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CHAPTER 25.

 BOATING AND SURFING AT PARTICULAR LOCALITIES

ARTICLE 1.

 BOATS ON BATH LAKE

**SECTION 50‑25‑10.** Operation of motorboats.

 Except on and during legal holidays, the operation and driving of motorboats upon the waters of Bath Lake in Aiken County by any method or means whereby disturbing, excessive and useless noises are produced by such operation is declared a public nuisance and is hereby forbidden. Any person who shall violate the provisions hereof shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty‑five dollars and not more than fifty dollars or imprisonment for a period not exceeding thirty days. All fines imposed and collected under the provisions hereof shall be paid to the treasurer of Aiken County and by him credited to the school funds of the school district in which Bath Lake is situated.

HISTORY: 1962 Code Section 70‑321; 1952 Code Section 70‑321; 1942 Code Section 3937; 1933 (38) 94; 1993 Act No. 181, Section 1271.

ARTICLE 3.

 MOTORBOATS AT CERTAIN BEACHES IN BEAUFORT COUNTY

**SECTION 50‑25‑110.** Operation of motorboats on portion of Brighton Beach in Beaufort County.

 It is unlawful for any person to operate any boat propelled at the time by an inboard or outboard motor at Brighton Beach on May River in Beaufort County, between the low and high tide water marks and between the docks of J. E. Smith on the east and the docks of C. Ray Carter on the west. It is declared that the operation of such craft in the area referred to constitutes an undue hazard to persons using the area on this beach for bathing and swimming. The supervisor of Beaufort County shall place at each end of this area an appropriate sign designating it as a bathing area only. It is made the special duty of the sheriff of Beaufort County and his deputies to see that the provisions of this section are observed and enforced. Any violation of the provisions of this section is declared to be a misdemeanor and, upon conviction, the offender shall be fined not exceeding one hundred dollars or be imprisoned for a term not exceeding thirty days.

HISTORY: 1962 Code Section 70‑331; 1953 (48) 36; 1993 Act No. 181, Section 1271.

**SECTION 50‑25‑120.** Operation of motorboats at Bailey's Beach in Beaufort County.

 It is unlawful for any person to operate a boat propelled at the time by an inboard or outboard motor between the low and high tide water marks and within two hundred feet east or west of a dock owned by George Bailey at Bailey's Beach on the north side of the Colleton River in Beaufort County. It is declared that the operation of such craft in the area referred to constitutes an undue hazard to persons using the area on this beach for bathing and swimming. Any violation of the provisions of this section is declared to be a misdemeanor and, upon conviction, the offender shall be fined not exceeding one hundred dollars or be imprisoned for a term not exceeding thirty days.

HISTORY: 1962 Code Section 70‑332; 1954 (48) 1940; 1993 Act No. 181, Section 1271.

ARTICLE 4.

 OPERATION OF MOTORBOATS ON LOUTHER'S LAKE

**SECTION 50‑25‑150.** Operation of certain motorboats on Louther's Lake prohibited; signs posted; penalties.

 It shall be unlawful for anyone to operate a motorboat on Louther's Lake near the Town of Mechanicsville in Darlington County when the boat has onboard a motor which has a manufacturer's advertised horsepower greater than ten. It shall be the responsibility of the department to post and maintain at each major landing on Louther's Lake a three foot by four foot sign, visible to users of the landings, on which the foregoing prohibition shall be plainly lettered. Anyone operating a boat in violation of the provisions of this section shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days.

HISTORY: 1979 Act No. 177, Section 1; 1993 Act No. 181, Section 1271.

ARTICLE 5.

 SURFING ON CERTAIN BEACHES IN HORRY COUNTY

**SECTION 50‑25‑210.** Surfing unlawful at certain times on certain beaches in unincorporated community of Garden City.

 It shall be unlawful for any person to use a surfboard or similar device used as a surfboard from May fifteenth until Labor Day on the beaches of the unincorporated community of Garden City in Horry County between 9:00 a.m. and 6:00 p.m. except in the area from Holliday Drive south for a distance of six hundred ninety feet to a ten‑foot alley or to engage in surfing at any time within three hundred feet of any fishing pier. The county sheriff shall arrange for the posting of signs to designate both the prohibited and permitted areas for surfing and the date and time limitations prescribed in this section. Any person who violates the provisions of this section is guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or imprisoned not more than thirty days.

HISTORY: 1962 Code Section 70‑335; 1971 (57) 768; 1993 Act No. 181, Section 1271.

