

CHAPTER 2-11

PARKS AND RECREATION

- Article I. Park Use Ordinance, Sections 2-11-1 - 2-11-11**
Article II. Park Abandonment Procedure
Article III. Beach Control, Sections 2-11-12 - 2-11-23
Article IV. Boat Safety, Sections 2-11-31 - 2-11-38

ARTICLE I. PARK USE ORDINANCE

(Ordinance of 5/21/81; Amended 1/9/86, 6/1/89, 12/18/97, 9/17/98, 01/18/01, 07/03/03, 06/27/05, 10/19/06, 06/05/08, 09/03/09, 05/15/14, 06/18/15, 06/16/16, 04/06/17)

2-11-1 For the purpose of Chapter 2-11, the following terms, phrases, words and their derivation shall have the meaning stated herein.

- (a) The term "Authorized Representative" means any member of the Glynn County Police Department, any member of the Glynn County Auxiliary Police or any member of the Recreation and Parks Department who shall have been assigned in writing the specific task of supervising the parks, historic sites or recreational areas.
- (b) The Term "Intensive-use Area" means a picnic area, pool area, ball park area, or a camping area.
- (c) The Term "Park, Historic Site or Recreational Area" means a park, historic site or recreational area which is operated by or for and is under custody of the Board of Commissioners of Glynn County.
- (d) The term "Public Use Area" shall not include cabins, trailers, tents or conference facilities which are rented for exclusive use by one individual or group.
- (e) The term "Vehicle" means any wheeled conveyance for the transportation of persons or materials.
- (f) The term "St. Simons Island Pier" is that structure built out into the water emanating from the shores of Neptune Park which is operated by or for and is under custody of the Board of Commissioners of Glynn County. (O#2001-02)

2-11-2 Legal Right to Use Park and St. Simons Island Pier.

Any person who violates any rule or regulation adopted by the Board of Commissioners and who refuses to cease such violation after receiving

notice thereof may be directed by an Authorized Representative of the Board of Commissioners to leave the Park, Historic Site, or Recreational Area, or St. Simons Island Pier. A person has no legal authority, right or privilege to remain in or upon a Glynn County Park, Historic Site or Recreational Area, or St. Simons Island Pier after receiving such direction. (O#2001-02)

2-11-3 Alteration of Real or Personal Property.

It shall be unlawful for any person, in any manner, to mark on, deface, injure, displace, dig, excavate, remove or construct on any real or personal property in an Park, Historic Site, or Recreational Area, or St. Simons Island Pier, except when done with a permit issued by the Board of Commissioners or its Authorized Representative.

2-11-4 Speed Limit for Vehicles in the Park.

It shall be unlawful for any person to drive a Vehicle on any roads in a Park, Historic Site or Recreational Area in excess of the posted speed limit. It shall also be unlawful for any person to drive a vehicle in excess of 15 miles per hour within 200 feet of an Intensive Use Area in a Park, Historic Site or Recreational Area.

2-11-5 Restriction on Use of Park, etc.

- (a) It shall be unlawful for any person to park a vehicle, enter or remain in a Park, Historic Site or Recreational Area during such hours as are established by the Board of Commissioners at the time during which the Park, Historic Site or Recreational Area is closed for use by the public, except when done with a permit issued by the Board of Commissioners or its Authorized Representative.

It shall be unlawful for any person to park or leave unattended a vehicle overnight in the following Glynn County Parks, Historic Sites, or Recreational Areas:

Massengale Park, Selden Park, Paulk's Park, Ballard Park, Blythe Island Tennis and Ball Field Park, Blythe Island Boat Ramp & Community Center Park, Sterling Park & Community Center, Brookman Park & Community Center, Gascoigne Park, Demere Park, Mallory Park, Kings Park, Thalman Park, Epworth, Fancy Bluff Park, the North Glynn Sports Complex (including the overflow parking lot), and Frederica Park. (#O-2014-03)

- (b) It shall be unlawful for any person to park or operate a vehicle in any prohibited area, marked by signs, of a Glynn County Park,

Historic Site or Recreational Area. Any person violating this subsection shall be punished by a fine of up to five hundred dollars (\$500.00) or imprisonment of up to 30 days, or both and the offending vehicle may be towed away and impounded at the owner's expense.

