

**15A NCAC 10F .0310 DARE COUNTY**

(a) Regulated Areas. This Rule shall apply to the following waters in Dare County:

- (1) Manteo:
  - (A) the waters of Doughs Creek off Shallowbag Bay and the canals off Shallowbag Bay; and
  - (B) within 50 yards of the Bowsertown Boating Access Area on Croatan Sound at 35.89810 N, 75.67710 W.
- (2) Hatteras:
  - (A) the waters of Pamlico Sound otherwise known as Hatteras Harbor and Muddy Creek bounded on the north and south by the high-water mark, on the west by a straight line between channel markers number 20 and 17 at the entrance to Hatteras Harbor, and on the east by the mouth of Muddy Creek at Sandy Bay at a point at 35.22801 N, 75.68050 W; and
  - (B) Hatteras Ferry Terminal and United States Coast Guard basins ending at Coast Guard Beacon Number One in the Hatteras Channel.
- (3) Manns Harbor:
  - (A) Old Ferry Dock Road Canal, beginning at a point at 35.90654 N, 75.76916 W;
  - (B) within 50 yards of the Manns Harbor Boating Access Area on Croatan Sound at 35.91020 N, 75.77150 W; and
  - (C) within 50 yards of the Mashoes Boating Access Area on East Lake at 35.92820 N, 75.81470 W.
- (4) Nags Head:
  - (A) the canals of Old Nags Head Cove where the canal entrance meets Roanoke Sound beginning at a point at 35.94192 N, 75.62571 W; and
  - (B) the Roanoke Sound inlets at Pond Island on either side of W. Marina Drive extending north from U.S. Highway 64-264.
- (5) Wanchese:
  - (A) Wanchese Harbor otherwise known as Mill Landing Creek, beginning at its entrance from Roanoke Sound at a point at 35.84006 N, 75.61726 W; and
  - (B) the canal from its beginning where it connects with Roanoke Sound south of the dead-end road S.R. 1141 otherwise known as Thicket Lump Drive, extending northwest roughly parallel to S.R. 1141, S.R. 1142 otherwise known as The Lane, and S.R. 1143 otherwise known as Tink Tillet Road, then westward roughly parallel to N.C. Highway 345, and finally curving to the southwest roughly parallel to S.R. 1289 otherwise known as C B Daniels S.R. Road to its end.
- (6) Stumpy Point:
  - (A) Stumpy Point Canal shore to shore on Pamlico Sound, beginning 50 yards west of the Stumpy Point Boating Access Area, 321 Bayview Drive; and
  - (B) Stumpy Point Basin off Stumpy Point Bay, east of U.S. Highway 264 where it intersects Stumpy Point Bay at a point at 35.69591 N, 75.77264 W.
- (7) Rodanthe. Within 50 yards of the Rodanthe Boating Access Area in Roanoke Sound, 23170 Myrna Peters Road;
- (8) Town of Southern Shores. The canals and lagoons within the Town of Southern Shores north of U.S. Highway 158;
- (9) Colington Harbour. The waters in the canals of Colington Harbour Subdivision on Albemarle Sound;
- (10) Kitty Hawk. The waters in the canals of Kitty Hawk Landing Subdivision;
- (11) Washington Baum Bridge Boating Access Area. The waters within 150 yards north and south and 300 yards east of the Washington Baum Boating Access Area in Roanoke Sound, at 35.89380 N, 75.63710 W;
- (12) Kill Devil Hills:
  - (A) Baum Bay Harbor, beginning at a point at 36.00572 N, 75.68105 W; and
  - (B) the waters within 50 yards of the Avalon Beach Boating Access Area in Kitty Hawk Bay, 2025 Bay Drive.
- (13) Avon. The waters of Pamlico Sound shore to shore beginning at a line from a point on the east shore of Big Island at 35.36653 N, 75.50770 W westward to a point on the mainland at 35.36653 N, 75.50556 W, south to include the waters of the cove between North Albacore Lane and South

Albacore Lane and the waters of Mill Creek, and ending east of a line from a point on the south shore of Big Island at 35.36500 N, 75.50820 W southward to a point on the mainland at 35.36358 N, 75.50826 W;

- (14) Jean Guite Creek. The waters of Jean Guite Creek from where it meets Kitty Hawk Bay at 36.04887 N, 75.72754 W, north to a line from a point on the east shore in Southern Shores at 36.10460 N, 75.74192 W to a point on the west shore in Martin's Point Subdivision at 36.10452 N, 75.73948 W;
- (15) Frisco. The waters of the marina canal and boat basin at Palmetto Shores Subdivision, shore to shore beginning at the canal's entrance at Pamlico Sound at a point at 35.25427 N, 75.60301 W; and
- (16) Cape Hatteras National Seashore. The waters of Motts Creek in Roanoke Sound, shore to shore at a line from a point on the north shore where the Oregon Inlet U.S. Coast Guard Station is located, to a point near the south shore of Motts Creek at 35.79270 N, 75.54903 W, then northward to include the waters at the Oregon Inlet Fishing Center and Marina, Oregon Inlet Public Boat Ramp, kayak launch area, and U. S. Coast Guard Station and Launch Area.

(b) **Speed Limit.** No person shall operate a vessel at greater than no-wake speed within the regulated areas described in Paragraph (a) of this Rule.

(c) **Swimming Area.** No person operating or responsible for the operation of a vessel shall permit it to enter the marked swimming area at Colington Island on the west shore, from a point where the canal enters the harbor at 36.01797 N, 75.72681 W, north 600 feet to a point at 36.01964 N, 75.72683 W and extending 300 feet west into Albemarle Sound.

(d) **Placement of Markers.** The following agencies shall place markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

- (1) the Board of Commissioners of the Town of Manteo for the areas designated in Part (a)(1)(A) of this Rule;
- (2) the Board of Commissioners of Dare County for the areas designated in Paragraph (c), Subparagraphs (a)(2); (a)(4); (a)(5); (a)(9); (a)(13) through (15); and Parts (a)(3)(A); (a)(6)(B); and (a)(12)(A) of this Rule;
- (3) the Board of Commissioners of the Town of Southern Shores for the areas designated in Subparagraph (a)(8) of this Rule;
- (4) the Board of Commissioners of the Town of Kitty Hawk for the area designated in Subparagraph (a)(10) of this Rule;
- (5) the National Park Service shall place and maintain markers for the area designated in Subparagraph (a)(16) of this Rule; and
- (6) the North Carolina Wildlife Resources Commission shall place and maintain markers for the areas designated in Subparagraphs (a)(7) and (a)(11); and Parts (a)(1)(B); (a)(3)(B) and (C); (a)(6)(A); and (a)(12)(B) of this Rule.

*History Note:*

*Authority G.S. 75A-3; 75A-15;*

*Eff. February 1, 1976;*

*Amended Eff. April 1, 1997; December 1, 1994; May 1, 1994; March 1, 1993; May 1, 1988;*

*Temporary Amendment Eff. February 1, 1999; July 1, 1998;*

*Amended Eff. July 1, 2000; April 1, 1999;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;*

*Amended Eff. June 1, 2024; September 1, 2023; October 1, 2022; October 1, 2018.*