ARTICLE 7.

 BOATING NEAR DUKE POWER COMPANY WATEREE DAM IN KERSHAW COUNTY

**SECTION 50‑25‑310.** Boating within two hundred feet below dam unlawful.

 It shall be unlawful for anyone to enter in a boat or any other boating device within the watercourse below the Duke Power Company Wateree Dam in Kershaw County for a distance of two hundred feet. The department shall place appropriate signs or markers on each side of the watercourse indicating the zoned area for boats. Anyone violating the provisions of this section shall be fined not less than twenty‑five dollars nor more than one hundred dollars or imprisoned for not more than thirty days, or both.

HISTORY: 1962 Code Section 70‑341; 1957 (50) 62; 1993 Act No. 181, Section 1271.

**SECTION 50‑25‑320.** Boating within one hundred feet above dam unlawful.

 It shall be unlawful for anyone to enter in a boat or any other boating device within the watercourse above the Duke Power Company Wateree Dam in Kershaw County for a distance of one hundred feet. The department shall place appropriate signs or markers on each side of the watercourse indicating the zoned area for boats. Nothing in this section or Section 50‑19‑1820 shall be construed to prohibit fishing in waters within one hundred feet of the dam from a boat which is further than one hundred feet from the dam. Anyone violating the provisions of this section shall be fined not less than twenty‑five dollars nor more than one hundred dollars or imprisoned for not more than thirty days.

HISTORY: 1962 Code Section 70‑342; 1961 (52) 663; 1993 Act No. 181, Section 1271.

ARTICLE 9.

 MOTORBOATS ON LANGLEY LAKE

**SECTION 50‑25‑410.** Operation of motorboats.

 The operation of motorboats upon the waters of Langley Lake in Aiken County with exhausts, mufflers or cutouts open or by any other method or means whereby disturbing, excessive and useless noises are produced by such operation is declared a public nuisance and is hereby forbidden except on legal holidays. Any person who violates the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned for not exceeding thirty days. All fines collected under the provisions of this section shall be paid to the treasurer of Aiken County who shall deposit such funds to the credit of the school district in which Langley Lake is situated.

HISTORY: 1962 Code Section 70‑351; 1962 (52) 1925; 1993 Act No. 181, Section 1271.

ARTICLE 10.

 MOTORBOATS ON TUGALO LAKE

**SECTION 50‑25‑1010.** Motorboats on Tugalo Lake; maximum horsepower.

 Except for law enforcement and dam operation and maintenance watercraft, no motor in excess of twenty horsepower shall be used on any watercraft operated on Tugalo Lake. A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars or more than five hundred dollars, or imprisoned for not more than thirty days, or both.

HISTORY: 1999 Act No. 43, Section 1.

ARTICLE 11.

 MOTORBOATS ON LAKE WYLIE

**SECTION 50‑25‑1110.** Noise control requirements.

 Any motorboat operating upon waters on Lake Wylie shall comply with the following noise control requirements:

 (1) Motorboats with inboard‑outboard propulsion machinery shall exhaust through the propeller.

 (2) Inboard motorboats with "V"‑‑drives‑‑jets or propeller propulsion machinery with exhaust through the transom shall be water cooled with a steady stream of water or exhaust underwater while under way or exhaust through an automotive type sealed (baffle) muffler for each exhaust stack, with exhaust openings not to exceed two inches in diameter. Boats with original propulsion machinery made before 1970 are exempt from the requirements of this item.

 (3) Motorboats and their propulsion machinery which exhaust over the transom shall exhaust through an automotive sealed (baffle) type muffler for each exhaust stack, with exhaust openings not to exceed two inches in diameter. Glass pack mufflers, resonators and above water open exhausts are prohibited for such motorboats. Baffle inserts are prohibited on all inboard boats.

 (4) Motorboats with outboard propulsion machinery shall exhaust under water at all times unless designed or modified to exhaust above water and comply with the provisions of item (3) of this section.

HISTORY: 1982 Act No. 360, Section 1; 1993 Act No. 181, Section 1271.

**SECTION 50‑25‑1120.** Exemptions and exceptions.

 The motorboats competing in a regatta, boat race, marine parade, tournament or exhibition approved as provided in Section 50‑21‑1010 shall be exempted from the provisions of this article. Exceptions may also be granted during designated hours for pretrial runs and for trial runs for speed records immediately following the event.

HISTORY: 1982 Act No. 360, Section 1; 1993 Act No. 181, Section 1271.

