

Rye Beach Ordinance

Draft New Article 13.

13. Beach Permits

a) The purpose of the Beach Permit program outlined herein shall be to allow management of the time, location, impact and intensity of commercial beach activities to facilitate the safe, enjoyable, and accessible use of public beach resources by all beach users.

b) Any person or entity proposing to conduct a group (more than two people) lesson, event or other activity at the beaches designated in section 13 d, if for a fee or other compensation, or any entity proposing to rent beach equipment as designated in section 13 e for use at beaches in the Town of Rye, shall first obtain approval of the Board of Selectmen.

c) For the purposes of this section, the word “entity” refers to businesses, whether corporations, partnerships or proprietorships; and organizations such as non-profit corporations, religious institutions and educational institutions.

d) This section shall apply to beach activities, whether in the ocean or on land, in the following beach areas:

1. Wallis Road Extension – the area between Wallis Sands State Park and Concord Point;
2. Foss Beach – the area starting to the east of Washington Road and extending to the Rye Harbor State Park.
3. Cable Road Extension – the area between the inside sand beach corner of Lockes Neck to Jenness Beach State Park;
4. Brown Cottages Beach – the area between Jenness Beach State Park on the north, southerly to the Eel Pond outlet pipes;
5. Sawyers Beach – the area starting at the Eel Pond outlet pipes and extending south to the end of the sand beach just south of the Beach Club parking lot;
6. Philbrick’s Beach – the area from the east of South Road, southerly to the Rye Ledges;
7. Farragut Beach – the sand beach east of the intersection of Central Road and Ocean Boulevard;
8. Bass Beach – the area from the Bass Beach cottages southerly to the North Hampton Town line; and

9. Seavey Bridge – the beach/boat landing area on the northwest corner of the Seavey Bridge on Pioneer Road, west of O’Diorne Point State Park.

e) “Designated Beach Equipment” shall mean: surfboards, paddle boards, kayaks, or other equipment as designated by the Board of Selectmen.

f) Instructors and leaders of lessons, events or activities subject to the provisions herein shall be certified to perform cardiopulmonary resuscitation (“CPR”), unless waived by the Board of Selectmen. Such instructors or leaders shall be deemed “CPR qualified” for the purposes of this ordinance.

g) Applications for Beach Permits shall be filed with the Board of Selectmen on forms provided by the Town at least thirty days prior to the event or proposed initiation of activities.

h) All applications for Beach Permits shall be accompanied by a signed “Release and Indemnification” form provided by the Town and a certificate of insurance from an insurance company authorized to do business in the State of New Hampshire designating the Town of Rye as an additional named insured in the amount of at least \$1,000,000.

i) All applications for Beach Permits involving the use of Designated Beach Equipment shall include a “Certification of Participant Release” on a form provided by the town and signed by the Applicant committing the Applicant to obtaining from each individual participant a signed “Release of Town of Rye by Participants form to be provided by the Town, to be retained by the applicant for a period of at least one year after the date of the lesson, rental or event, and to be provided to the Town of Rye upon demand within that time.

j) Fines – Failure to obtain a Beach Permit for a lesson, event or activity subject to the provisions of this ordinance or to otherwise comply with this ordinance shall be a violation subject to a fine of \$50. Each noncompliant lesson, event or other activity shall be considered a separate violation. Failure to obtain a Beach Permit for the rental of Designated Beach Equipment shall subject the violator to a fine of \$50 per violation. Each individual rental transaction shall be considered a separate transaction. A second violation in any calendar year shall result in a fine to the business or event coordinator of \$50 for each participant in the lessons or event.