



# NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

## CHAPTER: 61.4.5

### TITLE: ABANDONED BOATS

**EFFECTIVE:** 8/2/15

**REVISED:**

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#### PURPOSE

The purpose of this policy is to establish the process for the removal, documentation and storage of abandoned boats or boats moored for longer than 24 hours as prescribed in New Orleans City Code § 170-62, § 170-63 and § 170-64. Boats found to be in violation of this code shall be subject to impoundment.

#### DEFINITIONS

Definitions related to this policy include:

**Abandoned or moored boat**— Any boat that is abandoned or moored for more than 24 hours along Bayou St. John. For the purpose of this Chapter, Bayou St. John includes its head at Hagan Avenue and Lafitte Avenue to Desaix Boulevard (*New Orleans City Code § 170-62*).

**Marked**—Posting a notice in a conspicuous place (on, at or near) a suspected abandoned or moored boat directing that the boat be removed from the location within 48 hours of the time of posting. The notice affixed shall state that the boat shall be subject to impoundment unless the boat is removed by the owner or legal possessor within 48 hours after the notice is affixed (*New Orleans City Code § 170-63*).

#### MARKING BOATS

1. Boats abandoned or moored in Bayou St. John for more than 24 hours, in violation of New Orleans City Code § 170-62 shall be marked as required by law and noted in the NOPD Computer Aided Dispatch (CAD) system. Mosquito Control Board members will be responsible for marking eligible boats and notifying the Command Desk for CAD entry documentation.
2. Members of the New Orleans Mosquito Control Board, investigating any boat that is abandoned or moored for more than 24 hours along Bayou St. John, will:
  - a. post a notice in a conspicuous place (on, at or near) a suspected abandoned or moored boat directing that the boat be removed from the location within 48 hours of the time of posting.
  - b. the notice shall state that the boat shall be subject to impoundment unless the boat is removed by the owner or legal possessor within 48 hours after the notice is affixed (*New Orleans City Code § 170-63*).
  - c. the affixed notice shall indicate the date and time the notice was attached, the date and time upon which the boat is subject to impoundment, and contact information for retrieval purposes.
3. If a marked boat has been moved or the markings have been removed during the 48-hour observation period, the previously marked boat shall be marked again indicating the original violation date and time and 48-hour observation period. An update shall be made in CAD, or with the Communications Section under the original NOPD Item number.

**INVESTIGATION AND IMPOUNDMENT**

4. An incident report shall be completed on all boats removed from Bayou St. John as directed under this Chapter. The Fleet Services Section shall be notified by the investigating member and a request made to have the boat removed. If the boat is eligible for removal the Fleet Services Section will be responsible for the removal of the boat and documenting its removal in an incident report. The information on the Fleet Services member who removed the boat shall be noted in the NOPD Incident Report and CAD.
5. When requested by the investigating member, the N.O.P.D. Communications Section shall assign an item number for the abandoned or moored boats eligible for impoundment under a signal "21AB - (Abandoned Boats)".
6. Impounded boats shall be held by the department at Central Evidence and Property until:
  - (a) claimed by the owner/ legal possessor; or
  - (b) disposed of in accordance with state law governing disposition of lawfully seized movable property.
7. Any owner or legal possessor who seeks to recover an impounded boat shall be required to demonstrate proof of ownership and pay all related fees at the time of recovery.

**DISPOSITION OF BOAT**

8. The department of police shall retain custody and possession of impounded boats for a period of not less than five (5) months from the date of impoundment, unless recovered by the owner of legal possessor. After such time, the impounded boat may be disposed of pursuant to state law governing disposition of lawfully seized property.
9. The purchaser of any unclaimed boat shall not be liable for the impoundment fee or any storage fees accumulated prior to the date of purchase from the department.