

# ***Abandoned Vessel Procedures***

Adopted October 18, 2014

## **DEFINITION OF ABANDONED VESSEL**

*"Abandoned vessel" means any vessel that:*

- (a) Has remained on or immediately adjacent to private property (for more than [xx] days) without the consent of the owner(s) or person(s) in control of the property; or
- (b) Has been found adrift or unattended in or upon the waters of the State, and is found to constitute a hazard or obstruction to the use of the waters of the [State] or presents a potential health or environmental hazard; or
- (c) Is in a wrecked, submerged, inoperative or partially dismantled condition.

## **PROCEDURE:**

- 1. Notice to owner(s) and/or secured party(ies)
  - (a) If the vessel has a registration number assigned by [State Agency], or any other state, or if there are any other means of identifying the owner(s) and /or lien holder(s), the claimant [or state agency], must make a good faith effort, by certified mail/return receipt, to notify the owner(s) and/or lienholder(s) at their last known address.
- 2. Contents of notice must:
  - (a) Describe the vessel and include any identifying numbers; (b) Give location where vessel is located;
  - (c) Inform the owner(s) and secured party(ies) of a right to reclaim the vessel within [xx] days;
  - (d) State that failure to claim the vessel will constitute a waiver of all rights, title and interest in the vessel; and
  - (e) If ownership is not claimed and vessel removed within [xx] days after receipt of the letter, claimant will apply to the [State Agency] for registration and/or title.
- 3. Notice by publication:
  - (a) If the [State Agency] is unable to determine the last registered owner(s) or the identity of any secured party(ies) of the abandoned vessel, or if the certified mail notice is returned "undeliverable," the claimant shall place a notice/ad, to appear for three (3) consecutive days, in a newspaper of general circulation published in the county or city where the vessel is located. The notice by publication shall contain the information required under contents of notice and shall be published within 15 days of the return of the certified mail as undeliverable.