

Lake Lure Marine Commission



Lake Use Regulations

Recommended Amendments
April 10, 2012

Town of Lake Lure, North Carolina

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LAKE USE REGULATIONS – April 2012

FISHING

§ 1.01 LICENSE REQUIRED.

All persons shall secure a license from the North Carolina Wildlife Resources Commission in accordance with NC General Statutes, to the extent such license may be required, before fishing in the waters of Lake Lure. (Authority: G. S. § 113-270.1B)
(Res. Passed 3-9-04) Penalty, see § 1.99

§ 1.02 LIMITS ON NUMBERS AND SIZE OF FISH CAUGHT.

The maximum number and minimum size of trout, bass and crappie that may be taken from Lake Lure is as follows:

Trout: Lake Lure is classified by the NC Wildlife Resources Commission as “Undesignated Waters”. For mountain trout, there is no size limit or bait restriction. There is no closed season and no trout fishing license is required. The daily creel limit for trout is 7 fish.

Bass: A limit of 5 per day, per person (total bass). May include 2 largemouth less than minimum size and 2 smallmouth less than minimum size.
Largemouth Bass must be no less than 14 inches long.
Smallmouth Bass must be no less than 12 inches long.

Crappie: A limit of 20 per day, per person; all must be no less than 8 inches long.

(Res. Passed 3-9-04) Penalty, see § 1.99 **Amended 4-11-06, 10-14-08**

§ 1.03 STATIONARY FISHING DEVICES.

It shall be unlawful for any person, firm, or corporation to place basket trot lines or other stationary or unmarked devices, other than poles and those items normally used by sport fishermen, for the catching of fish in the waters of Lake Lure.
(Res. Passed 3-9-04) Penalty, see § 1.99

§ 1.04 TRESPASSING ON BOATS, BOAT HOUSES OR DOCKS.

It shall be unlawful for any person, firm, or corporation to fish or go in or upon any boat, boat house, pier, or dock belonging to another or so near thereto as to interfere with the owner’s possession of the same without permission of the owners thereof.
(Res. Passed 3-9-04) Penalty, see § 1.99

BATHING

§ 1.15 BATHING OR SWIMMING WHILE UNDER THE INFLUENCE OF AN IMPAIRING SUBSTANCE.

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No person shall enter the waters of Lake Lure within the corporate limits of the town for the purpose of bathing or swimming while under the influence of an impairing substance.

(Res. Passed 3-9-04) Penalty, see § 1.99

§ 1.16 PERMIT REQUIRED TO OPERATE PUBLIC BATHING BEACH.

No public bathing beach shall be operated within the corporate limits of the town by any person, firm, or corporation without first obtaining a permit from the marine commission for said purpose and filing with the marine commission a petition for said permit, which shall describe the location of said beach, that adequate bathing insurance will be obtained and kept in force at all times for the protection of the public, and that the same will operate in full compliance with the ordinances and regulations provided by the town or marine commission from time to time regulating beaches within the town.

(Res. Passed 3-9-04) Penalty, see § 1.99

§ 1.17 SWIMMING OFFSHORE.

It shall be unlawful to swim in Lake Lure off the shore of any town-owned property except at the town-owned beach. No person shall swim farther than 50 feet from the shoreline of Lake Lure unless accompanied by an observer in a boat, unless it is a marked-off area permitted by marine commission regulations.

(Res. Passed 3-9-04) Penalty, see § 1.99

§ 1.18 JUMPING FROM ROADWAYS OR BRIDGES.

It is unlawful to dive, jump or swim into the waters of Lake Lure from any road or road right of way, bridge or the area adjacent to any bridge within the town limits.

(Res. Passed 3-9-04) Penalty, see § 1.99

BOATING

§ 1.50 DEFINITIONS.

For the purpose of this division, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“BOAT.” For the purpose of these regulations, the term “boat” shall mean any form of water vessel. **Amended 11-9-04**

“COMMERCIAL CRAFT.” All water vessels used in connection with any type of business, trade or commerce, for profit or non-profit, included but not limited to: boat rentals, marinas, real estate agents, resorts, inns, lodging establishments, camps, ski schools, fishing guides, tour boats, contractors, boat repair companies or house rentals (that are required to pay occupancy tax) with boats, real estate development companies or property owner’s associations. **Amended 11-9-04, 4-8-08**

“COMMERCIAL OPERATIONS.” Any use of the lake in a manner that will generate direct or indirect revenue or by an entity that operates for profit or not-for-profit (excluding

