

TAB 7

Section 18-7 - LOST AND ABANDONED VESSELS UPON CITY WATERS

Purpose and findings.

(a) Lost vessels and abandoned vessels present a threat to the public health, safety and welfare as:

- (1) Potential hazards to safe navigation and commercial and recreational use of **county city** waters;
- (2) Sources of pollution of **county city** waters;
- (3) Sources of degradation of the aesthetic value of **county city** waters and shoreline; and
- (4) Hazards to waterfront property and public safety during severe weather.

The purpose of this article is to promote the public health, safety and welfare by reducing or eliminating the threats posted by lost vessels and abandoned vessels, through the exercise of the authority granted to the **county city** pursuant to Florida Statutes Chapter 705.

(b) Lost vessels and abandoned vessels prohibited; enforcement; penalties for violations.

Lost vessels and abandoned vessels are prohibited upon **county city** waters. Any person who willfully and intentionally leaves a lost vessel or abandoned vessel upon **county-city** waters, after notice thereof pursuant to the act, commits a violation of this article.

(c) Removal of lost vessels and abandoned vessels from **county city waters.**

Subject to and in accordance with the procedures established by Florida Statutes Chapter 705 **and this city ordinance**, as amended, or its successor provision, **city law enforcement officers and county city code enforcement officers** are hereby authorized to remove any lost vessel and any abandoned vessel found in or upon **county city** waters. A conviction for violation or a finding of violation of this article, or of contesting a citation in county court pursuant to Florida Statutes Section 162.21, above, are not preconditions to the removal of a lost vessel or abandoned vessel. The **county's city's law enforcement officers** and code enforcement officers ~~designated pursuant to section 2-32-20~~ are hereby authorized to commence and complete removal of any lost vessel or abandoned vessel, in the manner and sequence authorized by Florida Statutes Chapter 705, as amended, or its successor provision, regardless of whether a citation is issued to the owner of such vessel, and regardless of any prosecution for violation or any proceeding in county court.

(d) Storage and disposal. All lost vessels and abandoned vessels removed from **county city** waters pursuant to this article shall be stored, confiscated, conveyed, donated and/or disposed of in accordance with the requirements of Florida Statutes Chapter 705.

(e) Costs and liens. All costs of removal, storage and disposal (whether by destruction, sale or otherwise) of a lost vessel or abandoned vessel shall be charged to the owner of such vessel to the full extent permitted by Florida Statutes Chapter 705. Pursuant to Florida Statutes Section 705.103(4), any person who neglects or refuses to pay such amount shall not be entitled to be issued a certificate of registration for such boat or motor vehicle, or any other boat or motor vehicle, until such costs have been paid. The ~~county city~~ attorney is hereby authorized to file such instruments as are necessary to establish and enforce any lien upon any such vessel for such costs.

(f) Procurement of services.

Subject to the limitations in the ~~county's city's~~ procurement code, the ~~county administrator~~ city clerk, or his/~~her~~ designee, is hereby authorized to procure services for the removal, storage, salvage and/or disposal of lost vessels and abandoned vessels removed from ~~county city~~ waters pursuant to this article.