

# TOWN OF BARNSTABLE

## SANDY NECK BOARD

1189 Phinney's Lane  
Centerville, MA 02632

Tel: 508-790-6272

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### Sandy Neck Board Meeting

December 11, 2017

Chairman:

Richards French

Vice Chairman:

Thomas O'Neill

Board Members:

William Carey  
Nate King  
William Monroe  
Wendy Paquette  
Peter Sampou

Council Liaison:

Phil Wallace  
John Flores

A regularly scheduled meeting of the Sandy Neck Board was held on December 11, 2017 in the Selectmen's Conference Room, 367 Main Street, Hyannis, MA. The meeting was called to order at 7:31 pm by Chairman Rich French.

#### Roll Call:

- Board Members present: Tom O'Neill, Bill Carey, Bill Monroe, Wendy Paquette, Pete Sampou, Nate King, and Rich French.
- Board Members absent: none.
- Staff: Nina Coleman, Sandy Neck Park Manager, Sean Kortis, Natural Resource Officer, and Debbie Lavoie, Secretary.
- Council Liaisons present: none.
- Council Liaisons absent: John Flores and Phil Wallace.
- Public: Diane Lomba, and Kylie Palomba.

#### Act on Minutes:

- On a **motion** by Wendy Paquette and seconded by Pete Sampou, the Sandy Neck Board voted to approve the November 13, 2017 minutes as printed. Bill Monroe and Nate King abstained because they were not at that meeting.

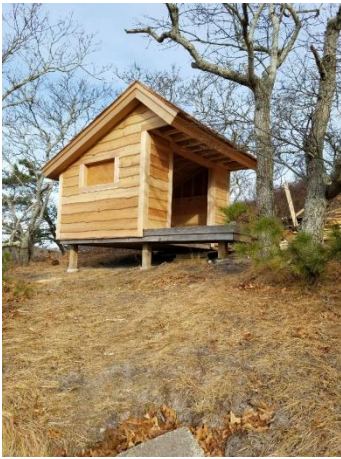
#### Correspondence:

- None.

#### Staff Report:

##### *Nina Coleman addressed the Board:*

- The Gatehouse is open by appointment only. Call the gatehouse at 508-362-8300. Leave a message if staff is out of the office. They will call you back.
- Reminder - winter curfew is in effect. The beach is open daily from 8 am to 4 pm only unless you are actively hunting or fishing. All vehicles must exit the park by 4 pm.
- The archery deer hunt is over. Everyone who signed up was able to hunt; however, no deer were taken. The primitive deer hunt is going on from December 11<sup>th</sup> – December 16<sup>th</sup>. As of today, three deer were taken.
- The snowy owls are on Sandy Neck but please be respectful of the wildlife. Folks are getting too close. People are flushing them. We went from 6 owls to 2-3 owls because of this flushing.
- No turtle stranding –so far. Maybe get some when the winds shift.



**Bill Monroe reported about the Winders Lean-to Project**

- The siding is about 90% complete.
- It is secure for the winter – need a few more shingles – will complete in the spring.
- Bench inside also needs to be finished.
- Looks great. Thank you to Tom Long, and Mike Moynahan for your help.

Chairman Rich French thanked everyone –again- for their efforts.

**Old Business:**

- None

**New Business:**

**Safety Concerns and Proposed Solutions**

*Nina Coleman addressed the Board and presented the following PowerPoint report. Sean Kortis also addressed the Board during the presentation.*



- ✓ **Sandy Neck is very popular.**
- ✓ **Increase in permit sales**
- ✓ **Permit sales have increased 125% from 2003 to 2017.**



- ✓ **Pre parking plan, there was total chaos.**
- ✓ **Concern for patron safety.**



- ✓ **In the beginning, people were not happy with the parking plan but it worked.**
- ✓ **This plan helped with safety on the beach.**
- ✓ **Following this document has led to consistent management of the beach.**

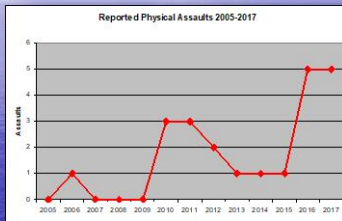
## Aggressive Behavior 2007-2017

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Aggressive Behavior SNK Staff	0	0	0	2	0	2	3	0	2	4	4
Aggressive Behavior Beach Patrons	0	0	0	2	3	4	2	1	1	2	2
Aggressive Behavior Domestic	1	0	0	1	1	2	0	0	0	0	3
Assaults	0	0	0	3	3	2	1	1	1	2	2

