

THE LIMITS OF THE MUNICIPAL CORPORATION.

(I) THE WARDENS, OR A MAJORITY OF THEM, MAY DETERMINE AND REGULATE ALL MATTERS RELATING TO THE ERECTION OR BUILDING OF WHARVES AND MOORING BUOYS OR FLOTATION WHARVES IN THE PORT, SO FAR AS RESPECTS THE DISTANCE WHARVES, MOORING BUOYS OR FLOATING WHARVES MAY BE EXTENDED INTO THE WATER, AND THE MATERIALS OF WHICH THEY SHALL BE CONSTRUCTED, AND THE MANNER AND FORM OF CONSTRUCTION. THE WARDENS SHALL ALWAYS CONSIDER THE PRESERVATION OF THE NAVIGATION OF THE PORT BY NOT PERMITTING ANY WHARF MOORING BUOYS OR FLOATING WHARF TO BE CARRIED OUT IN SUCH A MANNER AS TO RENDER THE NAVIGATION OF THE PORT TOO CLOSE AND CONFINED OR TO BE BUILT OF SUCH MATERIALS OR CONSTRUCTED IN SUCH A MANNER AS MAY BE DEEMED NOT SUFFICIENTLY SUBSTANTIAL AND LASTING.

(II) NO PERSON MAY BUILD ANY WHARF, OR CARRY OUT ANY EARTH OR OTHER MATERIAL FOR THE PURPOSE OF BUILDING A WHARF, NOR SHALL ANY PERSONS PLACE OR ERECT MOORING BUOYS OR FLOATING PIERS WITHOUT A LICENSE FROM THE PORT WARDENS. IF ANY PERSON VIOLATES THE PROVISIONS OF THIS SECTION, OR IF ANY PERSON BUILDS ANY WHARF A GREATER DISTANCE INTO THE WATERS OF THE PORT, OR IN A DIFFERENT FORM, OR OF DIFFERENT MATERIALS THAN DETERMINED AND ALLOWED BY THE WARDENS, HE IS SUBJECT TO A FINE AS IMPOSED BY THE LEGISLATIVE BODY OF THE MUNICIPAL CORPORATION.

(III) IN ALL DIFFERENCES THAT ARISE BETWEEN ANY CITIZEN OF ANY MUNICIPAL CORPORATION AND THE PORT WARDENS OF THAT MUNICIPAL CORPORATION CONCERNING THE DISCHARGE OF THE DUTIES OF THE PORT WARDENS, AN APPEAL MAY BE TAKEN TO THE LEGISLATIVE BODY OF THE MUNICIPAL CORPORATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1974.

Approved May 31, 1974.

CHAPTER 836

(House Bill 1623)

AN ACT concerning

Boards of License Commissioners - Subpoena Power