(c) The following acts shall be prohibited on the St. Simons Island Pier:
(O#2001-02)

0. It shall be unlawful for any person to intentionally jump, leap, or dive off of or swim within a one-hundred (100) foot radius of the St. Simons Island Pier.

It shall be unlawful for any person to have or possess any fish or crab bait, on the St. Simons Island Pier unless said baits are contained in a receptacle capable of holding the bait and any overflow or spillage created by such bait. It shall be unlawful for any person to place or leave the remains of fish, crab, baits or other trash/litter on the deck floor, benches, seats or fish/crab cleaning station of the St. Simons Island Pier.

1. It shall be unlawful to ride, drive or take any bicycles, skateboards, scooters, or unauthorized motorized vehicles onto the St. Simons Island Pier.

2. It shall be unlawful for any boats, yachts, ships, or any other watercraft to dock, moor, fasten, or attach itself to the St. Simons Island Pier without a permit which has been issued by the Board of Commissioners of Glynn County, or their designee.

4. It shall be unlawful for any person to climb on, or be on any portion of the St. Simons Island Pier which is not designated for public use. (O#2001-02)

2-11-6 Use of Alcoholic Beverages.

It shall be unlawful for any intoxicated person to enter or remain on any Park, Historic Site or Recreational Area, or St. Simons Island Pier. It shall also be unlawful for any person to consume, serve, or use alcoholic beverages, on, over, or upon the public properties of Glynn County, or the facilities thereon, or any public area of a Park, Historic Site or Recreational Area or St. Simons Island Pier, except as set forth in the Public Conduct Ordinance of Glynn County, Chapter 2-26 and the Liquor, Malt Beverage and Wine Ordinance of Glynn County, Chapter 2-3. (#O-2015-08)

2-11-7 Explosives and Weapons.

It shall be unlawful for any person, without first being permitted by the Police Chief after application made according to the requirements set out in the Public Conduct Ordinance of Glynn County, Chapter 2-26, to:

- a. use, ignite, or possess in any Park, Historic Site or Recreational Area any fireworks or consumer fireworks, as defined in O.C.G.A. § 25-10-1, sparklers, glow worms, noise makers, poppers, or snappers; (#O-2016-11; 6/16/16)
- b. discharge in any Park, Historic Site or Recreational Area, or St. Simons Island Pier any firearm, bow and arrow, spring gun, air rifle, slingshot, or any other device which discharges a projectile by any means; or
- c. possess in any Park, Historic Site or Recreational Area, or St. Simons Island Pier a bow and arrow, slingshot, or any other device, other than a "firearm" as defined by O.C.G.A. § 16-11-171, which discharges a projectile by any means. (09/03/09)

2-11-8 Refusal to Leave Park or St. Simons Island Pier.

It shall be unlawful to refuse to leave a Park, Historic Site or Recreational Area, or St. Simons Island Pier after violating any law or regulation of the Board of Commissioners and after being directed to leave such area by an Authorized Representative of the Board of Commissioners.(O#2001-02)

2-11-9 Parking Limited to Park Users.

It shall be unlawful for any person to park or leave unattended a vehicle in Frederica Park if the owner of the vehicle, or an individual authorized by the owner to operate the vehicle, is not utilizing Frederica Park, unless same is approved by the County Manager or his or her designee or by the Glynn County Police Chief or his or her designee. (#O-2017-02)

2-11-10 Penalty for Violation.

Any person who violates any provision of this Ordinance, or who shall assist another in violating the provisions of this Ordinance shall, upon conviction thereof in the Glynn County Magistrate Court, be punished for a misdemeanor as provided in the Code of Ordinances.

