

City of Oxford
Lake Devin – Chapter 12

§ 12-1 SCOPE.

Except as otherwise specified, the provisions of this chapter shall apply only to Lake Devin.

§ 12-2 GENERAL FUNCTION OF CITY MANAGER.

It shall be the duty of the City Manager to enforce all rules and regulations adopted by the Board. The City Manager shall have the authority to close the lake when it has been determined that further activities would be detrimental to the city's water supply.

§ 12-3 POSTING COPIES OF RULES AND REGULATIONS.

The lessees of the city shall post copies of the rules and regulations of the Board at docking site and other conspicuous places about the lake premises and shall direct every person to read the same before fishing in Lake Devin.

§ 12-4 PERSONS POSSESSING LIQUOR PROHIBITED.

Admission to the lake area shall be prohibited to any person having intoxicating beverages in his or her possession, except the premises of the city buildings known as the Harry Currin Barn and Kitchen.

§ 12-5 VEHICLES.

(A) It shall be unlawful for any person to operate or cause to be operated upon the Lake Devin Dam any vehicle, except a vehicle owned by the city that is being used in an official capacity.

(B) Punishment for a violation of this section shall be as set forth in § 1-99, except that the penalty shall be as is set out in the appendix attached hereto and made a part hereof as if appearing in total. A copy of the penalty schedule, which may be amended from time to time, shall be kept on record in the office of the City Clerk.

§ 12-6 BOATS.

(A) No boat shall be placed on Lake Devin unless the same has been approved and specifically authorized by an authorized agent of the city or the lessee or a duly authorized agent of a lessee of the city. Every boat used on the lake shall be supplied with a life preserver for each occupant, two paddles and an anchor. No person shall use a boat on the lake unless it is so equipped.

(B) Boats operated on Lake Devin shall be propelled only by means of electric motors or manually operated oars or paddles unless the authorized agent of the city or the lessee, or a duly authorized agent of a lessee of the city shall specifically authorize the use of gasoline motor propulsion for emergency purposes. Boats with gasoline outboard motors may be allowed as long as the gasoline outboard is not operated while the boat is in the water.

(C) (1) No more than four persons shall occupy a boat at the same time and a boat shall not be rented to a person under 16 years of age.

(2) Persons under 16 years of age may enter a boat if accompanied by an adult.

(3) No private boat shall carry more than its boat capacity.

(4) An authorized agent of the city or the lessee or a duly authorized agent of a lessee of the city shall be judge of the capacity of a boat.

(D) A boat launching area is provided for the purposes of launching boats, and no boat shall enter or leave the lake, except from the area designated for boat launching.\

(E) Punishment for a violation of this section shall be as set forth in § 1-99, except that the penalty shall be as is set out in the appendix attached hereto and made a part hereof as if appearing in total. A copy of the penalty schedule, which may be amended from time to time, shall be kept on record in the office of the City Clerk.

§ 12-7 FIREARMS AND FIREWORKS.

No person shall fire a gun, pistol or fireworks from any boat on the lake or the shores of the lake within 100 feet of water line on city property surrounding the lake.

§ 12-8 CULTIVATING OR PASTURING NEAR BANK.

No plowing, cultivating or pasturing shall be permitted within 50 feet of Lake Devin. The 50-foot margin shall be kept free by the city from briar or thicket growth, but tree and shrubbery growth shall be cultivated under proper conditions for conserving the purity of the water.

§ 12-9 PICNICKING OR CAMPING.

No picnicking or camping shall be permitted on the watershed, except with adequate provisions for the disposal of excreta, approved by the State Board of Health, and use of same rigidly regulated to prevent pollution of the watershed area. All trash and rubbish shall be kept collected in containers and shall be burned or removed from the watershed. No camping or picnicking whatsoever within 250 feet of the margin of Lake Devin or its tributaries shall be permitted within a distance of five miles from the waterworks intake.

§ 12-10 POLLUTION OF WATER.

