

1998 SESSION

INTRODUCED

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HOUSE BILL NO. 974

Offered January 26, 1998

A BILL to amend and reenact § 28.2-1210 of the Code of Virginia, relating to removal of hazards from state waters.

Patrons—Purkey and Rollison

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-1210 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-1210. Removal of obstructions, hazardous property and non-conforming structures from state waters.

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

B. *The Commission shall require the removal from state waters all structures of any description to the extent that they do not conform with permits issued by the Commission. Removal shall be required whether or not the person responsible for the structure pays or has paid any monetary penalty.*

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