



Consider amending Chapter 40, Sec. 40-72 & Sec. 40-548 and CHAPTER 10, Sec. 10-3 definitions & Sec. 10-4 General Regulations to address floating homes.

Chapter 10

Sec. 10-3. - Definitions.

Boat (vessel) means watercraft of any type or size specifically designed to be self-propelled, whether by engine, sail, oar, paddle, or other means, used to travel from place to place by water. A boat or vessel shall also include any machine designed or intended to travel over water by self-propulsion ~~or while attached to any self-propelled vessel.~~

~~*Floating homes* means a house built on a floating platform without a means of propulsion.)~~

Floating Structure means a barge-like structure, that is not used as a means of transportation on water but which serves purposes or provides services typically associated with a structure on or other improvement to real property used for human habitation or commerce. Incidental movement or the capability of movement upon water does not preclude a structure from classification as a floating structure. Registration of the structure as a vessel in accordance with NCGS Chapter 75A does not preclude a structure from classification as a floating structure.

Sec. 10-4. - General regulations. The following regulations shall apply to all shoreline areas:

(11) *Living aboard a boat.*

- a. The town shall continue to prohibit the occupation of public trust waters by floating ~~homes~~ structures.
- b. Marinas with designated pump out facilities may allow for live aboard families on vessels located in approved boat slips.
- c. Marinas shall maintain pump out records for all live aboard vessels. Vessel records shall be kept for two calendar years and shall be available upon request by the Harbor Master.
- d. Marinas and vessel owners shall comply with the Harbor Master's pumpout monitoring procedures designed to ensure holding tanks are not utilized in the shoreline area.
- e. Living aboard a vessel at any dock in residential areas or any areas not approved for a marina with adequate facilities to accommodate trash, sewer, and water shall constitute a violation of this section and zoning violation.

Chapter 40 Zoning

Sec. 40-72. - Table of permissible uses.

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Floating Structure	Prohibited													
Water oriented businesses									€ P			€ P		

Sec. 40-548. - Definitions.

Water oriented businesses means any boat that can be rented for off-site use or offers off-site activities from the property. Examples shall include but not be limited to the following uses or activities: charter boats, boat rentals, dive boats, dinner cruises, boat taxi, etc.....

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Duly adopted this 10th day of November, 2020.

LeAnn Pierce, Mayor

Attest: Kimberlee Ward, Town Clerk