

**TOWN OF WELLFLEET
BEACH RULES AND REGULATIONS**

Amended 12/18/00, 02/24/03, 01/27/04, 05/11/04, 06/13/06, 06/26/07, 03/24/09, 1/26/10, 2/22/11

The Board of Selectmen of the Town of Wellfleet, MA, has adopted the following rules and regulations pertaining to the use of all Town-owned landing places and beaches within the Town of Wellfleet pursuant to the provisions of Mass. General Laws, Chapter 88, Section 19, Chapter 21, subsection (1) and Chapter 90B, Section 15(b) and any amendments thereof.

The following beaches and landings are herein referred to as "All Town landing places and beaches":

Duck Harbor	Gull Pond
Powers Landing	Long Pond
Indian Neck Beach	Great Pond
Burton Baker Beach	Duck Pond
Maguire Landing at Lecount Hollow	Sluiceway at Higgins Pond – Resident Sticker Required (amended 5/11/04)
White Crest Beach	Mayo Beach -- permit not required
Cahoon Hollow Beach	Marina -- permit not required
Newcomb Hollow	
Terminus of Chequessett Neck Road (the Gut) (amended 6/13/06)	

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- The term “**summer season**” herein shall mean the third Saturday in June through Labor Day between the hours of 9:00 am and 5:00 pm. (amended 02/27/07)
 - **Beach-** The zone above the water line at a shore of a body of water, marked by an accumulation of sand, stone, or gravel that has been deposited by the tide or waves.(amended 03/24/09)
 - **Freshwater Beach-** The zone above the water line at a shore of a body of water, marked by an accumulation of sand, stone, or gravel.(amended 03/24/09)
1. Any motor vehicle parked at a Town landing place or beach or on Nauset Road during the summer season must clearly display a valid parking permit attached to the upper part of the rear side window on the driver’s side of the vehicle. Any motor vehicle without a rear side window shall clearly display its permit on the upper portion of the driver’s side window. Parking without a valid permit may be authorized only by the Board of Selectmen. (amended 02/24/03, 01/27/04, 11/20/09))
 2. All Town landing places and beaches shall be closed between the hours of midnight and one half hour before sunrise each day from June 1 to October 1 except to those persons actively engaged in fishing.
 3. No trailers or overnight campers are allowed in beach areas or Town parking areas between midnight and one half hour before sunrise from June 1 to October 1 except for those persons actively engaged in fishing.
 4. Fishing or surf casting is prohibited within 500 feet of all Town landing areas during the summer season. (amended 01/27/04)
 5. Water skiing is prohibited within 500 feet of all Town landing places and beaches.
 6. Personal watercraft are prohibited in any Town-owned parking lots or on any Town-owned beaches. Use of personal watercraft is prohibited within 500 feet of all Town-owned beaches.
 7. Surfing is not allowed during the summer season on the lifeguarded beaches at Newcomb Hollow, Cahoon Hollow or Maguire Landing at LeCount Hollow when the lifeguards are on duty. Surfing is allowed during the summer season on the lifeguarded beach at White Crest. (amended 03/24/06)
 8. Hang gliders and para-gliders are prohibited at any Town beach or landing, adjacent dunes and parking lots from April 15th through October 1. (amended 06/26/07)
 9. Alcoholic beverages are prohibited on all Town property. (General By-Laws, Article VII, Section 19)
 10. Beach fires are permitted during the summer season only after obtaining a beach fire permit from the Town of Wellfleet Beach Sticker Office. Offseason, the Wellfleet Fire Department provides beach fire information. (amended 06/13/06)
 11. No domesticated animals are allowed to be left in any parked vehicles in any beach parking lot or in any beach area or on Nauset Road during the summer season.

12. The owner or person in charge of any domesticated animal that defecates on any Town of Wellfleet owned property shall promptly remove the fecal matter and dispose of it in a place where it will not cause pollution either directly or indirectly of any pond, wetland, groundwater or coastal water.

13. **Salt Water Beaches and Landings:**

- All domesticated animals must be leashed at all times on Town beaches and landings between May 15th and October 15th.
- Domesticated animals are not allowed on the lifeguarded portions of Newcomb Hollow, Cahoon Hollow, White Crest and Maguire Landing at LeCount Hollow between the hours of 9am and 5pm during the summer season except to walk from the parking lot to a point beyond the end of the guarded beach.
- Domesticated animals are never allowed on the following salt water beaches and landings: Burton Baker, Indian Neck and Nauset Road, Mayo Beach and Powers Landing.

14. **Freshwater Ponds:**

- Domesticated animals are not allowed in the following freshwater ponds or on the beaches of these ponds: Gull Pond, Long Pond, Great Pond, Duck Pond, Higgins Pond, the Sluiceway, Spectacle Pond, or Dyer Pond from May 15th through October 15th. (amended 03/24/09)

15. Domesticated animals shall be kept away from bathers at all town landings and beaches at all times.

16. Garbage and litter of all kinds must be deposited in the specified containers or carried from the area with you.

17. The use of soap, shampoo, detergents or cleaning substances is prohibited in all fresh water ponds.

18. All persons using Town beaches at any time shall be properly attired.

19. No rafts or other floatation devices may be used at any ocean beach without the permission of the lifeguard(s) on duty during the summer season. (amended 01/27/04)

20. Climbing on all dunes is prohibited except along designated access routes to the beach.

21. An application for Permit to Use Town Property must be obtained from the Wellfleet Board of Selectmen to use a Town beach or landing for the purposes of giving lessons or holding events. Liability insurance naming the Town of Wellfleet as an additional insured in the amount of \$1,000,000 is required. A fee may be required by the Board of Selectmen. All surfing lessons and surfing competitions shall be limited to White Crest Beach and adjacent parking lots. (amended 06/13/06, 03/24/09)

22. **Enforcement Penalties**

A. **Criminal Complaint**

Whoever violates any of the above rules and regulations shall be punished by a fine of not more than fifty (\$50) for each offense. If the payment for such a fine is not received by the Town within three weeks from the date of the violation, the violator shall lose the right to obtain or use a Wellfleet Beach Parking Permit. A violation of each specific rule or regulation shall be deemed a separate offense and each day on which a violation occurs or continues shall be deemed a separate offense, subject to the penalties stated herein.(amended 03/24/09)

B. **Non-Criminal Disposition**

As an alternative to initiating criminal proceeding pursuant to subsection A above, the enforcing agent may dispose of a violation of these rules and regulations pursuant to the following procedures. Whoever violated any provision of these rules and regulations may, in the discretion of officers of the Wellfleet Police Department, Beach Administrator, Beach Guard Captain, Head Lifeguard, Harbormaster, Assistant Harbormaster, Health and Conservation Agent, Assistant Health and Conservation Agent, Shellfish Constable, Deputy Shellfish Constables, Animal Control Officer or member of the Board of Selectmen be penalized by a non-criminal complaint pursuant to the provisions of M.G.L Chapter 40, Section 21D. Whoever violates any rule or regulation as stated above shall be subject to a fine of not more than fifty (\$50) for each separate offense except for any violation relating to Rule # 12 above shall be one hundred dollars (\$100). If the payment for such a fine is not received by the Town within three weeks from the date of the violation, the violator shall lose the right to obtain or use a Wellfleet Beach Parking Permit A violation of each specific rule or regulation shall be deemed a separate offense, and each day on which a violation occurs or continues shall be deemed a separate offense, subject to the penalties stated herein. (03/24/09. 1/26/10)