- ✓ *The continued increase in ORV sales also lead to increase in aggressive behavior.*
- ✓ *Aggressive behavior does not fall into one user group. It is across the board.*
- ✓ *A sheet of specific aggressive behavior was passed out to the board and is available for review.*
- ✓ *Each incident is different and mixed circumstances. Reports are on file.*

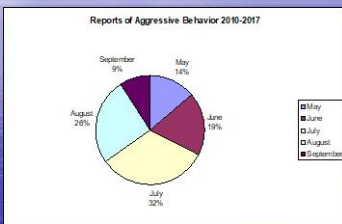
*Verbal warnings and Citations for 2017 were reviewed.*

## Physical Assaults 2005-2017



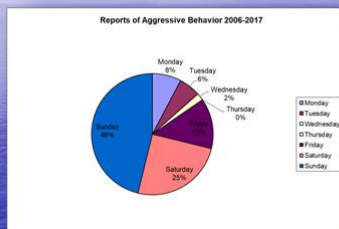
- ✓ *Physical assaults have increased.*

## Aggressive Behavior-Month



- ✓ *July and August were busiest and have the highest number of assaults.*

## Aggressive Behavior-Day of Week



- ✓ *Sunday is the day with the highest incidents of aggressive behavior.*
- ✓ *People come for the day – party hard – and leave at the same time (between 4 – 6pm).*
- ✓ *Alcohol is a factor.*
- ✓ *Heavy traffic at air station.*
- ✓ *Bad behavior (disrespect) is on the rise everywhere.*

*There were a number of meetings with MEA Staff, Sandy Neck Staff, Town Legal Staff, Barnstable & West Barnstable Fire Departments, Police Department, and Sandy Neck Board Liaisons.*

### Solutions-2018 Season

1. Limit number of ORV vehicles.
2. Create and implement a Sandy Neck App.
3. Implement a Family/Quiet Zone.
4. Pre-season, inform the public of 2018 management changes (re: vehicle limits on busy weekends, increased check for alcohol, etc.).
5. Work with PD to "Set the Tone" with heavier enforcement efforts earlier in the day/season when necessary.
6. Zone patrols and increased PD presence on Sundays.

- ✓ **By limiting the number of vehicles – you can limit the number of people.**
- ✓ **On busy July 4<sup>th</sup> weekends, there are 500-800 vehicles on the beach plus an additional 200 vehicles in the Bodfish parking lot.**
- ✓ **Sandy Neck App (immediate, up-to-date notifications) will be a big advantage and hopefully be up and running for the 2018 season.**

### Solutions-2018 Season (continued)

- Campaign: "If You See Something, Say Something!"
- Another air-up station.
- Safety improvements at Gatehouse.
- Cameras at the Gatehouse.
- Digital speed sign on Sandy Neck Road.
- Guard shack/observation point on the beach for outreach.

- ✓ **New campaign...If You See Something, Say Something.**
- ✓ **May need to purchase another portable compressor.**
- ✓ **Maybe require campers to bring their own portable air compressors.**
- ✓ **Will be installing new speed bumps for the 2018 season.**
- ✓ **Digital speed signs will be installed on Sandy Neck Road.**
- ✓ **Guard shack/shed is "Solutions for 2019 & 2020 Seasons".**

### Solutions-2019 & 2020 Seasons

1. Possible use of a reservation system.
2. Possible use of a lottery system.
3. Possible limit on permit availability.
4. Reduce curfew for daytrippers.
5. Locked gates at Access Trail in the "off season."
6. Limiting camper sizes allowed on the beach.
7. Long-Term Coastal Resiliency Project.

- ✓ **These suggestions are for the future. They need to be worked out over the season.**
- ✓ **Reducing curfew to 9 pm for daytrippers – which is in line with other town beaches that close their gates by 9 pm. Plus, other beaches do not allow campfires.**
- ✓ **Limiting of the camper sizes is something that many beaches (in the state) are looking at for the future. The fleet is getting bigger and bigger.**

Rich French repeated that these solutions were based on a number of meetings between many people over several months. The goal is to make Sandy Neck a safe, friendly, pleasant, enjoyable place for friends and families.

