

BEACH USE ORDINANCE

September 26, 2011

WHEREAS, the Jekyll Island–State Park Authority (“Authority”) has adopted “The Code of Jekyll Island-State Park of Georgia, 1997” (“Code”), and

WHEREAS, the Authority desires to amend Chapter XV under Part IV of said Code to regulate the use of the State Beaches;

NOW, THEREFORE, BE IT RESOLVED BY THE JEKYLL ISLAND-STATE PARK AUTHORITY, that Chapter XIV of said Code is hereby amended by adding Section 117 in its entirety to Chapter XV under Part IV of said Code and is hereby adopted to read as follows:

15-117 Use of State beaches.

(a) Rules and Regulations. All persons entering upon the public beaches, or structures erected thereon, of the Jekyll Island State Park shall comply with the following rules and regulations, and failure to do so shall constitute a violation of this article:

- (1) **Swimming.** Signage at all public entrance points properly notify all persons there are no lifeguards on duty at the Jekyll Island State Park. All persons entering the water off the public beaches are doing so at their own risk.
- (2) **Placement of litter.** It shall be unlawful to throw, place, deposit, sweep or scatter, or cause to be thrown, placed, deposited, swept, or scattered, any paper, food, cigarette butts, bottles, cans, trash, fruit peelings or other refuse upon the beaches or structures erected thereon. Beach goers must have their trash in a container at all times.
- (3) **Glass or breakable containers.** It shall be unlawful for any person to take or carry upon the beaches or structures erected thereon any glass or breakable containers.
- (4) **Disturbing dune vegetation.** It shall be unlawful or any person to pick, gather, remove, walk in the dunes, or otherwise disturb the vegetation present on sand dunes, including sea oats. This Ordinance shall operate to further limit the restrictions on damaging vegetation as established by Jekyll Island Authority § 15-113. Further, it is prohibited for any person to enter in any area that has been marked by the Georgia Department of Natural Resources as an area designated for the protection of nesting sea turtles and shorebirds. Nothing in this Ordinance shall supersede the existing regulations and jurisdiction of the Georgia Department of Natural Resources.
- (5) **Pets.** It shall be prohibited for pets to be off leash or running free on the beaches and dunes of Jekyll Island at any time. To protect nesting sea turtles and shorebirds, it is further prohibited for a pet, whether leashed or unleashed or otherwise, to be on the beaches or in the dunes of Jekyll Island from the boardwalk at the South Dunes Picnic area (latitude 31.031854, Longitude -81.415358) south and around the southern tip of the island north to a point (Latitude 31.015594, Longitude -81.433926) or equivalent to 2,000 feet south of the St. Andrews Picnic area. This shall not apply to any animal operating as a guide dog or performing similar assistance for a disable person. Nothing in this Ordinance shall supersede the existing Jekyll Island Authority Ordinances §14-105 regarding pets and §14-106 regarding removal of pet fecal matter.
- (6) **Horseback riding.** It shall be prohibited for any person to bring or in any way allow a horse to be on the beaches and dunes of Jekyll Island at any time. Excluded from this prohibition are licensed vendors of the Jekyll Island Authority who have received written

permission from the Authority to engage in any activity involving the use of horses on the beaches of Jekyll Island.

(7) **Motorized vehicles.** It shall be unlawful for any person to take any motorized vehicle on to the beaches or structures erected thereon. This includes automobiles, trucks, motorcycles, all-terrain-vehicles and similar motor driven vehicles and craft. This does not include properly marked emergency vehicles while in the course of an emergency operation, or maintenance/utility vehicles in the employ of the Jekyll Island Authority or similar governmental entity and engaged in a legitimate operation.

Nothing in this Ordinance shall supersede the existing Jekyll Island Authority Ordinance § 5-102.

(8) **Motorized watercraft.** It shall be unlawful for any person to operate any motorized watercraft, such as a jet ski, motorboat, and/or any similar craft in violation of the rules and regulations as maintained and enforced by the U.S. Coast Guard and the Georgia Department of Natural Resources.

(9) **Wind-Powered Crafts.** To protect nesting sea turtles and shorebirds, it is prohibited for any person to use or operate a kite buggy, beach-capable wind surfer or any other wind-powered transport on the beaches or in the dunes of Jekyll Island from the boardwalk at the South Dunes Picnic area (latitude 31.031854, Longitude -81.415358) south and around the southern tip of the island north to a point (Latitude 31.015594, Longitude -81.433926) or equivalent to 2,000 feet south of the St. Andrews Picnic area.

