

Proposed Revision to RBRA Code Section 4.06.010 (Redline)

Chapter 4.06
Vessel Impound

Section:

4.06.010 TOWING, IMPOUND, ~~AND STORAGE, AND DISPOSITION OF VESSELS~~

The Harbormaster and his or her designee are hereby authorized to remove and/or impound any vessel or other object found in violation of any of the provisions of this Code or any other ordinance of the Agency. Except as provided in Sections 3.04.060, 3.04.070, and 3.04.080 of this Code, or in any other circumstance governed by the Harbors and Navigation Code, removal or impoundment is subject to the following procedures:

- a. The registered and legal owners of record, or the agent of any such vessel or object so removed and impounded, shall have the right to secure the release of such vessel or object after furnishing proof of such ownership to the Agency and after payment to the Agency of the reasonable costs and expenses for such removal, impound, and/or storage. ~~The Boater's Lien law of the State of California shall apply to vessels.~~
- b. 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 incurred by the Agency, the Agency 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 Agency may keep, destroy, or otherwise dispose of such property.
- c. The Executive Director or his or her designee is authorized to enter into contracts on behalf of the Agency with parties for the removal and impounding of any vessel, watercraft, or object found in violation of this Code or any other ordinance of the Agency.
- ~~b.~~d. It is unlawful to move, remove, or in any way tamper with an official RBRA impound buoy and/or anchor and any vessel attached and impounded thereto, or to move, remove, or in any way tamper with any vessel in a marina marked or designated as an impounded vessel.

Proposed Revision to RBRA Code Section 4.06.010 (Clean)

Chapter 4.06
Vessel Impound

Section:

4.06.010 TOWING, IMPOUND, STORAGE, AND DISPOSITION OF VESSELS

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- a. The registered and legal owners of record, or the agent of any such vessel or object so removed and impounded, shall have the right to secure the release of such vessel or object after furnishing proof of such ownership to the Agency and after payment to the Agency of the reasonable costs and expenses for such removal, impound, and/or storage.
- b. 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 incurred by the Agency, the Agency 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 Agency may keep, destroy, or otherwise dispose of such property.
- c. The Executive Director or his or her designee is authorized to enter into contracts on behalf of the Agency with parties for the removal and impounding of any vessel, watercraft, or object found in violation of this Code or any other ordinance of the Agency.
- d. It is unlawful to move, remove, or in any way tamper with an official RBRA impound buoy and/or anchor and any vessel attached and impounded thereto, or to move, remove, or in any way tamper with any vessel in a marina marked or designated as an impounded vessel.