At this time, Bill Monroe left the meeting; however, there was still a quorum.

**New Business:**

**Regulation Changes (first draft). The following are the proposed Regulation Changes. Changes are in RED. This discussion will continue next month at which time a vote will be taken. Please contact Nina Coleman (ASAP) if you have any other proposed changes you would like included or if you have any additional questions.**

**Welcome to Sandy Neck:**

**§ 601-1. Introduction.** Sandy Neck Beach Park (Sandy Neck), a coastal barrier beach, is approximately six miles long, varying in width from 200 yards to one half mile. The majority of this unique conservation and recreation area is owned by the Town of Barnstable and is under the supervision and jurisdiction of the Town Manager, with the advice of Sandy Neck Board. The Sandy Neck Park Manager (Park Manager) handles daily operations. Help us to preserve and protect the heritage and integrity of this resource by reading this brochure and abiding by the rules and regulations outlined herein.

**§ 601-2. Beach closures for protection of rare and endangered species:** Shorebirds, including Piping Plovers and Least Terns, nest on Sandy Neck. To protect nesting activity, shorebird nesting areas are fenced to exclude pedestrians and speed limits are reduced to 5 mph where posted. The Piping Plover, a threatened species under the Endangered Species Act, is given special protection once eggs begin to hatch. Pursuant to federal, state and local law, vehicle traffic is limited to protect developing chicks not yet able to fly.

**§601-3. General Regulations:**

- A. Acts of a lewd or lascivious nature (including public nudity) are prohibited.
- B. All rubbish and garbage must be kept in suitable containers and removed from the beach. Burial or burning **or dumping** of rubbish, garbage or refuse is prohibited.
- C. Glass beverage containers are prohibited.
- D. No person shall feed, harass, molest or disturb wildlife on Sandy Neck. No person shall injure or remove any trees, shrubs, plants or other vegetation from Sandy Neck. Exception: edible fruits and legally hunted game.
- E. No person shall dig, remove, damage or disturb any artifact on Sandy Neck. The discovery of any artifact(s) should be reported to the Natural Resource Officer on duty.
- F. Removal or disturbance of buoys, storm debris, marine salvage, municipal or private property is prohibited.
- G. No person shall traffic (or allow any pet to traffic) in any posted area. All persons shall stay on marked trails and keep off all vegetation, dune faces, steeply sloped dunes, foredunes, and primary dunes. People who are hunting, berry collecting, involved in professionally lead educational hikes and/or scientific studies are permitted off the marked trail. All activities require prior approval by the Sandy Neck Gatehouse.
- H. All dogs must be leashed from March 1 to ~~September 15~~ **October 31**. At all other times, dogs must be kept leashed or under direct voice control of the owner or keeper. The owner or keeper of any dog shall clean up and properly dispose of all fecal material deposited by the animal. Dogs involved in dog-bite incidents must be removed immediately from the beach until further notice by the Park Manager.
- I. ORV Beach Curfew: In Season: (April 1 to October 31): No vehicles may enter the beach between 9:00 PM and 8:00 AM. Vehicles must exit prior to 11:00 PM. Off Season: (November 1 to March 31): No vehicles may enter the beach between 4:00 PM and 8:00 AM. All vehicles must exit prior to 4:00 PM. Self-contained vehicles, fishermen, cottage owners

and their guests may enter the beach past curfew if tidal conditions allow. Curfew may be moved forward as tidal conditions warrant.