(10) **Fires.** It shall be unlawful for any person to build or maintain any type of open fire on the beach, including any type of charcoal or gas fire, whether or not in a grill or similar container. This Ordinance shall operate to further limit the restrictions on open burning as established by Jekyll Island Authority Ordinance § 7-102.

(11) **Disorderly conduct; endangerment of self or others.** It shall be unlawful for any person to come upon the beaches or structures erected thereon, and individually or in concert with others, do any act or create any condition which does or is calculated to encourage, aid, abet, or start a riot, public disorder or disturbance of the peace; and it shall not be necessary to prove that that person was solely responsible for that riot, public disorder or disturbance of the peace, but only that his appearance, manner, conduct, attire, condition, status or general demeanor was a motivating factor that resulted in the riot, public disorder or disturbance of the peace. Any person who refuses when commanded by an enforcement official of the Authority, Glynn County or the State of Georgia to leave the beach or structures erected thereon immediately, shall be guilty of an offense for refusal to obey the order or command of an enforcement official of the Authority, and deemed to be a rioter or disturber of the peace. It shall also be unlawful for any person to come upon the beaches or structures erected thereon and act in any way which is likely to cause endangerment to him or others. Nothing in this Ordinance shall supersede the existing Jekyll Island Authority Ordinance § 15-101.

(12) **Nudity.** No nudity on beaches.

(13) **Beer kegs.** The presence of beer kegs on the beach is often associated with underage drinking, littering, public intoxication and disorderly conduct and because such activities are in direct conflict with family recreation, such containers and similar devices for dispensing of large quantities of alcoholic beverages are expressly prohibited. This Ordinance shall operate to further limit the restrictions on drinking in public as established by Jekyll Island Authority Ordinance § 15-105.

(14) **Jumping or diving from pier or public structure.** It shall be unlawful for any person to jump or dive from any pier or public structure except those that might be specifically built for

that purpose and as may be specifically authorized in connection with a properly authorized special event.

(15) **Walking or climbing on rocks.** It shall be unlawful to walk or climb upon the rocks, or other natural formations. Walking on existing beach trails that traverse through the rocks is allowed.

(16) **Lanterns and Flashlights.** To protect nesting turtles and shorebirds, and in accordance with Jekyll Island Authority Ordinance 15-114 regulating Beach Lighting, the use of lanterns or flashlights on the nesting beaches is limited to lanterns and flashlights that produce light of 580 nm or longer wavelength (true red).

(b) Exceptions to Rules. Exceptions to any of the above rules and regulations may be allowed through the granting of a special permit by the Jekyll Island Authority.

(c) Enforcement of Rules and Regulations. Enforcement of these rules and regulations shall be by members of the Uniform Division of the Department of Public Safety and/or agents of the State Authority who are authorized by the Authority to issue citations. The duly authorized personnel are authorized to require persons using the beach or structures erected thereon to obey reasonable commands designed to protect the public and public property, and the failure to obey any lawful command of those individuals shall be a violation of this section.

(d) Penalty for Violation. Any person convicted of violating any of the provisions of this section shall be punished by a fine not to exceed \$1,000.00 or imprisonment for a term not exceeding six months and to perform community service for a period not exceeding 60 days any or all such penalties as ordered by the Court. When found by authorized personnel as described above, the person responsible for the violation will be issued a citation and subpoena which identifies the violation and establishes a date for the violator to appear in the Magistrate Court of Glynn County to answer the charge. Violators may elect to pay the fine without appearing in court.

(e) Penalty for Pet Violations. The fine for the offense of violating subsection (a)(4) of this section prohibiting pets on the beach, shall not be less than \$200.00 for the first offense plus applicable court fees, and not less than \$400.00 for subsequent offenses, plus applicable court fees for any subsequent offense occurring within a 12-month period of a preceding offense.

(f) Penalty for Litter. The fine for the offense of violating subsection (a)(2) of this section prohibiting litter on the beach, shall be not less than \$100.00 plus applicable court fees and not less than \$200.00 for subsequent offenses plus applicable court fees for any subsequent offense occurring within a 12-month period of a preceding offense.