**SECTION 50‑25‑1130.** Violation of article; penalty.

 The operator of any motorboat who violates any of the provisions of this article is guilty of a misdemeanor and upon conviction shall be fined for a first offense not less than fifty‑dollars nor more than two hundred dollars or imprisoned for not more than thirty days. For a conviction of a second offense the punishment shall be by a fine of not less than one hundred dollars nor more than two hundred or by imprisonment for not more than thirty days. For the conviction of third or subsequent offense the punishment shall be by a fine of not less than two hundred dollars nor more than five hundred dollars or by imprisonment for not more than six months or both such fine and imprisonment.

HISTORY: 1982 Act No. 360, Section 1; 1993 Act No. 181, Section 1271.

ARTICLE 12.

 MOTORBOATS ON LAKE WATEREE

**SECTION 50‑25‑1210.** Noise control requirements.

 A motorboat operating upon waters on Lake Wateree shall comply with the following noise control requirements:

 (1) Motorboats with inboard‑outboard propulsion machinery shall exhaust through the propeller.

 (2) Inboard motorboats with "V"‑drives‑jets or propeller propulsion machinery with exhaust through the transom must be water‑cooled with a steady stream of water or exhaust underwater while under way or exhaust through an automotive sealed, baffle‑type muffler for each exhaust stack, with exhaust openings not to exceed two inches in diameter. Boats with original propulsion machinery made before 1970 are exempt from the requirements of this item.

 (3) Motorboats and their propulsion machinery which exhaust over the transom shall exhaust through an automotive sealed, baffle‑type muffler for each exhaust stack, with exhaust openings not to exceed two inches in diameter. Glass pack mufflers, resonators, and above‑water open exhausts are prohibited for the motorboats. Baffle inserts are prohibited on all inboard boats.

 (4) Motorboats with outboard propulsion machinery shall exhaust underwater at all times unless designed or modified to exhaust above water and comply with the provisions of item (3).

HISTORY: 1995 Act No. 121, Section 1.

**SECTION 50‑25‑1220.** Exemption for regatta, boat race, marine parade, tournament, or exhibition.

 The motorboats competing in a regatta, boat race, marine parade, tournament, or exhibition approved as provided in Section 50‑21‑1210 are exempted from the provisions of this article. Exceptions also may be granted during designated hours for pretrial runs and for trial runs for speed records immediately following the event.

HISTORY: 1995 Act No. 121, Section 1.

**SECTION 50‑25‑1230.** Violations.

 The operator of a motorboat who violates any of the provisions of this article is guilty of a misdemeanor and, upon conviction, must be fined for a:

 (1) first offense not less than fifty nor more than two hundred dollars or imprisoned not more than thirty days;

 (2) second offense not less than one hundred nor more than two hundred dollars or imprisoned not more than thirty days;

 (3) third or subsequent offense not less than two hundred nor more than five hundred dollars or imprisoned not more than six months, or both.

HISTORY: 1995 Act No. 121, Section 1.

ARTICLE 13.

 RESTRICTIONS APPLICABLE TO LAKES WILLIAM C. BOWEN AND H. TAYLOR BLALOCK IN SPARTANBURG COUNTY

**SECTION 50‑25‑1310.** No wake zones; restricted areas for boating and bathing; authority of wardens to limit number of boats.

 On Lakes William C. Bowen and H. Taylor Blalock in Spartanburg County:

 (1) There is established a no wake zone within three hundred feet of all bridges and public docks. No wake zones must be clearly marked with signs. The signs must be designed and installed by the department.

 (2) No watercraft of any type may be operated within five hundred feet of any pump station, water intake of a dam, or spillways. These restricted areas must be clearly marked with signs. Signs must be designed and installed by the department.

 (3) No watercraft may operate or anchor within one hundred fifty feet of public fishing piers.

 (4) No sailing craft with a mast height in excess of thirty feet is permitted to operate.

 (5) No wading, bathing, or swimming is permitted within two hundred feet of any public landing, bridge, or restricted area. These restricted areas must be clearly marked with signs. The signs must be designed and installed by the department.

 (6) The lake wardens, at their discretion, may limit entrance of watercraft onto the lakes via the public landings when conditions such as overcrowding or adverse weather create an unsafe boating environment.

HISTORY: 1990 Act No. 613, Section 1; 1993 Act No. 181, Section 1271.

**SECTION 50‑25‑1320.** Motor restrictions on Lake William C. Bowen.

 On Lake William C. Bowen:

 (1) No watercraft with an outboard motor having a horsepower rating in excess of one hundred fifteen horsepower is permitted.