- J. All organized gatherings at Sandy Neck involving twenty or more individuals must obtain a Special Permit from the Park Manager. A Special Permit is also required in order to conduct scientific research on Sandy Neck. Fees may apply. Please call the Sandy Neck Gatehouse for further information (508-362-8300).
- K. Campfires:
- (1) A Sandy Neck campfire permit is required.
  - (2) This campfire permit is included with an ORV permit.
  - (3) All other patrons wishing to have a campfire may purchase a permit at the Sandy Neck Gatehouse after 5:00 PM on the day they wish to have the campfire. Permits may be limited.
  - (4) Weather permitting, open campfires on the front beach are allowed In Season (April 1 to October 31) after sunset or 7:00PM only, whichever is earlier. Campfires are prohibited at all other times of the year.
  - (5) A campfire permit holder (which includes all ORV permit holders) is responsible for adhering to the Sandy Neck Beach Park Regulations.
  - (6) Campfires located on the ORV Beach must be at least 10-feet from the Cape Cod Bay side of established ORV corridor and must not impinge on vehicular travel.
  - (7) All fires shall be doused with water before being buried.
  - (8) The burning of wood pallets or garbage is prohibited at Sandy Neck.
  - (9) The Park Manager or Natural Resource Officers have final discretion on all fires.
- L. All people sleeping overnight at Sandy Neck shall remain inside self-contained vehicles. No tenting lean-tos, camping trailers, or temporary shelters are allowed. Registered owners will be responsible for anyone sleeping outside of said vehicles, i.e., in sleeping bags, tents, chase vehicles, or any other manner. Tenting in designated areas is allowed at the discretion of the Park Manager (**permit required**).
- M. The discharge of gray water or waste water from holding tanks, portable toilets, sinks, or any other source is prohibited.
- N. If high tide forces passage within 15' of the toe of the dune or any vegetation, the beach shall be considered closed, with no traffic being allowed to travel either off or on, until the Park Manager or the Natural Resource Officer on duty has determined the tide has receded to an appropriate level.
- O. When vehicle limits reach capacity, there will be no waiting lines (no "one off—one on policy"). Access will be on a first come, first serve basis. Cottage owners and their guests, and chase vehicles returning from emergency work, will be allowed access over the beach if tidal conditions permit.
- P. The Park Manager reserves the right to close or limit use of Barnstable's land at Sandy Neck to all oversand vehicles (ORVs), horses, and/or pedestrian and recreational traffic when public safety, wildlife habitat, tidal or extreme weather conditions warrant. This includes access for fishing, shellfishing, and hunting.
- Q. No refunds will be granted for any reason including foul weather, evacuations, personal emergencies, or limitations on access.
- R. All terrain vehicles, dirt bikes and snowmobiles are prohibited at Sandy Neck.
- S. Motorized personal watercraft (jet skis) are prohibited on Sandy Neck in all areas except Beach Point and the Great Marsh. Transporting a personal watercraft via the ORV corridor is prohibited.
- T. Permit holders are responsible for the safe operation of their vehicle and compliance with all Sandy Neck Regulations by all operators and passengers of their vehicle. The penalty for

violations by permit holders as well as non-owners and/or guests may include suspension and/or revocation of the ORV permit.

- U. Vehicle operation on those areas of Sandy Neck owned by the Town of Barnstable, by election to exercise the privilege of driving on this Town property, which is not a public way, are subject to being stopped by Natural Resource Officers or the Park Manager (or any other employee designated by the Town Manager to enforce the regulations at Sandy Neck) in order to ascertain the identification of the occupants, and to determine if there are violations of the Sandy Neck Beach Park Regulations and/or the Barnstable General Ordinances.
- V. The use of generators is prohibited between the hours of 10:00 PM and 8:00 AM.
- W. The use of fireworks (including sky lanterns) is prohibited.**

