

TOWN COUNCIL

STAFF REPORT Executive Department



MEETING DATE:	October 8, 2024
PROJECT:	Proposed Amendments to the Town of Bluffton Code of Ordinances to Include Regulations Addressing Abandoned and Moored Boats in the Town's Waterways
PROJECT MANAGER:	Heather Colin, Assistant Town Manager

RECOMMENDATION: Request Town Council's direction on proposed amendments to Town's Code of Ordinances concerning both abandoned and moored boats in the Town's waterways.

BACKGROUND/DISCUSSION: Recently Town Staff met with our state representatives, William "Bill" Herbkersman, and Weston Newton, along with the County Administrator, Michael Moore and County Councilman Mark Lawson, as well as several representatives for South Carolina Department of Natural (SC DNR) Resources to discuss abandoned boats in our area. The purpose of the meeting was to discuss the State regulations, Attachment 2, and ways that we could partner to ensure compliance.

The discussion was educational on the definitions of an abandoned boat, current State regulations addressing the vessels as well as the associated challenges. SC DNR staff provided numerous local regulations to Town Staff to use as guiding documents should we desire to adopt a local ordinance to strengthen State regulations. It was also requested that Beaufort County consider similar ordinances to provide for continuity of service across municipal borders in the waterways. The Town of Hilton Head Island, City of Beaufort and the Town of Port Royal have local ordinances to address abandoned boats.

The intent of an Ordinance is to allow the Town to identify, notify, and remove, if necessary, any boats that are abandoned by their owners. Should the County adopt a similar Ordinance, we would work together through agreements for the enforcement. Attachment 3 shows the location of abandoned boats within the Town of Bluffton as of July 2024 that may be affected by this proposed Ordinance.

Some of the highlights of this ordinance are summarized below:

1. **Seizure and Disposal of Abandoned Boats.** This section will grant authorization to the Town to provide notice to the owner of the boat that if it's not removed, the Town will remove the boat in sixty (60) days.
2. **Policy and Procedures.** To implement the provisions of this chapter, the Town Manager or designee is authorized to establish written policies and procedures consistent with the provisions herein and Title 50 of the South Carolina Code of Laws.
3. **Violations and Penalties.** Any person who violates any section of this article shall be guilty of a misdemeanor and shall be punishable under this Code. For each day that a violation is not abated, there will be an additional fine.

4. **Administration and Enforcement.** The administration and enforcement of the provisions of this article shall be vested in the Town of Bluffton's Police Department or as defined in any agreements with the County. If a vessel is seized and towed, law enforcement shall report the vessel to the department of natural resources for owner notification. If the vessel is deemed abandoned, it shall be eligible for removal in accordance with South Carolina state law.
5. **Mooring of Boats.** The Ordinance will also define channels that must remain open to other vessels so that they have a safe passage through the water without obstacles that impede their use.

ATTACHMENTS:

1. Presentation
2. SC Code of Laws
3. Map of Abandoned or Moored Boats
4. Proposed Draft Ordinance