2-11-11 Hours of Public Access to Parks

Massengale Park, Selden Park, Paulk's Park, Ballard Park, Blythe Island

Tennis and Ball Field Park, Blythe Island Boat Ramp & Community Center Park, Sterling Park & Community Center, Brookman Park & Community Center, Gascoigne Park, Demere Park, Mallory Park, Kings Park, Thalman Park, Epworth, Fancy Bluff Park, Neptune Park, Frederica Park, and the North Glynn Sport Complex (including the overflow parking lot) will be closed for use of the public between the hours of 10:00 P.M. and 7:00 A.M. or at the expiration of any County supervised activity. Coast Guard Park will be closed for use of the public between the hours of 10:00 P.M. and 6:00 A.M. during daylight savings hours or at the expiration of any County supervised activity. (#O-2014-3)

ARTICLE II. GLYNN COUNTY PARK ABANDONMENT PROCEDURE

The following procedure shall be followed to assure that requests for the abandonment or closing of parks belonging to or dedicated to Glynn County are processed in a legal and consistent manner.

1. Application

Applications for park closing or abandonment shall be made to the Joint Planning Commission in letter form outlining the nature of the request and the location of the park sought to be closed. The request shall have as exhibit thereto a copy of a tax map describing the subject property.

2. Review

- a) The Director of the Joint Planning Commission ("JPC") will coordinate the review of the application with the Director of Leisure Services, Director of Community Development and the County Administrator. All findings of the above departments shall be made in writing within a time period specified by the JPC.
- b) The Director of the JPC shall forward the findings of the County Staff to the County Attorney for his advice as to the proper method of disposing of the park, i.e., public hearing, advertisement or public auction.
- c) Upon completion of the appropriate review, the JPC Director shall forward its findings to the Deputy Clerk for advertisement of a public hearing. The County Administrator will also notify by Certified Mail all owners who live in close proximity to the park and any homeowners association formed in the subdivision where the park is located. The notice shall contain information as to the item, date and purpose of the public hearing.

3. Determination by the County Commission

The Board of Commissioners will take action on the request based upon the findings of the staff and such other information as may come to its attention at the public hearing. All costs incurred by the County in transferring the subject property shall be promptly paid by the petitioner.

ARTICLE III. BEACH CONTROL

(Ordinance of 6-17-82; Amended 6-14-89, 5-19-16, 10-01-20)

2-11-12 Short title.

This Ordinance shall be known and may be cited as the "Beach Control Ordinance."

2-11-13 Definitions.

Unless the context requires otherwise, the following terms, when used in this Ordinance, shall have the following meanings:

- a. Applicant. "Applicant means any person who files an application for a permit under the provisions of this Ordinance.
- b. Beach. "Beach" means a zone of unconsolidated material that extends landward from the ordinary low-water mark to the line of permanent vegetation.
- c. Board. "Board" means the Board of Commissioners of Glynn County, a political subdivision of the State of Georgia.
- d. Department. "Department" means the Parks and Recreation Department, a department created by the Board.
- e. Dunefield. "Dunefield" means the dynamic ocean-facing area of beach and sand dunes, varying in height and width, the ocean boundary of which extends to the ordinary high-water mark and the landward boundary of which is the occurrence of either a live native tree 20 feet in height or greater, or an existing structure.
- f. Ordinary high-water mark. "Ordinary low-water mark" means the position along the shore of the mean monthly spring high tide reached during the most recent tital epoch.
- g. Ordinary low-water mark. "Ordinary low-water mark" means the position along the shore of the mean monthly spring low tide during the most recent tidal epoch.
- h. Person. "Person" means any association, individual, partnership, corporation, and any other legal entity.
- c. Personal Property. As used in Section 2-11-16.1, "Personal Property" means all types of personal property, including by way of

example and not limitation, portable recreational equipment, chairs, loungers, umbrellas, cabanas, tents (including frames), shelters, canopies and other shading devices, hammocks, picnic tables, horseshoes and stakes, volleyball nets, fishing gear, sporting equipment and balls, floats, flotation devices, kites, beach toys, baskets, bags, towels, carts, coolers, and other personal effects and items. However, for purposes of Section 2-11-16.1, the term personal property shall not include any vessel, as defined by O.C.G.A. § 52-7-70, any motor vehicle or trailer as defined by O.C.G.A. § 40-1-1, or any signage, property, equipment, or other items owned or placed on the beach by Glynn County, the State of Georgia, or the United States of America. (#O-2016-09; 5-19-16)

