

---

## Sec. 12-1. Use of municipal beaches and facilities.

- (a) *Rules and regulations.* All persons entering upon the public beaches, or structures erected thereon, shall comply with the following rules and regulations, and failure to do so shall constitute a violation of this article:
- (1) *Swimming area.* It shall be unlawful for any person to swim outside of the area extending 50 yards from the water's edge.
  - (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 hereon. Beach goers must have their trash in a container at all times. Littering shall also include the release into the air or surface of balloons, helium or otherwise, and/or heat or flame operated devices sometimes referred to as "sky lanterns", "Chinese lanterns" or "floating lanterns", to include, with regard to balloons or lanterns, helium, foil, mylar or "bio-degradable" devices or items from any location in the city, including the beach, structures on the beach and waters adjacent thereto, and such activity shall be classified as "littering" and subject to the prohibition herein.
  - (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) *Pets.* It shall be unlawful for any person who owns, is in control of, or is in charge of, any dog or other pet, to allow or take that dog or other pet upon the beaches or structures erected thereon. This does not include properly certified guide dogs, or similar animals assisting the blind, deaf, or other physically handicapped persons.
  - (5) *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 city or similar governmental entity and engaged in a legitimate operation.
  - (6) *Motorized watercraft.* It shall be unlawful for any person to operate any motorized watercraft, such as a jet ski, motorboat, and similar craft, within 1,000 feet of the waterline on any part of the beach between the north and south rock jetties.
  - (7) *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 fire, whether or not in a grill or similar container.
  - (8) *Disturbing dune vegetation.* It shall be unlawful for any person to pick, gather, remove, walk in the dunes, or otherwise disturb the vegetation present on sand dunes, including sea oats.
  - (9) *Surfboarding.* Surfboarding shall be permitted only in designated areas. No person shall operate a surfboard/paddle board unless it is equipped with an appropriate leash which is used at all times. Fishing is prohibited within the 60-foot right-of-way on Alley #3 Back River boat ramp.
  - (10) *Commands of lifeguards.* It shall be unlawful for any person to deliberately disobey any reasonable command of a duly appointed and identified lifeguard while in the legitimate performance of his duty, such commands being intended to ensure the safety of persons using the beach and any structures erected thereon.
  - (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 a police officer or other enforcement official of the city to leave the beach or structures erected thereon immediately, shall be guilty of an offense for refusal to obey the order or command of a police officer or other enforcement official of the city, 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 himself or others.

- (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.
- (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 public structures.* It shall be unlawful to walk or climb upon the rocks, jetties, or other manmade structures which are marked with appropriate signage.
- (16) *Bathing in restroom facilities prohibited.* It shall be unlawful for anyone to use public restrooms on the pier, the beach, strand, or adjacent areas, except where a shower facility exists and is operational, to bathe or attempt to bathe, shower or wash by use of the sinks in bathroom facilities or other fixtures therein, except for showers, and further sink facilities shall not be used for rinsing, washing off except for a person's face and hands. No such fixtures or facilities shall be used for the washing off of property including, but not limited to, clothing, toys, coolers, recreational equipment, chairs, floats, and any similar items, nor for cleaning of fish, shells, sand dollars, or other sea animals or items, living or dead.
- (17) *Removal of live animals.* It shall be unlawful to remove any non-regulated live animals including shells, sand dollars and hermit crabs and other invertebrates from the beach. Nothing herein shall be construed as prohibiting recreational fishing or crabbing for blue crab as permitted by the Department of Natural Resources fishing regulations.
- (18) *Sales or soliciting sales on the beach.* It shall be unlawful for any person to sell or offer for sale any goods, wares, merchandise, or food on the beach, or to solicit from any person for the purchase of any goods, wares, merchandise, or food on the beach.
- (19) *Obstructions and equipment on the beach prohibited.* It shall be unlawful for any person to leave an item of personal property unattended on any portion of the sand beach from 9:00 p.m. until 7:00 a.m. except as otherwise permitted by law or by permit granted by the city manager on application. City personnel are authorized to remove any unattended personal property, including any type of personal property including, as way of example and not limitation, tents (including frames), canopies, cabanas, umbrellas and other shading devices, picnic tables, volleyball nets, beach chairs, coolers, kayaks, canoes, catamarans, floats, sail boards, surf boards, kits, jet skis, sail boats and other water craft.
- (20) *[Off-limits.]* It shall be unlawful for any person to walk, swim or wade to the south end sandbar area beyond the area of the beach designated by signage prohibiting activities beyond the point of such sign as the area has been designated as extremely hazardous.
- (21) *[Prohibited areas.]* It shall be unlawful for any person to smoke, vape or use tobacco or related products on any beach on Tybee Island. This prohibition on smoking, vaping or using tobacco or related products extends into the ocean and includes all crosswalks to the beach as well as the pier.

- 
- (b) *Exception to the rules.* Exceptions to any of the above rules and regulations may be allowed by way of a special permit granted by the mayor and council or by a permit granted by the city manager pursuant to his or her authority to grant a commercial film production permit. In the case of the overnight storage of unattended personal property, a permit to do so may be granted when special circumstances exist as determined by the city manager who shall be authorized to issue such permits.
- (c) *Enforcement of rules and regulations.* Enforcement of these rules and regulations shall be by employees of the city police department or the city marshal and/or the designees of either the police department or the city marshal. The police department employees and the city marshal and the designees of either 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 in the discretion of the judge. When found by an employee as described above, the person responsible for the violation will be issued a citation and subpoena which names the violation and establishes a date for the violator to appear in court to answer the charge. Violators may elect to pay the fine without appearing in court; such action shall constitute a plea of guilty to the charge. When confronted with a violation, enforcing officers may exercise discretion to the point of transporting violators without delay to the police station for the purpose of posting bond in order to ensure their appearance in court.
- (e) *Penalty for pet prohibition.* 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.
- (g) *Penalty for abuse of restroom facilities.* The fine for the offense for violation of subsection (a)(16) of this section prohibiting bathing in inappropriate restroom facilities, shall be \$100.00 plus applicable court costs.

(Code 1983, § 9-5-1; Ord. No. 2005-11B, 6-21-2005; Ord. of 6-8-2006; Ord. of 4-26-2007(1); Ord. of 6-11-2009(1); Ord. No. 29-2011A, 7-28-2011; Ord. No. 33-2011, 8-11-2011; Ord. No. 36-2011, 9-8-2011; Ord. No. 41-2014, § 1, 8-14-2014; Ord. No. 12-2015, § 1, 4-9-2015; Ord. No. 26-2015, § 1, 9-10-2015; Ord. No. 16-2016, § 1, 6-23-2016; Ord. No. 11-2019, §§ 1, 2, 6-13-2019; Ord. No. 14-2019, § 1, 9-24-2019; Ord. No. 2020-11, § 1, 3-12-2020; Ord. No. 2021-22, § I(Att.), 8-26-2021; Ord. No. 2022-06, § I, 5-12-2022)