

The aforesaid Ordinance was repealed by action of the Caswell County Board of Commissioners, meeting in regular session on March 21, 1983. (See Minute Book 9, Page 342). Said Ordinance being effective as of March 21, 1983.

ORDINANCE NO. 1

BOOK 1 PAGE 1

CHAPTER I

ORDINANCE REGULATING PUBLIC USE OF

HYCO LAKE AND RECREATION FACILITIES

The County of Caswell, pursuant to General Statutes 153-9 (55) 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 designed to regulate the use by the public of the waters and lands under the supervision and control of the Person-Caswell Lake Authority 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 Carolina Power & Light Company Lake, popularly known as Hyco Lake.

I - 2. Definitions (1) As used in this chapter, the word "Lake" shall mean the Carolina Power and Light Company Lake, more popularly known as Hyco Lake, located in Milton and Leasburg Townships of Caswell County, North Carolina.

(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 an individual, partnership, firm, corporation, association, or other entity.

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

I - 3. Muffling Devices The exhausts of every internal combustion engine used on any motorboat on the Lake shall be effectively muffled by equipment so constructed and used to muffle the noise of the exhaust in a reasonable manner. The use of cut-outs is prohibited, except for motorboats competing

In a regatta or boat race approved by the Person-Caswell Lake Authority pursuant to Section 1-5.

I - 4. Operation of boat and water skis (a) No person shall operate any motorboat or vessel, or manipulate any water skis, surfboard, or similar device on the Lake without due caution and circumspection or at a speed or in a reckless or negligent manner so as to endanger or be likely to endanger any person or property.

(b) No person shall operate any motorboat or vessel, or manipulate any water skis, surfboard, or similar device on the Lake while intoxicated or under the influence of any narcotic drug, barbiturate, or marijuana.

(c) No person shall operate a vessel on the Lake for towing a person or person on water skis, or a surfboard, or similar device unless there is in such vessel a person, in addition to the operator, in a position to observe the progress of the person or persons being towed or unless the skiers wear a life preserver or unless the boat is equipped with a rear view mirror.

(d) No person shall operate a vessel on the Lake towing a person or persons on water skis, or a surfboard, or similar device, nor shall any person engage in water skiing, surfboarding, or similar activity at any time between the hours from one hour after sunset to one hour before sunrise.

(e) The provisions of subsections (c) and (d) of this section do not apply to a performer engaged in a professional exhibition or a person or persons engaged in an activity authorized by the Person-Caswell Lake Authority.

(f) No person shall operate or manipulate any vessel, tow rope, or other device by which the direction or location of water skis, a surfboard, or similar device may be affected or controlled in such a way as to cause the water skis, surfboard, or similar device, or any person thereon to collide with any object or person.

I - 5. Regattas, Races, or Exhibitions The Person-Caswell Lake Authority 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 Person-Caswell Lake Authority through its Secretary 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 of the Person-Caswell Lake Authority in writing.

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

- (a) It shall be unlawful for a 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 12 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 Person-Caswell Lake Authority or Carolina Power & Light Company for toilet purposes except the standard toilet facilities provided by the Person-Caswell Lake Authority or Carolina Power & Light Company.
- (d) It shall be unlawful for any person to swim or ski within 200 feet of any public boat launching area or to ski or operate a vessel within 100 feet of any public swimming area so designated by duly erected ropes or signs.
- (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 any 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) Any person who enters the premises of the Person-Caswell Lake Authority as a driver or passenger of a motor vehicle without paying the proper fee for such vehicle at the gate guarding or controlling the entrance to said premises shall be guilty of trespass. This provision shall not apply to those individuals, or members of their immediate families, entering the aforescribed premises under license conferred for use of the boat-launching facilities thereon by virtue of purchase from the Authority, or its designated agents, of either a daily or annual boat permit as hereinafter stipulated.

(h) It shall be unlawful for any person to place or operate a motor-boat or vessel on the Lake without first securing a boat permit. Such boat permits may be obtained from the Person-Caswell Lake Authority, or its designated agents, for daily use or annual use at such rates as are established by the said Authority. The operator of any boat shall 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 metal tag manifesting same, that being attached to the left stern or transom of the boat in a conspicuous manner.

I - 7. Enforcement of Chapter - Any special peace officer commissioned pursuant to Chapter 200 (Session Laws, 1965) and General Statutes 113-28.3 and General Statutes 113-28.4 and in the employ of the Person-Caswell Lake Authority, and every other law enforcement officer of this County shall have the authority to enforce the provisions of this chapter 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 - (a) Any person who violates any provisions of sections I - 3, I - 4 (c) and (d), I - 6 (a ) (b) (c) (e) (f) (g) and (h) shall be guilty of a misdemeanor subject to a fine of not to exceed fifty dollars (\$50.00), or imprisonment not to exceed thirty days, for each such violation.

(b) Any person who violates any provision of section I - 4 (a) (b) and

(f); I - 5, and I - 6 (d) shall be guilty of a misdemeanor and subject to a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed six months, or both, for each violation.

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.

ORDINANCE NO. 2

AN ORDINANCE TO PROMULGATE RULES AND REGULATIONS PERTAINING TO THE COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE FOR CASWELL COUNTY, THE ISSUANCE OF PERMITS AND LICENSES FOR THE COLLECTION THEREOF AND THE IMPOSITION OF PENALTIES AND FINES FOR VIOLATION.

ARTICLE I. PERMITS

Section (a): The collection and disposal of garbage and refuse within the areas of Caswell County outside the incorporated municipalities therein shall be effected by private contract collectors who shall be licensed upon application by the issuing of permits by the Caswell County Board of Commissioners.

