



# **Amendments to the Town of Bluffton Code of Ordinances to Include Regulations Addressing Abandoned and Moored Boats in the Town's Waterways**

**Presentation to Town Council**

**October 8, 2024**

**Executive Department**

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**Assistant Town Manager**

ATTACHMENT 1  
*Background*



Purpose:

To ensure responsible use of the Town's waterways and prevention of environmental damage.

To prevent pollution of human waste from improperly maintained vessels.

To protect, preserve, restore and enhance the Town's natural waterways and marshes.

To allow safe passage and use of the Town's waterways.

State Law (Section 50):

A watercraft is considered "abandoned" if left unattended to for at least 45 days.

Watercraft identified as abandoned for at least 90 days may be claimed by any person or entity as abandoned property.

The department must conduct investigations of abandoned watercraft to determine the status.

Violation is considered a misdemeanor. Fines between \$1,000 and \$5,000.

ATTACHMENT 1  
***SC Code of Laws***



**SECTION 50-21-10. Definitions.**

(1) "Abandon" or "abandoned" means any watercraft that has been moored, stranded, wrecked, sinking, or sunk, and has been left unattended for longer than forty-five days. A watercraft is not abandoned if it is legally moored or is on private property.

**SECTION 50-21-190. Abandoning watercraft or outboard motor; penalty; removal.**

(A) It is unlawful to abandon a watercraft or outboard motor on the public lands or waters of this State or on private property without permission of the property owner. This section does not apply to persons who abandon a watercraft in an emergency for the safety of the persons onboard; however, after the emergency is over, the owner and operator of the abandoned watercraft shall make a bona fide attempt to recover the watercraft.

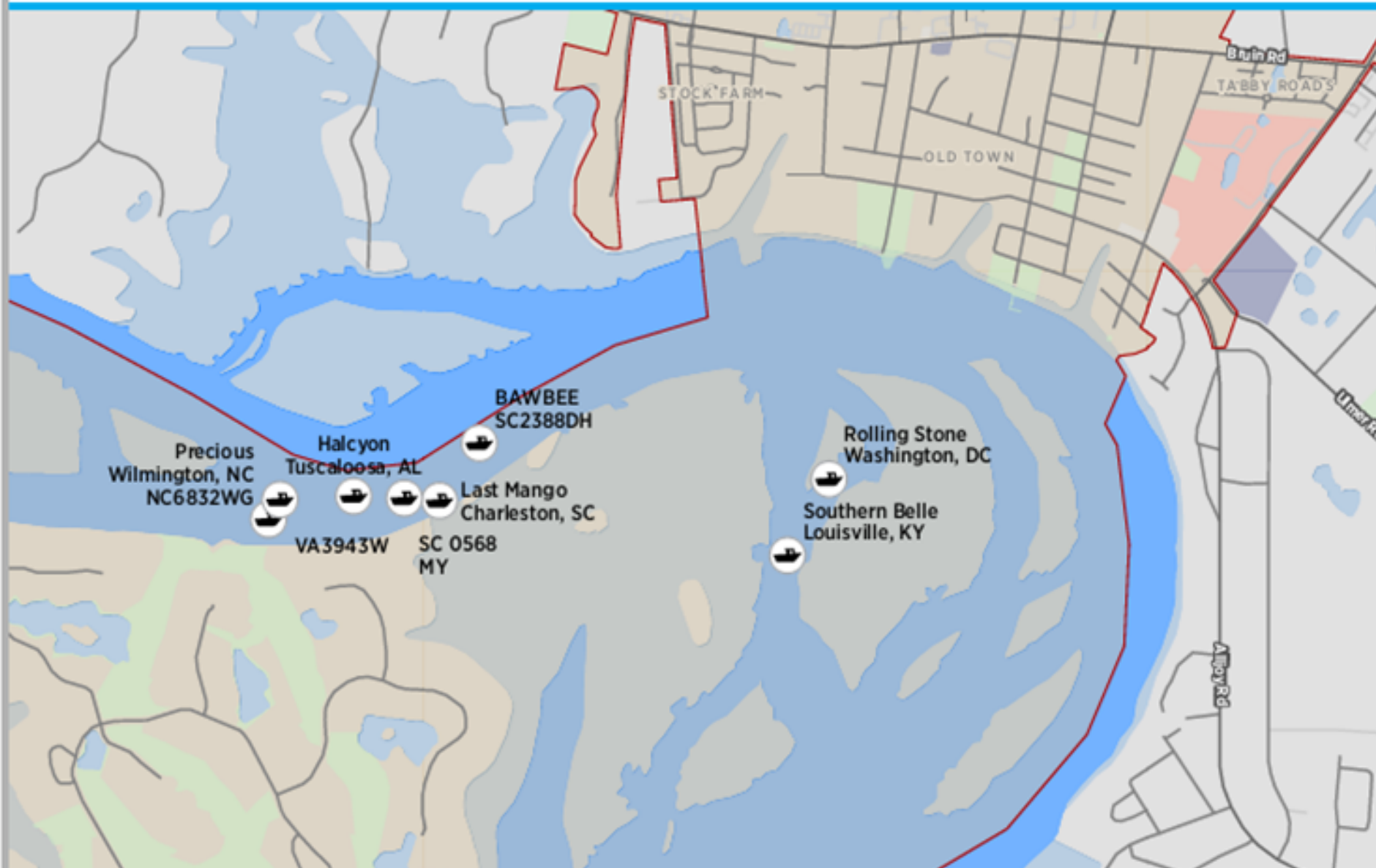
(B) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars or imprisoned up to thirty days, or both. In addition, the owner must remove the abandoned watercraft within fourteen days of conviction. The magistrates and municipal courts are vested with jurisdiction for cases arising under this section.

(C) An abandoned watercraft as identified by the department may be removed at the risk and expense of the owner and disposed of by any governmental agency that has jurisdiction over the area where the abandoned watercraft is located.

(D) The department must conduct investigations of any watercraft subject to the provisions of this section to determine the status of the watercraft as abandoned. The department must send written notice and make additional reasonable efforts to notify the last known owner, if any, of the status of the watercraft. If efforts to notify fail, then the department must post a notice on the watercraft advising that the watercraft is abandoned. If the owner claims the watercraft within forty-five days of the date the notice is posted, the watercraft is not considered abandoned.

(E) A watercraft identified by the department as abandoned for at least ninety days may be claimed by any person or entity as abandoned property.

# Abandoned Boat Locations



ATTACHMENT 1  
*Overview of Proposed Amendments*



- Seizure and Disposal of Abandoned Boats
- Policy and Procedures
- Violations and Penalties
- Administration and Enforcement
- Mooring of Boats



- Work with Beaufort County on the Draft Ordinance, Policy and Enforcement;
- Forward Draft Ordinance to SC DNR for Review and Comments;
- First Reading at a Future Town Council meeting; and
- Second and Final Reading at a Future Town Council Meeting.



# ***QUESTIONS & DISCUSSION***