

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, 8/14/2012, 2/26/2013, 4/22/2014, 5/10/2016, 4/11/2017, 1/23/2018, 6/11/2019, 1/12/2021, 6/20/2023

1. Authority

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.

2. Purpose and Intent

The purpose and intent of these regulations is to establish requirements for the orderly use of the bathing beaches and associated parking areas owned by the Town of Wellfleet to protect the health and safety of the public and to preserve and protect the resource areas covered by these regulations. A list of the applicable bathing beaches within the Town of Wellfleet is attached hereto and incorporated by reference herein.

3. Definition: “**Summer season**” is the period between the third Saturday in June through Labor Day between the hours of 9:00 am and 5:00 pm. (amended 02/27/07)

4. Parking

Any motor vehicle parked at a Town landing place or beach or on Nauset Road in the marked area during the summer season must clearly display a valid parking permit.

• Newcomb Hollow	• The terminus of Chequessett Neck Road aka The Gut
• White Crest	• Duck Harbor
• Maguire Landing at LeCount Hollow	• Powers Landing
• Gull Pond	• Indian Neck
• Great Pond	• Nauset Road (designated area)
• Long Pond	• Burton Baker Beach

- A. The permit must be permanently attached to the upper part of the exterior of the rearmost side window on the driver’s side of the vehicle. (Taping of the sticker renders it invalid)
- B. Any motor vehicle without a rear side window shall clearly display its permit on the upper portion of the driver’s side window.
- C. Vehicles that remove soft tops and side doors may put the sticker on the lower corner of the front windshield in front of the driver.
- D. Parking permits will not be issued to Dealer Plates unless authorized by the Director of Community Services.
- E. Parking without a valid permit may be authorized only by the Director of Community Services. (amended 02/24/03, 01/27/04, 11/20/09)
- F. All Town landing places and beaches shall be closed to parking 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.
- G. No trailers or overnight campers are allowed to park 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.
- H. **Parking at Maguire Landing at LeCount Hollow is restricted to those vehicles with a Resident Beach or a Resident Beach/Transfer sticker. (6/20/2023)**

5. Prohibitions

- A. Fishing or surf casting, water skiing and use of personal watercraft are prohibited within 500 feet of all Town landing areas during the summer season. Personal watercraft are prohibited in any Town-owned parking lots or on any Town- owned beaches (amended 01/27/04)
- B. Surfing is prohibited during the summer season on the guarded portion of the beaches at Newcomb Hollow, Cahoon Hollow or Maguire Landing at LeCount Hollow when the lifeguards are on duty. Surfing is permitted during the summer season on the guarded portion of the beach at White Crest. (amended 03/24/06)
- C. Hang gliding and para-gliding are prohibited at any Town beach or landing, adjacent dunes and parking lots from April 15th through October 1. (amended 06/26/07)
- D. Using, launching, landing or operating an unmanned aircraft from, above or on land, or waters associated with any of the Town of Wellfleet bathing beaches is prohibited at all times by private individuals and entities except as approved in writing by the Town Administrator. The term “unmanned aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device and the associated operational elements and components that are required for the pilot or system or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose including recreation or commerce.
- E. Garbage, litter and recycling of all kinds must be deposited in the specified containers or carried from the area with you.
- F. The use of soap, shampoo, detergents or cleaning substances is prohibited in all fresh water ponds.
- G. Nudity is not permitted at any time on Town of Wellfleet beaches and landings. (amended 01/12/2021)
- H. 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)
- I. Climbing on all dunes and coastal banks is prohibited except along designated access routes to the beach.
- J. Alcoholic beverages are prohibited on all Town property. (General By-Laws, Article VII, Section 19)

6. Animals

- A. No domesticated animals may be left unattended in any parked vehicle in any beach parking lot or in any beach area or on Nauset Road from May 1st to October 1st.
- B. 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.
- C. All domesticated animals must be leashed at all times on Town beaches and landings where they are permitted.
- D. 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.
- E. 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.
- F. Domesticated animals shall be kept away from bathers at all town landings and beaches at all times.
- G. 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)

7. Lessons and Events

- A. Permission to Use Town Property must be obtained from the Wellfleet Board of Selectmen to use a Town beach or landing prior to and for the purpose of:
 - giving lessons of any kind
 - conducting canoe, SUP Board or kayak tours or lessons

- holding events
 - conducting a private rental business of canoes, kayaks and SUP boards in which the agent of the business drops off the vessels at Town Landings for use by private individuals for a fee.
 - 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 Selectboard.
 - All surfing lessons and surfing competitions shall be limited to White Crest Beach and adjacent parking lots. (amended 06/13/06, 03/24/09)
- B. Activities at Gull Pond are limited to:
- Swimming Lessons conducted by the Recreation Department
 - Extended Day Summer Recreation conducted by the Recreation Department
 - Supervised canoe and kayak tours by the Cape Cod National Seashore or by the Mass Audubon

8. Enforcement Penalties

- A. Whoever violates any provision of these rules and regulations may, in the discretion of officers of Wellfleet Police Department, the Director of Community Services, Harbormaster, Assistant Harbormaster, Shellfish Constable, Deputy Shellfish Constables and Animal Control Officer be penalized by a non-criminal complaint pursuant to the provisions of M.G.L Chapter 40, Section 21D and be subject to a fine according to the schedule listed below. 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, 8/14/2012, 6/11, 2019, 1/12/2021)
- B. **Schedule of Fines**
- a. **Section 6**
- | | |
|---|--------------|
| i. First Offense | \$50 |
| ii. Second Offense | \$100 |
| iii. Third Offense | \$300 |
| iv. Fourth or subsequent offense | \$500 |
- b. **All other Sections** **\$ 75 per offense**
- C. If the payment for such a fine or any other outstanding fees owed to the Town of Wellfleet is not received by the Town within the time mandated by the department charging the fee, the violator shall lose the right to obtain or use a Wellfleet Beach Fire Permit and a Wellfleet Beach Parking Permit. Permits will be issued only upon verification in writing that the required payment has been received by the Town.