#### **§601-4. Required Equipment and Minimum Standards:**

- A. All off road vehicles (ORVs) must carry the following equipment:
  - (1) Spare tire—spare shall be the same tire and wheel size as the other four tires mounted on the vehicle (trailer included). Exception: intermediate size spare tires may be acceptable at the discretion of Sandy Neck Staff and two wheel drive motor homes and “dune buggies” must carry one spare tire of sufficient height and aspect ratio to allow the vehicle to drive off the beach under its own power should any of the tires mounted on the vehicle fail.
  - (2) Tow device—minimum length 15 feet
    - (a) rope - 3/4” diameter, or
    - (b) strap - 6,800 lb. capacity, 1 1/2” wide, or
    - (c) chain - 5/16” link, or
    - (d) cable - 3/8” diameter, or
    - (e) suitable vehicle mounted winch.
  - (3) Jack—standard type jack or hydraulic jack.
  - (4) Support board—minimum size 18” x 18”, 3/4” plywood or 1/4” thick steel.
  - (5) Shovel—heavy duty, equal to military folding type or better.
  - (6) Tire gauge—low pressure type, must register 10 psi or lower.
  - (7) Sandy Neck Beach Park Regulations and tide current chart (both provided).
  - (8) Self-contained vehicles must carry a measuring device that determines a 30 foot distance and an operational carbon monoxide detector.
- B. It is recommended that all ORVs are equipped with a bucket, fire extinguisher and a first aid kit.
- C. Minimum acceptable tire rim size for all ORVs is 13 inches.
- D. Trailers:
  - (1) All trailers must be inspected and receive a trailer permit at the gatehouse prior to beach access.
  - (2) All trailer tires must meet the minimum rim size of 12 inches.
  - (3) Matching spare tire is required.
- E. Self-Contained Vehicles:
  - (1) Self-contained camping vehicles are allowed to stay overnight when equipped with a permanently installed sanitary unit with holding tanks for sewage and “gray water”, and adequate built-in bed space for each member of the camping party. Detachable gray or black water overflow tanks are prohibited.
  - (2) Maximum stay for self-contained vehicles is 96 hours. All self-contained vehicles shall exit the beach for a minimum of 24 hours before being readmitted. Self-contained vehicles must be attended overnight by a qualified driver. The Park Manager or Natural Resource Officers may reduce the maximum stay of a self-contained vehicle.

- (3) Properly equipped two-wheel drive permanently self-contained vehicles are allowed, subsequent to a beach driving test that is supervised by the Park Manager or a Natural Resource Officer. Tests are available Monday through Thursday only by appointment. Vehicles with ORV permits from the prior calendar year do not need to repeat the trial run unless ownership of said vehicle has changed.
- (4) Only one designated chase vehicle is permitted per self-contained vehicle.
- (5) In Season (April 1 to October 31), all self contained vehicles, and associated chase vehicles, must purchase an Overnight Camping Permit in order to stay on the beach past curfew. The permit must be placed in an area that is clearly visible to Sandy Neck **staff from the ORV corridor.**

F. Motor Vehicle Operation:

(1) Speed limit:

- (a) No person shall operate a motor vehicle on Sandy Neck at a rate of speed greater than is reasonable and proper, or in excess of posted speed limits.
- (b) In Season (April 1 to October 31), unless otherwise posted, speed limit shall be 15 mph. Speed shall not exceed 25 mph at all other times.
- (c) Maximum speed near shorebird nesting areas is 5 mph.

(2) Permits:

- (a) The only vehicles eligible for an ORV permit are Park Manager approved all-wheel or four-wheel drive vehicles as well as two-wheel drive motor homes and suitably equipped 'dune buggies'.
- (b) All motor vehicles operating "oversand" on Sandy Neck must have a valid Sandy Neck ORV permit affixed to the lower left hand corner of the vehicle's windshield (or as directed by the gatehouse staff).
- (c) The ORV permit does not afford access to parking in the public beach parking lot during business hours.
- (d) **Those with suspended permits must remove the associated sticker from the vehicle at the time of notification.**

(3) No person shall operate a motor vehicle on the following

- areas: (a) the designated public bathing beach, or
- (b) the toe of the dune: defined as the foredune and/or vegetation area, or
- (c) below the berm: defined as the foreshores and tidal flats, or
- (d) outside of the established ORV corridor, or
- (e) posted shorebird nesting areas or other "closed" areas, or
- (f) within the inner dune routes and cross trails without a valid trailpass.

(4) Beach parking:

- (a) All vehicles shall be parked parallel to the frontal dune, at least 30 feet from the dune fence line, unless otherwise directed by the Sandy Neck Staff.
- (b) For ORV corridor safety, all portions of the vehicle and beach accessories must be at least 30 feet from the dune fencing line unless otherwise directed by the Sandy Neck Staff. This includes (but is not limited too): slide-outs, awnings, grills, etc.
- (c) Further parking location restrictions on self-contained vehicles over 33 feet in length may be enacted by the Park Manager.
- (d) No parking within posted shorebird nesting areas.
- (e) In the off season when dune fencing is absent, vehicles must be parked at least 15 feet from the toe of the dune. In addition, parking on dune vegetation is prohibited.
- (f) The Park Manager or Natural Resource Officers have final discretion on all beach parking.