No person shall spit in the lake, put his or her feet in the water or commit on the lake any act that will affect the purity of the water in the lake. Each boat shall be supplied with a pail, the same to be used only for sanitary purposes and must not be used for fish.

§ 12-11 DEPOSIT OF EXCREMENT, WASHWATER AND THE LIKE.

No human excrement or urine shall be voided or deposited within a distance of 100 feet from the margin of Lake Devin, or tributaries thereto, nor shall any water that has been used for washing clothing, bedding, carpets, harness, persons, horses, cattle or other animals, nor any garbage, house slops, kitchen waste or other forms of decaying, foul, noxious or putrescent matter, either solid or liquid, be thrown, spread or otherwise deposited on the surface of the ground within the 100-foot margin. No washing of clothing, bedding or carpets shall be done within a distance of 200 feet from the margin of Lake Devin or tributaries thereto.

§ 12-12 BURIAL OF HUMAN EXCREMENT.

(A) No human excrement or urine shall be deposited in a barnyard manure pile or compost heap, or upon the surface of the ground within the area of the watershed, nor shall the matter be otherwise deposited thereon, except it be buried within at least one foot of cover.

(B) This section shall apply within a distance of 15 miles of the waterworks intake.

§ 12-13 DWELLINGS ON WATERSHED PROVIDED WITH SANITARY FACILITIES.

No dwelling houses, or other places where persons reside, congregate or are employed, shall be built or maintained on the watershed without being provided with a sanitary privy or system for the disposal of sewage, constructed and maintained in accordance with the rules and regulations of the State Commission for Health Services or other state agency having jurisdiction.

§ 12-14 CARCASSES OF DEAD ANIMALS; ANIMAL OFFAL.

(A) No carcass of any dead animal, nor animal offal, shall be thrown into Lake Devin, nor deposited upon the surface within the area of the watershed, nor shall any carcass be permitted by the owner of the land where found to remain unburied for a period exceeding ten hours after being known to, found by or reported to the owner.

(B) The carcass shall be buried with not less than two feet of cover at a point distant from any of the streams or tributaries of Lake Devin, not less than 500 feet, except that in cases where a carcass is found that has been decomposed to the extent as to prevent its removal, it may be buried near the point found, but not less than 50 feet from any stream or tributary.

(C) Punishment for a violation of this section shall be as set forth in § 1-99, except that the penalty shall be as is set out in the appendix attached hereto and made a part hereof as if appearing in total. A copy of the penalty schedule, which may be amended from time to time, shall be kept on record in the office of the City Clerk.

§ 12-15 SWIMMING AND FROGGING.

(A) There shall be no swimming allowed in Lake Devin at any time.

(B) No person shall at any time be allowed to shoot, spear or gig frogs.

**ARTICLE II: FISHING
DIVISION 1: GENERALLY**

§ 12-26 PENALTY.

Violation of the rules and regulations of the city relating to the privilege of fishing in Lake Devin is a misdemeanor.

§ 12-27 WHEN ALLOWED.

(A) (1) Fishing shall be allowed on Lake Devin each day of the week in accordance with this chapter.

(2) Fishing shall be allowed only between sunrise and sunset of each day.

- (B) The lake shall not be open for fishing at any time the rest rooms are closed due to winter weather.

§ 12-28 INSPECTION OF CATCH.

(A) At the conclusion of the day's fishing, each person shall submit his or her catch, other than fish for which there is no bag limit, to the inspection of the warden or lessee or their authorized representatives, other than no-bag-limit fish.

- (B) This section is not mandatory if a warden or city agent is not present.

§ 12-29 STATE FISHING REGULATIONS ADOPTED.

The regulations of the State Wildlife Resources Commission relating to the kinds and sizes of fish and the times and seasons of taking fish in noncommercial waters are adopted as the fishing regulations for Lake Devin, except as herein specified.

§ 12-30 USE OF BANKS.

No one shall fish or attempt to fish from the banks of Lake Devin except in designated areas as posted and in accordance with the Community Fishing Program.

