

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 28.2-1210 of the Code of Virginia, relating to removal of obstructions*  
3 *or hazardous property from state waters; penalty.*

4 [H 2221]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 28.2-1210 of the Code of Virginia is amended and reenacted as follows:**

8 § 28.2-1210. Removal of obstructions or hazardous property from state waters; penalty.

9 A. Whenever any wharf, pier, piling, bulkhead, structure, or vessel is found in or upon the bays,  
10 oceans, rivers, streams or creeks of the Commonwealth in a state of abandonment, in danger of sinking,  
11 or in such disrepair as to constitute a hazard or obstruction to the use of such waterway, the  
12 Commission may ascertain the owner of the property and require him to repair or remove the property  
13 from the waters of the Commonwealth. If the identity or location of the owner remains unknown and  
14 unascertainable after a diligent search and the posting of proper notice at the last known address of the  
15 owner, if known, the Commission may have the property removed from the waterways of the  
16 Commonwealth after giving notice by publication once in a newspaper of general circulation in the area  
17 where such property is located.

18 B. *It is unlawful for any person who owns a vessel to allow such vessel, for more than one week*  
19 *after delivery of notification by the Commission or a law-enforcement official in person or by United*  
20 *States Postal Service certified mail, return receipt requested, to be in a state of abandonment and in*  
21 *danger of sinking, or in such disrepair as to constitute a hazard or obstruction to the use of a*  
22 *waterway. Upon the occurrence of a natural disaster or other act of God, the Commission or*  
23 *law-enforcement official shall not issue a notification until sixty days following such occurrence. Any*  
24 *person who violates this subsection is guilty of a Class 3 misdemeanor.*

ENROLLED

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