be unlawful for any person to swim or ski within the confines of the Lake.

(e) It shall be unlawful for any person to linger or loiter upon any bridge, public or private, spanning said Lake, or to dive or jump into the water, or fish, from such bridge, public or private.

(f) It shall be unlawful for any person to operate a motorboat on the Lake at a speed that is unreasonable, unsafe, or greater than is reasonable and prudent under the conditions then existing.

(g) It shall be unlawful for any person to place or operate a motorboat or vessel on the Lake without first securing a boat permit. Such boat permits may be obtained from the Caswell County Board of Commissioners, or its designated agents, for daily use or annual use at such rates as are established by the said Board. The operator of any boat shal' have in his possession at all times either the daily permit issued for such boat, or in the event an annual permit has been obtained, the decal manifesting same, that being attached to the left stern, transom or left windshield of the vessel in a conspicuous manner.

(h) It shall be unlawful for any person to fish, launch a boat, or have contact with the Lake or adjoining property except at designated entry points provided by the County.

(i) It shall be unlawful for any person to construct, erect, or maintain a private pier or dock within the confines of the Lake.

(j) It shall be unlawful for any person to enter the confines of the Lake except during designated days and hours of operation.

(k) It shall be unlawful for any person to fish or operate a motorboat or vessel within 150 feet of the municipal water intake of said lake.

(l) It is unlawful for any person to anchor, beach, or moor a motorboat or vessel along the shoreline of said Lake except at designated launch ramps.

(m) It is unlawful for any person to water or wash livestock or animals along the margin of said Lake.

(n) It shall be unlawful for any person to maintain or house livestock within 50 feet of the normal pool level of said Lake.

(o) It shall be unlawful for any person to possess, consume, or use alcoholic beverages within the confines of the Lake and adjoining County property.

(p) It shall be unlawful for any person to withdraw water from said Lake for personal business or agriculture use without first obtaining a water withdrawal permit.

(q) It shall be unlawful for any person to fish or hunt within the confines of the Lake without first securing a fishing or hunting permit.

(r) It shall be unlawful for any person to fish or hunt within the confines of the Lake in violation of the rules and regulations of the North Carolina Wildlife Commission.

(s) It shall be unlawful for a person to remove more than 6 largemouth bass (exceeding 15 inches in length) from the Lake per day.

(t) It shall be unlawful for any person to fish except in those areas designated for fishing by the Caswell County Board of Commissioners.

(u) It shall be unlawful for any person to hunt except in those areas designated for hunting by the Caswell County Board of Commissioners.

(v) It shall be unlawful for any person to fish within the confines of said Lake during designated waterfowl hunting days.

(w) It shall be unlawful for any person to possess firearms within the confines of the Lake except during designated waterfowl hunting periods.

(x) It shall be unlawful for any person to place or operate a motorboat or vessel on the Lake without said boat being equipped with one oar and an approved life jacket for each occupant of said motorboat or vessel.

(y) It shall be unlawful for any person to place or operate a motorboat or vessel on the Lake if same is not in compliance with United States Coast Guard boating standards and regulations.

I-7. Enforcment of Chapter - Any public safety officer commissioned pursuant to North Carolina General Statutes and/or the Session Laws of 1985 and in the employment of the Caswell County Board of Commissioners and every other law enforcement officer commissioned pursuant to the General Statutes of North Carolina and in the exercise thereof shall have authority to stop any vessel subject to this chapter; and, after having identified himself in his official capacity, shall have authority to board and inspect any vessel subject to this chapter.

I-8. Penalties - Any person who violates provisions of this ordinance shall be guilty of a misdemeanor subject to a fine not to exceed Fifty Dollars ($50.00), or imprisonment not to exceed thirty days, for each such violation pursuant to North Carolina General Statutes 14-4.

I-9. These ordinances, as enacted, are in addition to any laws of the State of North Carolina and federal government, including the North Carolina Motorboat Owners Guide as published annually by the North Carolina Wildlife Resources Commission and in no way delimit such laws.

I-10. This ordinance shall be effective on and after the 1st day of April, 1986.

Unanimously adopted this the 1st day of April, 1986, by the Caswell County Board of Commissioners at its regular meeting in the Caswell County Courthouse, Yanceyville, North Carolina.

William W. Pointer, Jr.
William W. Pointer, Jr.
Chairman

ATTEST:

(Seal)

Wanda P. Smith
Wanda P. Smith
Clerk to the Board

BOOK 1 PAGE 166-A

AMENDMENT TO ORDINANCE NO. 24

AN ORDINANCE REGULATING PUBLIC USE OF S. R. FARMER LAKE AND RECREATION FACILITIES

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Caswell County

that Ordinance No. 24, Section I-6.(s) be amended as follows:

I-6. (s) It shall be unlawful for a person to remove than four (4) largemouth bass from the Lake per day and a "slot limit" as follows shall apply: Two (2) fish less than twelve (12) inches may be kept; no fish between twelve (12) inches in length and sixteen (16) in length, inclusive, may be kept; in other words, four (4) fish in excess of sixteen (16) inches may be kept as a fisherman's total creel, or one or two fish less than twelve (12) inches in length, plus a balance of largemouth bass in excess of sixteen (16) inches in length, may be kept to constitute a total of four (4) largemouth bass as the fisherman's creel limit per day.

ADOPTED THIS THE 5th DAY OF MARCH, 1990.

Gordon G. Satterfield, Chairman
Caswell County Board of Commissioners

ATTEST

Wanda P. Smith
Clerk to the Board

AMENDMENT TO ORDINANCE NO.24

AN ORDINANCE REGULATING PUBLIC USE OF S. R. FARMER LAKE AND RECREATION FACILITIES

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Caswell County that Ordinance No. 24. be amended to add the following provisions:

I-2 Definitions

(7) "Personal Watercraft" refers to that type of vessel commonly known as a "jet ski" type vessel, but specifically includes any vessel covered by the definition of personal watercraft in N.C.G.S. § 75A-13.3. of "a small vessel which uses an outboard or propeller-driven motor, or an inboard motor powering a water jet pump, as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel."

I-6 Other Acts

Z. It shall be unlawful for any person to operate or place a personal watercraft on the waters of Farmer Lake.

I-7 Enforcement

{add following sentence} The Lake Manager shall be authorized to issue civil citations assessing fines against those persons violating this ordinance.

ADOPTED THIS THE 17th DAY OF MARCH, 2003.

M. O. Battle

Mel O. Battle
Chairman, Caswell County Board of Commissioners

Attest:

Wanda P. Smith

Wanda P. Smith
Clerk to the Board