- (5) *Self-contained vehicles shall always have the right of way due to size and weight of the vehicle. Otherwise, vehicles with the Cape Cod Bay on the driver's right have the right of way.*
- (6) *No person shall obstruct the established ORV corridor or park so as to impede vehicle travel within said corridor unless directed by Sandy Neck Staff.*
- (7) *No person shall operate a passenger vehicle (or tow a trailer) with tire pressure in excess of 18 psi. (Self-contained campers shall maintain tire pressure appropriate for the vehicle.)*
- (8) *No person shall operate a vehicle:*
  - (a) *without a valid driver's license, or*
  - (b) *so as to endanger the public, or*
  - (c) *engage in dunehopping, doing "zigzags", "donuts", "cutting tracks" or in any other reckless or unacceptable fashion.*
- (9) *Riding on tailgate, roof, bumper or any exterior portion of a vehicle not designed to carry passengers is prohibited. Standing in truck beds or sitting on truck bed rails is prohibited.*
- (10) *All holes, campfire remains or alterations of the beach shall be restored to natural condition.*

### **§601-5. Hunting Regulations:**

- A. *Hunting possessing, taking, molesting or disturbing deer within the boundaries of Sandy Neck, unless authorized by the Town Manager or Park Manager is prohibited.*
- B. *Discharging a firearm within the boundaries of Sandy Neck from Memorial Day to Labor Day is prohibited.*
- C. *No person shall hunt any game, except waterfowl, without wearing a "hunter orange" cap or hat. "Hunter orange" vest or coat is also recommended.*
- D. *All hunters must check in at the Sandy Neck Gatehouse prior to and at the conclusion of their hunt.*
- E. *Hunting or discharging a firearm or release an arrow upon or across the "front beach", that area between the primary dune and the high water mark, without written permission from the Town Manager or the Park Manager is prohibited.*
- F. *Discharging a firearm or releasing an arrow is prohibited on and within 150 feet of the access trail and front beach, or within 500 feet of any public building or structure, **or any occupied dwelling.***
- G. *Hunting for in-season game shall occur between ½ hour before sunrise and sunset only.*
- H. ***Discharge of a firearm or release of an arrow for any means other than hunting within the grounds of Sandy Neck Beach Park is strictly prohibited.***

### **§601-6. Shellfishing, Fishing, and Boating Regulations:**

- A. *All shellfishing at Sandy Neck requires a valid Town of Barnstable shellfishing permit.*
- B. *A Sandy Neck Shellfish Trail Pass must be obtained in order to utilize the cross trails by vehicle to access the shellfishing areas. A Shellfish Trail Pass can be obtained at the Sandy Neck Gatehouse (508-362-8300).*
- C. *The launching of motor vessels from Sandy Neck and their operation in waters offshore must be conducted in accordance with the provisions of Massachusetts General Law Chapter 90B and Barnstable General Ordinances.*
- D. *All fishermen must be actively engaged in fishing to remain past curfew as well as receive approval from a Natural Resource Officer on duty. Equipment shall be no more than 10 feet from the water.*
- E. *Violations may result in fines and/or the revocation of trailers and/or ORV permits.*

### **§601-7. Horse Regulations:**

- A. *Horseback riding shall be allowed on the Cape Cod Bay Trail (front beach to Trail #5), and on the Braley's Dune Trail (known as the Horse Trail) only. All riders must enter the beach via the Access Trail.*
- B. *Between the Friday before Memorial Day and the day after Labor Day, the following restrictions shall apply:*
  - (a) *Horseback riding allowed from Monday 12:00 noon until Friday 12:00 noon. All riders shall be off the beach by 9:00 PM, Monday – Thursday.*
  - (b) *Groups with more than two trailers must obtain a Special Permit from the Park Manager.*
- C. *All riders shall obtain a daily permit and register at the Sandy Neck Gatehouse before entering the beach.*
- D. *All organized trail rides of 8 or more horses must be approved by Special Permit issued by the Park Manager.*
- E. *All riders shall stay on trails designated for use by horses.*
- F. *All riders shall remove horse droppings from the parking lot*
- G. *Riders must maintain 100' buffer between the horses and all bathers.*
- H. *All riders must wear an ASTM/SEI approved horseback riding helmet.*
- I. *Note: It is recommended that riders on the front beach after sunset wear reflective clothing.*

