

BEACH ORDINANCE

#1.

Adopted 3/9/54 - Article 7

Amended: 3/8/66 - Article 17 (no dogs)

~~3/16/68 - Article 25 (Section 8a)~~

(see new Section 8a 3/9/04)

3/17/73 - Article 18 (changed effective dates)

3/11/78 - Article 23 (boats)

3/17/79 - Article 19 (Fires in rock areas)

3/14/81 - Article 21 (horses on beaches)

3/18/89 - Article 33 (dogs on beaches)

3/9/99 - Article 32 (sale of food on beaches)

3/12/02 - Article 28 (dogs on beaches)

3/09/04 - Article 15 (surfing)

3/10/09 - Article 15 (dogs on beaches Section 11)

An Ordinance Regulating Uses of Public Sea Beaches and Recreational Areas

1. Subject to such regulations as have been lawfully imposed thereon by the State of New Hampshire, regulating the use of Sea Beaches and Recreational Areas in the Town of Rye, the use thereof by the public shall be subject to this ordinance.

2. Said beaches and areas shall be open to public use each day from sunrise to midnight, and shall not be open at any other time, excepting in cases of emergency, and to the lobstermen to fish or lobster.

3. No person shall throw or deposit upon the beaches or areas any materials of wood, glass, paper, metal, or other refuse.

4. No persons shall disrobe for the purpose of bathing, or otherwise, at any beach in a place or manner exposing them to public view.

5. No person shall build a fire on any sand area of any beach. After obtaining permission from the Fire Chief or his authorized representative, fire may be built in the rock areas of the beaches but must be completely extinguished by the person(s) obtaining the permit before leaving the beach.

6. No persons shall ride or drive a horse or operate a motor vehicle, motorcycle, or bicycle upon any public beach in said Town except to remove rubbish or fishermen's gear or seaweed from the beach. However, between October 1st and June 1st, horses may be ridden on the beach.

7. No persons shall play any game or sport upon any public beach or area which will interfere with the enjoyment thereof by the public.

8. The Selectmen of the Town shall have authority to close to the public any public beach or area if and when there is occasion for their doing so in furtherance of public health, safety, or the

protection of the beach or area so closed by them.

8a. The use of surfboards and surfing on Town Beaches shall be regulated as follows:

- (1) Any person surfing shall obey all lawful orders from Beach Lifeguards, Beach Commissioners or Police Officers.
- (2) From the calendar period of Memorial Day to Labor Day and from the hours of 9:00 a.m. to 5:00 p.m., the following town beaches may be closed to surfing only when Lifeguards, Beach Commissioners, Selectmen or Police believe a public safety issue exists.
 - a. Wallis Road Extension - the area between Wallis Sands State Park and Concord Point.
 - b. Cable Road Extension - the area between the inside sand beach corner of Lockes Neck to Jenness Beach State Beach.
 - c. Sawyers Beach - the area starting 50 yards south of the Eel Pond outlet pipes and extending south to the Beach Club.

Surfers must stay at least 50 feet away from Lifeguard protected swimmers and swimming areas.

- (3) The Selectmen's Office and/or the Chief of Police shall have the authority to close to the public, any town beach and area to surfing when deemed necessary in the interest of public health, safety or the protection of the beach area.
- (4) Any person violating these surfing regulations shall be punished by a civil penalty of one hundred dollars (\$100) for a first offense and (\$200) for each subsequent offense within a twenty-four month period.
- (5) Subject to such further regulations as the Board of Selectmen shall from time to time prescribe.

8b. No person shall sell food, beverages or merchandise from a stand, cart, motor vehicle or his/her person on any town beach.

(This paragraph added by passage of Art. 32 of the 3/9/99 Town Meeting.)

9. Any person violating this ordinance shall be fined not more than ten dollars for each violation thereof. **See paragraph 12 (e). Fine increased to \$50.00**

10. This ordinance shall take effect upon its adoption by the legal voters of the Town.

11. (a) Dogs are not permitted on Town Beaches before 7:00 p.m. or after 9:00 a.m., from the Saturday before Memorial Day to the first Saturday after Labor Day. The only exception will be the area between Wallis Sands State Park and Odiorne State

Park, where dogs and people are allowed between the hours of 6:00 a.m. and 12 midnight..

During this part of the year:

1. All dogs shall be otherwise under the control of its owner or other custodian.

2. The owner or custodian of any dog that defecates on Town of Rye beaches shall immediately remove such defecation from public property and dispose of it on their own property or otherwise properly dispose of same.

12. (a) No person, club, association or corporation shall be permitted:

1. To use the public beaches within the Town for landing or taking out of boats.

2. To place or keep upon the public beaches of the Town any boats.

3. To use any public parking areas in the Town for storage or parking of boats or boat trailers unless such areas are specifically designated for this use.

(b) Public beaches are defined as Wallis Road Extension, Cable Road Extension, the area at the end of Perkins Road, and Sawyer's Beach.

(c) This section shall be effective from June 1st through October 1st in each year hereafter, unless otherwise permitted to do so by the Board of Selectmen by written authorization.

(d) Specifically exempted from the above prohibitions are acts necessitated by emergency conditions or acts specifically sanctioned by the State of New Hampshire in said area.

(e) There shall be in addition to any other penalties imposed by law, a fine of fifty dollars (\$50.00) for each violation of this ordinance.