§ 12-31 FISHING NEAR WATER INTAKE.

No fishing shall be allowed within 150 feet of the raw water intake for the city's water filter plant.

§ 12-32 DAILY LIMIT ON FISH.

- (A) The daily creel number for largemouth bass (black bass) shall be five (5) fish per person with a minimum limit of fourteen (14) inches, except two fish in the creel may be between twelve (12) and fourteen (14) inches.
- (B) A daily creel limit of six (6) catfish per day per person is allowed in accordance with the Community Fishing Program.
- (C) Recommendations specific to Lake Devin may require adjustments in creel numbers in order to promote a healthy fishing environment. Such recommendations shall be posted and enforced.
- (D) There shall be no limit on sunfish or crappie except when recommendations as set by the Wildlife Commission are mandated. Such exceptions shall be posted and enforced.
- (E) Anglers must report their catch each day when managed and harvesting projects are in progress.
- (F) Israeli Carp may not be taken from Lake Devin.

§ 12-33 USE OF ROD, LINE AND HOOK; BAIT; TACKLE.

(A) Fish may be taken only with rod, line and hooks, baited with natural bait, tied with artificial flies or with spoons, plugs or artificial minnow.

- (B) No Baltimore minnows shall be used as bait in Lake Devin.

- (B) There shall be no trot lines or nets set in Lake Devin.

§ 12-34 SALE AND THE LIKE OF FISH.

No fish caught in Lake Devin shall be sold, bartered or exchanged.

DIVISION 2: PERMIT

§ 12-46 REQUIRED.

No person shall fish in Lake Devin, except by a proper permit issued to the person by an authorized agent of the city or the lessee, or a duly authorized agent of a lessee of the city with exceptions in accordance with the Community Fishing Program excluding persons under the age of 16.

§ 12-47 TRANSFER.

No fishing permit shall be recognized when presented by one other than the person to whom the same was issued.

§ 12-48 PERSONS ELIGIBLE.

No fishing permit shall be issued to any person who has knowingly violated the rules and regulations governing fishing in Lake Devin.

§ 12-49 FEE.

The fees which shall be paid to the city for a fishing permit shall be as established by resolution.

§ 12-50 TERM.

A fishing permit is not valid when the Board declares the lake closed for any reason.

§ 12-51 SPECIAL PERMIT FOR SENIOR CITIZENS.

(A) A person 65 years of age or older may obtain a fishing permit that is good for the lifetime of the holder thereof.

(B) If Lake Devin is closed by the city for any reason, the license will not be valid during the time the lake is closed. The fee for the permit shall be as established by resolution.

§ 12-52 REVOCATION.

Every fishing permit shall be subject to revocation or cancellation upon violation by the holder thereof of any of the rules or regulations governing fishing in Lake Devin.

§ 12-53 PERMIT FOR DISABLED OR HANDICAPPED PERSONS.

(A) A person DISABLED or HANDICAPPED as defined below by G.S. § 20-37.5 may obtain a fishing permit that is good for the lifetime of the holder thereof. DISABLED or HANDICAPPED shall be defined as:

(1) Any person who has an obvious physical disability that requires the use of a wheelchair, braces, walker, or crutches, and those who have lost the use of one or both legs; and

(2) A person who, as determined and certified by a physician, is severely restricted in mobility by a pulmonary or cardiovascular disability, arthritic condition, orthopedic or neurologic impairment.

(B) If Lake Devin is closed by the city for any reason, the license will not be valid during the time the lake is closed. The fee for such a permit shall be as established by resolution. All handicapped persons must wear life preserver while in a boat and must adhere to all rules and regulations in this chapter.

12-54. HARVESTING, PRESERVATION, EDUCATION AND INCENTIVE PROGRAMS.

Guidelines may be adopted in order to improve fishing conditions and water quality as well as to promote fishing and preservation. The City or its duly authorized agent may impose guidelines that modify adopted regulations as well as State regulations. Said guidelines shall be posted and may be enforced by the City, its designee, or other authorized agent.