 (2) No watercraft with an outboard motor in excess of the United States Coast Guard rating, with Coast Guard rating plate missing or changed, is permitted.

 (3) No watercraft powered by an outdrive or inboard motor having an engine automotive horsepower rating in excess of one hundred ninety horsepower is permitted. This restriction does not apply to towboats which have been approved by the American Waterski Association or any Coast Guard approved boat commonly referred to as an inboard boat designed by the manufacturer for towing waterskiers with the motor or engine located near the midpoint of the boat between the bow and stern, propeller driven by a single rod drive shaft extending through the hull with the propeller located under the boat in front of a rudder.

 (4) There is no minimum or maximum restriction on length of watercraft.

HISTORY: 1990 Act No. 613, Section 1; 1993 Act No. 181, Section 1271; 1996 Act No. 315, Section 1; 1998 Act No. 306, Section 1.

**SECTION 50‑25‑1330.** Watercraft and recreational activity restrictions on Lake H. Taylor Blalock.

 (A) Watercraft may not operate on Lake H. Taylor Blalock with an engine greater than thirty horsepower or greater than twenty‑five feet in length, and in the case of a pontoon boat, the engine may not be greater than forty horsepower or greater than twenty‑five feet in length, unless:

 (1) the gas line has been disconnected and the engine or prop is trimmed out of water; and

 (2) an electric trolling motor or engine of thirty horsepower or less is mounted.

 (B) It is unlawful on Lake H. Taylor Blalock to:

 (1) operate personal watercraft, including jet skis;

 (2) operate watercraft between midnight and one hour before sunrise;

 (3) operate watercraft with an outboard motor having horsepower in excess of the United States Coast Guard rating for the watercraft or with the Coast Guard rating plate missing or changed;

 (4) operate watercraft of any type within five hundred feet of any pump station, water intake of a dam, or spillways, and these restricted areas must be clearly marked with signs designed and installed by the Spartanburg Water System;

 (5) operate watercraft or anchor within one hundred fifty feet of public fishing piers;

 (6) operate sailing craft with a mast height in excess of thirty feet;

 (7) wade, bathe, or swim within two hundred feet of any public landing, bridge, or restricted area, and these restricted areas must be clearly marked with signs designed and installed by the Spartanburg Water System.

 (C) The lake wardens may limit entrance of watercraft onto the lake via the public landings when conditions including, but not limited to, overcrowding or adverse weather create an unsafe boating environment.

HISTORY: 1990 Act No. 613, Section 1; 1993 Act No. 128, Section 18; 1993 Act No. 181, Section 1271; 2004 Act No. 169, Section 1.

**SECTION 50‑25‑1340.** Waterskiing and towing of floating devices prohibited on Lake H. Taylor Blalock.

 On Lake H. Taylor Blalock, it is unlawful to waterski or tow rafts, discs, or any other similar floating devices.

HISTORY: 1990 Act No. 613, Section 1; 1993 Act No. 181, Section 1271.

**SECTION 50‑25‑1350.** Waterskiing and towing restrictions on Lake William C. Bowen; times boating prohibited.

 On Lake William C. Bowen it is unlawful to:

 (1) waterski or tow rafts, discs, or other similar floating devices within three hundred feet of any bridge or within one hundred feet of public dock facilities of the Spartanburg Water System;

 (2) waterski and tow rafts, discs, or other similar floating devices upstream and west of the Interstate Highway 26 bridge which crosses over Lake William C. Bowen;

 (3) pull more than two skiers at one time from any boat or to waterski while carrying one or more persons piggyback;

 (4) operate a watercraft between midnight and one hour before sunrise.

HISTORY: 1990 Act No. 613, Section 1; 1993 Act No. 181, Section 1271.

**SECTION 50‑25‑1360.** Special permits waiving restrictions of this article.

 The department, after consultation with the Spartanburg Water System, by special permit,may waive the restrictions and provisions of Sections 50‑25‑1310 through 50‑25‑1350 to allow for boat testing, water and ski shows, and similar activities. It is unlawful to violate the terms and conditions of the permit.

HISTORY: 1990 Act No. 613, Section 1; 1993 Act No. 181, Section 1271.

**SECTION 50‑25‑1370.** Penalty for violation.

 A person violating a provision of this article is guilty of a misdemeanor and must be punished as provided in Section 50‑1‑130.

HISTORY: 1990 Act No. 613, Section 1; 1993 Act No. 181, Section 1271.