- i. Sand dunes. "Sand dunes" means mounds of sand deposited along a coastline by wind action, which mounds are often covered with sparse, pioneer vegetation and are located landward of the ordinary high-water mark, and may extend to a tree line.
- j. Structure. "Structure" means an institutional, residential, commercial or industrial building and any concrete sea wall.

2-11-14 Jurisdiction of Ordinance.

The area of jurisdiction of this Ordinance shall be from the landward boundary of any Dunefield to the ordinary low-water mark of the Atlantic Ocean, on Saint Simons Island, located in Glynn County, Georgia.

2-11-15 Permit Required.

- a. No person shall engage in the selling of any product to any other person in the area of jurisdiction of this Ordinance without a permit first having been issued by Glynn County. The Department shall formulate rules and regulations for the issuance of such permits. These rules and regulations shall not become effective until approved by the Board. A certified copy of every permit issued to an applicant shall be prominently displayed within the area of the proposed activity.
- b. No person shall light a fire within the area of the jurisdiction of this Ordinance without first obtaining a permit from the Glynn County Fire Chief or his designated appointing agent. This provision shall not apply to a private property, provided the fire is set with the written permission of the owner of said property, and the fire is located above the ordinary high-water mark and outside the area of the any existing sand dunes or beach area.

2-11-16 Driving or Parking on Beaches.

- a. It shall be unlawful for any person to drive or operate any motor driven vehicle (including off the road vehicles), on the beaches and dune area of St. Simons Island without a permit issued by the Department of Community Development. No such permit shall be issued without the concurrence of the Shore Assistance Staff, Department of Natural Resources, State of Georgia. The Department of Community Development shall formulate rules and regulations for the issuance of such permits. This section shall not apply to vehicles owned and operated by the State of Georgia, Glynn County, or agents of the United States of America.
- b. It shall be unlawful to park or store, overnight, boats, sailboats, motorized vehicles or any equipment on the beach or in a dune area. Unattended boats, sailboats, motorized vehicles which pose a hazard to public safety and welfare shall be deemed abandoned and be removed by Glynn County, if not removed within seven (7) days after notification of owner to remove the unattended boats or vehicles. Such notice shall be by certified mail addressed to person indicated as the owner as shown on a registration issued by the Department of Natural Resources.

2-11-16.1 Obstructions and Unattended Personal Property on Beaches.

It shall be unlawful for any person to leave any personal property unattended on any portion of the beach of St. Simons Island between the hours of 9:00 p.m. and 7:00 a.m., unless authorized by permit issued by Glynn County. Any personal property left unattended on any portion of the beach of St. Simons Island in violation of this ordinance section shall be deemed discarded by the owner, and Glynn County personnel are authorized to remove and dispose of any such personal property. (#O-2016-19; 5-19-16)

2-11-16.2 Consumption or possession of alcoholic beverages on beaches of St. Simons Island prohibited on certain dates (#O-2020-05; 10-01-20)

- a. Findings of fact:
 - (1) Pursuant to the Constitution of the State of Georgia, the Glynn County Board of Commissioners has the legislative power to adopt ordinances providing for the public health, safety, and welfare of the residents of Glynn County.
 - (2) Thousands of people gather on the beaches on St. Simons Island on the Friday and Saturday preceding the annual football game between the University of Georgia and the University of Florida.