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governmentally established entities) **Amended 4-08-08**. This is further quantified into eight classifications:

- (1) Liveries - Boat rentals or boat use privileges with no operator provided that may be associated with (but not limited to) marinas, resorts, inns, lodging establishments, house rentals (that are required to pay occupancy taxes) with boats or real estate agents that rent boats. **Amended 2-13-07**
- (2) Resorts - Boating operations available to patrons at resorts, inns, or lodging establishments that are staff operated.
- (3) Camps - Boating operations at camp facilities that are staff operated.
- (4) Ski Schools - All commercial operations utilizing tow boats for providing water sports activities, which may include instruction that are not associated with a specific camp, resort, inn or lodging facility.
- (5) Tour Boats - Boating operations that are not associated with a specific camp, resort, inn or lodging facility that are used to provide piloted tours of the lake.
- (6) Fishing Guides - Boating operations that are not associated with a specific camp, resort, inn or lodging facility and are used to provide a piloted fishing excursion.
- (7) Services - Boating operations utilized by building contractors and boat repair companies.
- (8) Real Estate Agents - Boating operations utilized by real estate agents. **Amended 11-9-04**

“COMMERCIAL OPERATORS.” All boat operators who pilot boats for commercial classifications 2-8, inclusive. **Amended 11-9-04**

“DEVELOPED LOT.” A developed lot shall be a lot whereon a residence or business building is constructed. (Res. Passed 4-11-06)

“LAKE, also LAKE LURE” The artificial water body of water known as Lake Lure formed by the creation of the dam at Tumbling Shoals over the Broad River in Rutherford County, NC and including that portion of the Broad River above the lake extending below the elevation of 992 feet above mean sea level. **Amended 11-9-04**

“LAKE COMMERCIAL LICENSE.” A license issued by the marine commission for commercial operations on the waters of Lake Lure. **Amended 11-9-04**

“LAUNCHING.” Any method of placing a water vessel onto the lake from the land above the shoreline. This does not include launching of water vessels from lake structures. **Amended 11-9-04**

“LAUNCH SITE.” Any location on the land adjacent to the shoreline of Lake Lure that may be used for launching water vessel(s), provided that this term does not include lake structures, other than launch ramps as defined in the Lake Structures Regulations. **Amended 11-9-04**

“LAUNCH SITE PERMIT.” Permit issued by the marine commission for operating general and private launch sites. **Amended 11-9-04**

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“LAUNCH SITE, PRIVATE.” A launch site available for use by one single-use family dwelling for launching only boats permitted in that family’s name. **Amended 11-9-04**

“LAUNCH SITE, GENERAL.” Any launch site other than a private launch site. **Amended 11-9-04**

“MARINE COMMISSION.” The Lake Lure Marine Commission as established by Ordinance 03-09-09. **Amended 11-9-04**

“NON-PEAK SEASON.” The period of each year starting on the Tuesday after Labor Day through the Thursday before Memorial Day. **Amended 11-9-04**

“NON-RESIDENT.” Any person not owning real property within the corporate limits of the town or any person who resides outside the corporate limits of the town for more than 50% of the calendar year.

“NO-WAKE.” Idle speed or a slow speed creating no appreciable wake.

“PEAK SEASON.” The period of each year starting on the Friday before Memorial Day through Monday, Labor Day. **Amended 11-9-04**

“PERMIT.” A display permit issued by the marine commission to operate a boat on Lake Lure for recreational, fishing and/or commercial purposes.

“PERMIT LIMIT.” The maximum number of permits which will be issued for a specific permit classification. **Amended 11-9-04**

“PERSONAL WATERCRAFT” (ALSO KNOWN AS PWC OR SKICRAFT). An inboard powered craft using a water-jet pump as the primary source of propulsion and operated by a person sitting, standing or kneeling on the craft rather than in the conventional manner of boat operation.

“PROPERTY OWNERS.” This term shall be deemed to include corporations, joint property owners (i.e. a person listed on the deed of record as an owner of the real property), and “time share” owners.

“RESIDENT.” Any person owning real property within the corporate limits of the town or any person who resides within the corporate limits of the town for more than 50% of the calendar year.

“WATER SPORTS.” Water skiing, knee boarding, wake boarding, tubing, and other similar activities which involve being towed behind a boat.

“WATER VESSEL(S).” Every description of watercraft or structure, other than a seaplane on the water, used or capable of being used as a means of transportation or habitation on the water. Said term shall include, but shall not necessarily be limited to pontoon boats, fishing boats, house boats, ski boats, pleasure boats, personal watercraft,

