

## **Appendix I – Legal authority for relocation of moorings and anchoring space**

Pursuant to the highlighted language below, the Virgin Islands Department of Planning and Natural Resources is authorized to reassign any mooring space in the water of the Virgin Islands.

### **Title 13 Virgin Islands Code §406. Placing of buoyed mooring; unauthorized use; reassignment; identification**

(a) The Department shall designate the placement site for every mooring in the designated mooring areas and shall prescribe standards for the type of ground tackle and the scope ratio to be used by each vessel or houseboat. Until the Department develops an alternative to the existing arrangement, the permittee shall construct the mooring in a seaman-like manner for the vessel and conditions in the bay or harbor. Engine blocks may not be used as ground tackle. The permittee shall place a ground tackle having a free floating buoy on the surface by at least twelve (12) inches with proper identification, including their permittee's number. Ground tackle remains the property of the permittee. All responsibility and liability for the mooring of a vessel or houseboat remains with the permittee.

(b) The Department retains the right to reassign mooring or anchoring space, either temporarily or permanently, when in the best interests of the public, including but not limited to, harbor improvements and emergencies, and where more efficient or equitable utilization of mooring areas would result. The permittee shall move in accordance with the reassignment order within 30 days of the date of the order. The Department shall send by mail, to the owner's mailing address, a written notice of the reassignment order requiring a return receipt or, where the owner is a non-resident of the Virgin Islands, to the mailing address of the owner's resident agent.

(c) A fine of fifty dollars (\$50) per day shall be assessed against the owner of the vessel and against the vessel, jointly and severally, for each and every day beyond the thirty-day period that the vessel and the ground tackle remain in the mooring location.

(d) Unauthorized use of a mooring may result in a fine of not more than five hundred dollars (\$500) assessed against the vessel's owner and the vessel, jointly and severally.