- (3) During these gatherings, the possession and consumption of alcoholic beverages has resulted in incidents of intoxicated behavior on the beaches and adjacent parks, incidents of excessive trash and litter on the beaches and adjacent parks, disturbance of the peace and tranquility of the beaches and adjacent neighborhoods, incidents of lewd behavior, and reluctance of residents to use the beaches.
 - (4) Responding to the incidents described above places an increased burden on the resources of Glynn County, including police, fire, and emergency medical services and litter pickup and control.
 - (5) The incidents and problems described above can be reduced by prohibiting the possession and consumption of alcoholic beverages on the beaches of St. Simons Island on the Friday and Saturday of the annual football game between the University of Georgia and the University of Florida.
 - (6) The Glynn County Board of Commissioners determines that it is in the best interests of the health, safety, and welfare of the residents of Glynn County to prohibit the possession and consumption of alcoholic beverages on the beaches of St. Simons Island on the Friday and Saturday of the annual football game between the University of Georgia and the University of Florida.
- b. During the period commencing at 12:01 a.m. on November 6, 2020, and ending at 11:59 p.m. on November 7, 2020, it shall be unlawful for any person to possess or consume any alcoholic beverage on the beaches or sand dunes of St. Simons Island. For purposes of this Section, the term "alcoholic beverage" shall have the same meaning as provided in Section 2-3-2 of this Ordinance.
 - c. Violations of this Section are punishable as provided in Section 2-11-23 of this Ordinance.
 - d. Section 2-11-16.2 shall expire and be repealed in its entirety at 11:59 p.m. on December 31, 2020, unless such date of repeal is eliminated or further extended by appropriate amendment to this Ordinance by the Board of Commissioners.

2-11-17 Prohibition as to certain Type of Containers.

It shall be unlawful for any person to possess or use any glass container or plastic cup of a type which is likely to splinter into sharp pieces on any beaches or in any sand dunes located on St. Simons Island.

2-11-18 Receptacles to be Provided.

The Department is hereby authorized and instructed to establish and maintain receptacles for the deposit of litter at appropriate locations along the beach where such beach is frequented by the public, and to post signs directing persons to such receptacles and serving notice of the provisions of this Ordinance, and otherwise publicize the provisions of this Ordinance.

2-11-19 Police Patrols.

The Glynn County Police Department is hereby authorized, empowered and instructed to enforce compliance with the provisions of this Ordinance to include the patrolling of all beaches on St. Simons by members of the Glynn County Police Department. In addition, the Glynn County Police Department shall enforce the provisions of Chapter 16-7 of O.C.G.A. entitled "Litter Control Laws."

2-11-20 Use of Beaches for Commercial Purposes.

It shall be unlawful for any person to use the beaches adjacent to public parks or public parks for any commercial activities, including the sale, advertisement, or promotion of any product or service, without first having obtained a permit from the Board. The Department shall formulate rules and regulations covering such commercial activities. These rules and regulations shall not become effective until approved by the Board.

2-11-21 The following areas are hereby established as boating safety zones:

- a. The ocean waters adjacent to St. Simons Island which shall include all those waters for a distance of 1,000 feet from the high water mark on St. Simons Island from the northernmost point to the southernmost point of St. Simons. (O.C.G.A. Sec. 52-7-13)
- b. Within the boundary of a boating safety zone, it shall be unlawful at any time to launch, float or operate any powerboat except lifesaving, emergency or law enforcement craft.
- c. Within the boundaries of a boating safety zone, it shall be unlawful at any time to launch, float, operate or beach a wind driven watercraft in any area of the beach on St. Simons Island established as boat free area which has been previously marked by appropriate sign as an area where no boats are allowed.

2-11-22 Authority.

This Ordinance is enacted pursuant to authority contained in Ga. Laws of 1924, p. 338, and under the provisions of Article IX, Sec. II, Paragraph I of the Constitution of Georgia of 1976.

2-11-23 Violations - Punishment.

Any person violating any provision of this Ordinance shall upon conviction, be deemed guilty of a misdemeanor and shall be subject to such penalties as provided by law for other misdemeanors.

2-11-24 - 2-11-30 Reserved.

ARTICLE IV. BOAT SAFETY

(Ordinance of 2-4-82; Amended 6-6-91, 7-18-91)

2-11-31 Short Title.