Section (b): These permits shall be renewed annually, effective the first Monday of July of each year and a charge of Fifty Dollars (\$50. 00) shall be made for the issuance thereof. Evidence of the permit and the permit number must be appropriately displayed on each vehicle used by licensed collectors in the collection and disposal of garbage and refuse.

Section (c): Permits shall be valid only for collection in the geographic area specified in the permit. No permits for areas being served by licensed collectors shall be issued unless the Board of County Commissioners, upon investigation, shall find an additional garbage collector or collectors needed; at which time agreement must be reached with the existing collector from whose territory the new area is created.

Section (d): No person shall be allowed to operate as a collector of garbage without a permit from the Caswell County Board of Commissioners; provided that no permit shall be required for any person to dispose of refuse from his own residence or business establishment.

Section (e): No permit shall be issued without the recommendation of the County Sanitarian that such applicant is able to comply with the requirements of Article IV.

ARTICLE II. COLLECTION ROUTES

Collection territories shall be assigned to each collector upon issuance of a permit by the Caswell County Commissioners and each collector shall be under obligation to serve all customers within that territory.

ORDINANCE NO. 1

ORDINANCE REGULATING PUBLIC USE OF  
HYCO 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 Person-Caswell Lake Authority 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 Carolina Power & Light Company Lake, popularly known as Hyco Lake.

I-2. Definition

- (1) As used in this chapter, the word "Lake" shall mean the Carolina Power and Light Company Lake, more popularly known as Hyco Lake, located in Milton Township of Caswell County, North Carolina.
- (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 an individual, partnership, firm, corporation, association, or other entity.
- (5) "Vessel" means every description of 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 Hyco in Person 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, Races, or Exhibitions - The Person-Caswell Lake Authority 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 Person-Caswell Lake Authority through its Secretary 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 of the Person-Caswell Lake Authority in writing.

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

(a) It shall be unlawful for a person to throw thrash, 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 12 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 Person-Caswell Lake Authority or Carolina Power & Light Company for toilet purposes except



the standard toilet facilities provided by the Person-Caswell Lake Authority or Carolina Power & Light Company.

(d) It shall be unlawful for any person to swim or ski within 200 feet of any public boat launching area or to ski or operate a vessel within 100 feet of any public swimming area so designated by duly erected ropes, signs, or buoys.

(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) No person shall enter the premises of the Person-Caswell Lake Authority as a driver or passenger of a motor vehicle without paying the proper fee for such vehicle at the gate guarding or controlling the entrance to said premises. This provision shall not apply to those individuals, or members of their immediate families entering the aforescribed premises under license conferred for use of the boat-launching facilities thereon by virtue of purchase from the Authority, or its designated agents of either a daily or annual boat permit as hereinafter stipulated.

(h) 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 Person-Caswell Lake Authority, or its designated agents, for daily use or annual use at such rates as are established by the said Authority. The operator of any boat shall 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.

I-7. Enforcement of Chapter - Any special peace officer commissioned pursuant to North Carolina General Statute 74A-1 and/or Chapter 200 (Session Laws, 1965) and in the employment of the Person-Caswell Lake Authority, and any special police officer commissioned pursuant to Article 1A, Chapter 113, North Carolina General Statutes, and every other law enforcement officer of this County shall have the authority to enforce the provisions of this chapter 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 any provisions of this ordinance shall be guilty of a misdemeanor subject to a fine of 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 21st day of March, 1983, and supersedes the ordinance adopted October 13, 1970, entitled "Ordinance Regulating Public Use of Hyco Lake and Recreation Facilities". (Caswell County Ordinance No. 1).

Unanimously adopted this the 21st day of March, 1983, by the Caswell County Board of Commissioners at its regular meeting in the Caswell County Courthouse, Yanceyville, North Carolina.

  
William W. Pointer, Jr.  
Chairman

  
Kanda P. Nelson  
Clerk to the Board

This ordinance shall be effective on and after the 21st day of March, 1983, and supersedes the ordinance adopted October 13, 1970, entitled "Ordinance Regulating Public Use of Hyco Lake and Recreation Facilities". (Caswell County Ordinance No. 1).

AMENDMENT TO THE ORDINANCE REGULATING PUBLIC  
USE OF HYCO LAKE AND RECREATION FACILITIES

The Board of Commissioners of the County of Caswell, pursuant to North Carolina General Statute 153A-121, does hereby enact the following amendments and additions to the Ordinance regulating the public use of Hyco Lake and Recreation facilities:

I-6 (I) MUFFLING DEVICES - MOTOR BOATS: The exhaust of every internal combustion engine used on any motor boat operating on the waters of Hyco Lake shall be effectively muffled by equipment so constructed and use to muffle the noise of the exhaust in a reasonable and efficient manner. The use of cut-outs is prohibited except as may be exempted by the Person-Caswell County Lake Authority for Regattas and Boat Races duly approved by said Board.

(j) It shall be unlawful for any person to operate a motorized vessel on the waters of Hyco Lake at a speed in excess of 50 miles per hour.

(k) It shall be unlawful for any person to operate a motorized vessel on the waters of Lake Hyco at a speed or in a manner that is reckless or negligent as relates to the then existing water, traffic, or passageway width conditions so as to endanger the life, limb or property of any person.

This amendment shall be effective the date of its passage.

ADOPTED THIS THE 10th DAY OF MARCH, 1986.

  
William W. Pointer, Jr., Chairman  
Caswell County Board of Commissioners

ATTEST:

  
Wanda P. Smith  
Clerk to the Board