

## Article VI. BEACH EQUIPMENT\*

### Section 10-164. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

*Beach* means the area of sand that extends landward from the mean low water line to the stable line of natural vegetation.

*Beach equipment* means any apparatus or paraphernalia that is designed or manufactured for use, or actually used, on the beach, or in the adjacent tidal waters. Examples include, without limitation: chairs, tables, lounges, umbrellas, tents, boats or sailboats, personal watercraft, trailers, canoes, kayaks, paddle vessels, sailboards, surfboards, fishing gear, sporting equipment, rafts, flotation devices, beach toys, baskets, bags, towels, coolers, other personal effects, vehicles allowed on the beach (see § 28-34), and equipment used by concessionaires, such as tables, podiums, booths, or storage boxes. Beach equipment shall not include municipal trash containers, signage or structures, or items placed by a bona fide nature conservation agency or organization, such as signs or turtle nest protection.

### Section 10-165. Placement and Storage of Beach Equipment.

- (a) Unless allowed by a specific provision of this code, or unless it is in the active use and personal presence of the owner or a permitted user, beach equipment must be removed by its owner or permitted user from the beach between the hours of 9:00 P.M. and 8:00 A.M., year around, and placed in a lawful location.

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\* Charter reference – Beach Regulation, § 8.3.

- (b) Vehicular traffic on the beach is regulated by § 28-34. Vehicles that are not in use may not be stored on the beach at any time.
- (c) A business that rents beach furniture may place one free-standing structure on the beach during its regular business hours only. This structure may be a table, podium, booth, or storage box and it must be removed by its owner from the beach after business hours to a lawful location.
- (d) All beach equipment shall be set at least 10 feet from any sea turtle nest or dune vegetation.
- (e) The Village Manager, upon advance request, may grant a variance from Section 10-165 in appropriate cases for bona fide recreational, scientific, environmental or educational purposes.

Section 10-166. Penalty for violation of article.

Any person who shall violate this article shall be subject to a civil penalty in an amount of \$500.00 for each offense. Any civil penalty shall be payable to the Village within 24 hours of issuance of a civil citation.

**ADOPTED AND EFFECTIVE** this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

BY: \_\_\_\_\_  
LARRY LAMMERT, Mayor

ATTEST:

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AMY R. CANDLER, Village Clerk