This Ordinance shall be known and may be cited as the "Glynn County Boat Safety Ordinance."

2-11-32 Scope.

It is not the intent of the Board of Commissioners in enacting this Ordinance to abrogate or in any way impair or interfere with the existing provisions of the Georgia Boat Safety Act, Georgia Acts of 1973, page 1427 O.C.G.A. Sec. 52-7-12, and this Ordinance shall not become effective until approved by the Department of Natural Resources of the State of Georgia. Where this Ordinance imposes a greater restriction on the use of water vessels than imposed or required by the provisions of the Georgia Boat Safety Act, as subsequently amended, said requirements shall only become effective upon the approval of said requirements by the Department of Natural Resources.

2-11-33 Definitions.

For the purpose of this Ordinance, the following terms, phrases, words, and the derivation shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number.

- a. Department. "Department" shall mean the Department of Natural Resources of the State of Georgia.
- b. Idle Speed. "Idle Speed" means a slow speed maintained by the operator of a mechanical propelled vessel reached by engaging the engine of said vessel into an idle speed by reducing the throttle to the minimum.
- c. Operate. "Operate" means to navigate or otherwise use a vessel which is not at anchor or moored.
- d. Operator. "Operator" means the person who operates or has charge of navigation or use of a vessel.
- e. Owner. "Owner" means any person, other than a lien holder, having the property in or title to a vessel.

- f. Person. "Person" means any individual, partnership, firm, corporation, association or other legal entity.
- g. Power Boat. "Power Boat" means any boat, vessel or water-going craft which is propelled by mechanical rather than manual means, whether or not such propulsion device forms an integral part of the structure thereof.
- h. Vessel. "Vessel" means every description of watercraft, other than a seaplane used or capable of being used as a means of transportation on water.
- i. Wake. "Wake" means wake or waters created by the movement of the vessel through the water other than at a minimal speed.

PROHIBITED OPERATIONS

2-11-34 Methods of Operation.

No person shall operate any vessel or manipulate any water skis, aquaplane, surfboard, or similar device in a reckless or negligent manner so as to endanger the life, limb or property of any person.

2-11-35 No Wake Zone.

Within the boundary of a No-Wake Zone, it shall be unlawful at any time to operate any powerboat or water vessel at other than an idle speed. The speed of all power boats and vessels shall at all times be regulated so as to avoid danger, injury, damage or unnecessary inconvenience either directly or by the effect of wash or waves raised by such power boat or vessel while in a No-Wake Zone, or in the vicinity of a swimming area, docks, floating boat houses, moored boats or boats engaged in fishing activities.

2-11-36 Restricted Use of Public Waters

It shall be unlawful to operate a powerboat, except at an idle speed, or to create a wake in the vicinity of a regulatory marker establishing a speed zone or No Wake Zone.

2-11-37 No Wake Zone.

The following areas are hereby declared to be No Wake Zones in the waters located in an unincorporated area of Glynn County, Georgia:

- a. Waters of the Frederica River located 2,000 feet to the South of the Frederica National Monument and continuing in a northerly direction to a distance 2,000 feet North of the Frederica National Monument.
- b. Waters of Jones Creek from its mouth at the Hampton River to its point of termination.
- c. Waters of the South Brunswick River fronting the south point boating and fishing grounds in the Blythe Island Regional Park.
- d. Waters of the Buffalo River for a distance of 100 yards east and west of the Oak Grove Island Dock.
- e. Waters of the Altamaha River adjacent to Altamaha Park for a distance of 500 feet north and south of the CSX Railroad trestle.

2-11-38 Additional No Wake Zones.

The Board of Commissioners by resolution, after approval by the Department of Natural Resources, may establish additional No Wake Zones in the unincorporated area of Glynn County, Georgia. Such a No Wake Zone shall become effective upon approval by the Board of Commissioners and the Department of Natural Resources and the posting of regulatory signs.

2-11-39 - 2-11-49 Reserved.