

cover rates and activities of brokers, agents and policy holders who participate in the Crime Insurance Program.

(b) Strike all of section 2.

Approved September 6, 1978.

(BILL 7781)

No. 4204

(Approved September 11, 1978)

To Amend Title 29, Chapter 3, Virgin Islands Code, To Authorize the Virgin Islands Planning Board To Waive Off-Street Parking and Off-Street Loading Requirements Within Those Portions of Central Business Districts Which Are Also Historic and Architectural Control Districts.

Be it enacted by the Legislature of the Virgin Islands:

Section 1. Title 29, section 229, subsection (h), Virgin Islands Code, that portion thereof pertaining to "Required parking and loading areas", is amended to read as follows:

Required parking and loading areas

Off-street parking and off-street loading shall be provided in accordance with the provisions of section 230 of this subchapter; provided, however, that the Virgin Islands Planning Board is authorized, in its discretion, to waive said parking and loading requirements in those portions of any central business district which are designated as historic and architectural control districts pursuant to the provisions of subchapter III of this chapter when, in the opinion of the Planning Board, said waiver will not be contrary to the intents and purposes of this chapter.

Approved September 11, 1978.

(BILL 7791)

No. 4205

(Approved September 11, 1978)

To Amend Title 29, Chapter 10, Virgin Islands Code, To Grant the Power of Citation and Correlated Policing Powers to Specified In-

dividuals in the Marine Division of the Virgin Islands Port Authority, With Citations Returnable to the Territorial Court Violations Clerk and for Other Purposes.

FINDINGS

The Legislature of the Virgin Islands finds:

(a) That the responsibility for the proper operation, usage and maintenance of wharves, warehouses, wharf areas and adjacent properties, as well as harbor areas together with anchorage, mooring and operational traffic usage, has been placed in the jurisdiction of the Virgin Islands Port Authority without the necessary and corresponding powers to enforce pertinent Rules and Regulations under appropriate Court supervision;

(b) That increased marine traffic and increased wharf usage, together with the increased traffic in related fields has resulted in a great strain on existing facilities, accommodations, harbor capacities and services;

(c) That increased marine cruising of a touristic nature involving prolonged anchorage with residency aboard small vessels has resulted in the increased use of marine toilets to the detriment of territorial harbors and increased demands upon limited fresh water supplies, garbage removal services and clinical medical services;

(d) That these increases and concentrations point to an everpressing necessity for marine policing, including marine safety units with fire-fighting and life-saving capabilities, as well as the policing of orderly anchorages limited to the physical capacity of the harbors; Now, Therefore,

Be it enacted by the Legislature of the Virgin Islands:

Section 1. Title 29, section 543, paragraph (13), Virgin Islands Code, is amended to read as follows:

(13) to have complete control and supervision of facilities and properties constructed or acquired by it, including police powers to the extent necessary to confer upon specified employees the authority to issue and enforce in the Territorial Court citations for violations of rules and regulations, payable to the violations clerk of the Territorial Court, and the power to determine the character of and necessity for all expenditures and the manner in which they

shall be incurred, allowed and paid, and such determination shall be final and conclusive for all purposes;

Section 2. The Virgin Islands Port Authority is hereby authorized and directed to:

(a) Prepare and submit to the Legislature for its approval, within ninety days after the effective date of this act, a schedule of rules and regulations for the use of marine facilities in the jurisdiction of the Port Authority, Marine Division, together with specific charted delineations of harbor entrance lines, harbors listed by name and rules and exceptions as they apply to each harbor; rules and exceptions as they apply to each wharf facility; schedules of fines for first, second and third violations of rules and regulations; a description of the circumstances under which a "suspension of the privilege of use" will apply; and any applicable appeal procedures pertaining thereto.

(b) Prepare and submit to the Legislature for its approval, within ninety days after the effective date of this act, a description of appointment, training and examination procedures to be used by the Port Authority in conferring the power of citation to individual employees of the Marine Division to insure that such employees are knowledgeable and capable of administering Marine Division rules and regulations and properly briefed in the issuance of citations so as to meet judicial standards and requirements.

(c) Prepare and submit to the Legislature for its approval, within one hundred and twenty days after the effective date of this act, specific charted delineations of general anchorage areas in subject harbors, with such anchorage areas subdivided into transient and prolonged anchorage areas; rules limiting the time allowed at anchor in transient anchorage areas; rules and regulations for use of mooring areas; a schedule of fines for first, second and third violations of rules and regulations; a description of the circumstances under which a "suspension of privilege of use" will apply; and any applicable appeal procedures pertaining thereto.

Section 3. All fees and fines collected under Virgin Islands Port Authority rules and regulations approved as required under the provisions of this act, shall be deposited into a special account maintained by the Virgin Islands Port Authority for the specific purpose of improvements, maintenance and policing of marine facilities. For the purpose of accounting, such fees and fines shall be stated in the net amount after deduction by the Territorial

Court of reasonable and necessary Court costs, when such costs have not been levied upon the citation recipient.

Approved September 11, 1978.

(BILL 7845)

No. 4206

(Approved September 11, 1978)

To Transfer From the Department of Public Safety to the Office of the Governor the Responsibilities for Fire Fighting and for Related Purposes.

Be it enacted by the Legislature of the Virgin Islands:

Section 1. Title 3, chapter 1, Virgin Islands Code, is amended by adding a new section 9 thereto to read as follows:

§ 9. Virgin Islands Fire Service

There is established within the Office of the Governor the Virgin Islands Fire Service to be headed by a Fire Chief who shall be appointed by the Governor with the advice and consent of the Legislature. The duties and responsibilities of the Fire Service shall be those set forth in chapter 7, Title 23 of this Code.

Section 2. All of the powers, duties, and responsibilities for fire prevention and control heretofore vested in the Department of Public Safety are hereby transferred to the Fire Service within the Office of the Governor established by section 1 of this act.

Section 3. Chapter 7, Title 23, Virgin Islands Code, is amended as follows:

(a) Strike the words "Commissioner of Public Safety" wherever they shall appear and insert in lieu thereof the words "Fire Chief".

(b) Strike the words "Department of Public Safety" wherever they shall appear and insert in lieu thereof the words "Office of the Governor".

Section 4. This act shall be effective January 1, 1979.

Approved September 11, 1978.