

COMMITTEE ON GOVERNMENT OPERATIONS, CONSUMER
AFFAIRS, ENERGY, ENVIRONMENT, AND PLANNING

09/18/2019-HELD

BILL NO. 33-0108

Thirty-Third Legislature of the Virgin Islands

July 9, 2019

An Act amending title 12, chapter 10, section 402 of the Virgin Islands Code by requiring owners of shoreline property to provide the public with suitable access to the shorelines, imposing fines for failure to comply with this requirement, and granting the Department of Planning and Natural Resources enforcement and investigative authority regarding shoreline access

PROPOSED BY: Senators Janelle K. Sarauw, Novelle E. Francis, Jr., Myron D. Jackson, and Kurt A. Vialet
Co-sponsors: Alicia V. Barnes and Marvin A. Blyden

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Title 12, chapter 10, section 402 of the Virgin Islands Code is amended as
3 follows:

4 (a) In subsection (a), by inserting the following at the end thereof:

5 “The public individually and collectively, also has the right to suitable access, such as roads,
6 sidewalks, and handicapped access to the shorelines. The owner or owners of the property that the
7 public uses to access the shoreline must provide a path for vehicles and disabled individuals, and

1 a path for civilians to walk. Failure to comply with this section will result in a fine of not less than
2 \$1,500. An additional fine of \$500 shall be imposed every ninety (90) days that the violation
3 continues to exist after the owner of the property is notified in writing of the violation. Any second
4 or subsequent failure to comply with this section will result in the said fines being multiplied by a
5 factor equivalent to the number failures to comply recorded against the property owner or owners.”

6 (b) By adding a new subsection (c) to read as follows:

7 “(c) The Department of Planning and Natural Resources shall enforce this section and
8 investigate all reported violations of this section.”

9 **Bill Summary**

10 This Bill amends title 12, chapter 10, section 402 of the Virgin Islands Code by requiring
11 owners of shoreline property to provide the public with suitable access to the shorelines, imposing
12 fines for failure to comply with this requirement, and granting the Department of Planning and
13 Natural Resources enforcement and investigative authority regarding shoreline access.

14 **BR19-0573/June 27, 2019/EEM**