

**SECTION NO. 8.25 – AUTHORITY TO REMOVE WATERCRAFT**

- (a) Authority to Remove Watercraft Found in Violation of Law
1. In addition to any other authority or remedy provided by any statute, the Executive Director or any harbor police officer is hereby authorized to remove and impound any vessel, watercraft or object found in violation of any Federal or State law or provision of this Code in accordance with the procedures set forth in this Section. An attendant on board shall be given the opportunity to forthwith remove any such vessel, watercraft or object before it is impounded.
  2. The Executive Director is authorized to enter into contracts, on behalf of the District, with private parties for the removal and impounding of any vessel, watercraft or object found in violation of any Federal or State law or provision of this Code.
  3. The registered and legal owners of record, or the agent of any such vessel, watercraft or object so removed and impounded shall have the right to secure the release of such vessel, watercraft or object after furnishing proof of such ownership to the District and after payment to the District of the costs and expenses for such removal, impound and storage.

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4. If the owner or agent of any such vessel, watercraft or object cannot be found within Thirty (30) days, or, refuses upon demand to pay the lawful costs and expenses as provided above, the District may sell the property at public auction after publication of the sale is advertised in a newspaper of general circulation at least Five (5) days prior thereto, or, the District may keep, destroy or otherwise dispose of such property.
  5. Harbors and Navigation Code Section 500 et seq. shall apply to the disposition of vessels registered with the Department of Motor Vehicles. Nothing herein shall relieve the owner of such vessel, watercraft or object or the person responsible for such vessel, watercraft or object from independent personal liability for such costs and expenses and any such owner or person responsible shall remain so liable.
- (b) Authority to Remove Watercraft Pursuant to Judgment
1. In addition to any other remedies provided by law, the Executive Director or any harbor police officer is hereby authorized to remove and impound any vessel, watercraft or object which a court of competent jurisdiction determines to be in violation of any law.
  2. The Executive Director is authorized to enter into contracts on behalf of the District with private parties for the removal and

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impounding of any vessel, watercraft or object which a court of competent jurisdiction determines to be in violation of any law.

3. The registered and legal owners of record, or the agent of any such vessel, watercraft or object so removed and impounded shall have the right to secure the release of such vessel, watercraft or object after furnishing proof of such ownership to the District and after payment to the District of the costs and expenses for such removal, impound and storage.
4. If the owner or agent of any such vessel, watercraft or object cannot be found within Thirty (30) days, or, refuses upon demand to pay the lawful costs and expenses as provided above, the District may sell the property at public auction after publication of the sale is advertised in a newspaper of general circulation at least Five (5) days prior thereto, or, the District may keep, destroy or otherwise dispose of such property.
5. Harbors and Navigation Code Section 500 et seq. shall apply to the disposition of vessels registered with the Department of Motor Vehicles. Nothing herein shall relieve the owner of such vessel, watercraft or object or the person responsible for such vessel, watercraft or object from independent personal liability for such

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costs and expenses and any such owner or person responsible shall remain so liable.

*(Enacted January 20, 1987 – Ordinance No. 1198)*

*(Amended May 26, 1992 – Ordinance No. 1498)*

*(Amended September 4, 2001 – Ordinance No. 2148-  
Urgency Ordinance for Sections 8.25 [a] 1 and 2)*