

**PROPOSED ORDINANCE NO. 24-06**

ORDINANCE NO. 24-06 AMENDS THE MATHEWS COUNTY CODE TO AUTHORIZE MATHEWS COUNTY TO REQUIRE THE REMOVAL, REPAIR, ETC., OF VESSELS OR ABANDONED BOATS THAT CREATE AN OBSTRUCTION OR HAZARDOUS CONDITION AS AUTHORIZED BY VIRGINIA CODE § 15.2-909, 1950, AS AMENDED.

Be it ordained by the Mathews County Board of Supervisors that the Mathews County Code, Chapter 15, "Boating," shall be amended to add Article II, "Removal & Repair of Dangerous Vessels, etc.," Section 15-20 "Removal, repair, etc. vessels or abandoned boats, obstructing or creating a hazardous condition" to read in its entirety as follows:

"Article II, "Removal & Repair of Dangerous Vessels, etc.

Sec. 15-20 - Removal, repair, etc., vessels or abandoned boats obstructing or creating a hazardous condition.

1. The owners of property shall remove, repair or secure any vessel or boat which has been abandoned which might endanger the public health or safety of other persons, or which might constitute an obstruction or hazard to the lawful use of the waters within or adjoining such locality.

If such property is deemed to be abandoned, the County Administrator shall ascertain the lawful owner of such property and have the owner repair, remove or secure such property.

2. Mathews County, through its own agents or employees, may remove, repair or secure any vessel or boat which has been abandoned which might endanger the public health or safety of other persons, or which might constitute a hazard or obstruction to the lawful use of the waters within Mathews County, if the owner of such property, after reasonable notice and reasonable time to do so, has failed to remove, repair or secure such other structure, vessel, or boat.
3. In the event that Mathews County, through its own agents or employees removes, repairs or secures any boat or vessel after complying with the notice provisions of this section, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and to the extent applicable may be collected by Mathews County as taxes are collected.
4. If the identity or whereabouts of the lawful owner is unknown or not able to be ascertained after a reasonable search and after lawful notice has been made to the last known address of any known owner, Mathews County, through its own agents or employees, may repair such boat or vessel or remove such property after giving notice by publication twice in a newspaper of general circulation in the area where such property is located, with the first

notice appearing no more than 28 days before and the second notice appearing no less than seven days before proceeding with repair or removal.

5. Every charge authorized by this section with which the owner of any such property has been assessed and which remains unpaid, to the extent applicable, shall constitute a lien against the owner's real property, and such lien shall be recorded in the judgment lien docket book in the Circuit Court of Mathews County. Such lien may also be reduced to a personal judgment against the owner."

This Ordinance shall take effect upon adoption.