### **§601-8. Obtaining an Off Road Vehicle Permit:**

- A. *Off road vehicle (ORV) permits are available at the Sandy Neck Gatehouse.*
- B. *Vehicles leased for a minimum term of one year will be allowed to register for oversand travel. Vehicles rented or leased for shorter terms are ineligible for oversand permits.*
- C. *A valid registration is required in order to purchase an ORV permit (no dealer, farm, or repair plates).*
- D. *Proof of residency is required in order to obtain a Barnstable ORV permit. Residency can be proven by:*
  - (a) *Tax bill,*
  - (b) *Minimum one year property lease,*
  - (c) *Vehicle registration with a street address (PO Box is not sufficient),*
  - (d) *Other legal documents such as a deed or will (this does not include utility bills, excise tax bills, etc.).*
  - (e) *College students may provide a tuition bill with a Barnstable address.*
- E. *Barnstable residents wishing to obtain an ORV permit must have their vehicle registered in their name (or the name of a person residing at the same address) unless:*
  - (a) *They have written permission to use a company vehicle.*
  - (b) *Proof of ownership of the company on the vehicle registration.*
  - (c) *A minimum one year vehicle lease agreement.*
  - (d) *The resident's permit has been revoked.*
- F. *All ORV permits (issued by the Sandy Neck Gatehouse) and Resident Parking permits (issued by the Barnstable Recreation Division and the Town of Sandwich) are not valid unless they are permanently affixed to the lower left hand corner of the vehicle's windshield and the license plate number on the vehicle matches the permit (except for authorized laminated permits). The protective sheet must be removed from the adhering side of the sticker and the permit must be adhered to the windshield of the vehicle.*

### **§601-9. Enforcement:**

- A. *In addition to Sandy Neck Beach Park Regulations, all applicable Town of Barnstable Ordinances and Massachusetts General Laws apply at Sandy Neck will be enforced.*
- B. *The Park Manager and Natural Resource Officers will enforce the provisions of Town Ordinances on all public lands at Sandy Neck including all parking areas, public ways, the Great Marsh and Bodfish Park.*
- C. *Warnings: Any person receiving two ~~written~~ warnings in one calendar year may have their rights to operate a vehicle on Sandy Neck suspended for a period of one year.*
- D. *Citations: Any person receiving a citation may have their rights to operate a vehicle on Sandy Neck revoked permanently or suspended for a period of up to one year. **A citation issued for a hunting violation may result in the suspension of the individual to hunt for up to one year.***
- E. *The Park Manager or his/her designee, may issue suspensions for any violation of Massachusetts General Laws, Town Ordinances, or Sandy Neck Beach Park Regulations. Suspensions of up to five years may also be issued for any action which jeopardizes the property or safety of another person, or for any action that causes another person to be fearful for their safety and/or their property.*
- F. *Abusive, inappropriate or aggressive behavior toward other beach users and/or Sandy Neck staff will result in the violator's removal from the beach for no less than 24 hours. In addition, violators may have their ORV permits revoked.*
- G. *The Park Manager reserves the right to suspend beach access to a dog as a result of aggressive behavior and/or due to irresponsible pet ownership.*
- H. *Any person who is issued a suspension notice will be provided the opportunity for a hearing with the Director of the Marine and Environmental Affairs Division. Any person desiring such a hearing must submit a written request for said hearing postmarked within five business days of the effective date of the suspension. An appeal of the Director of the Marine and Environmental Affairs' decision may be filed with the Office of the Town Manager within five days of issuance of said decision.*
- I. ***The Park Manager and the Director of Marine and Environmental Affairs are authorized by the Barnstable Town Manager to issue No Trespass Orders on all public lands at Sandy Neck including all parking areas, public ways, the Great Marsh and Bodfish Park.***

### **§601-10. Alcohol Policy:**

- A. ***Alcoholic beverages are prohibited on all public lands at Sandy Neck including all parking areas, public ways, the Great Marsh and Bodfish Park.*** ~~regulation forbids the consumption of alcoholic beverages "while on, in or upon any public way or any place to which the public has a right of access as invitees or licensees..."~~
- B. *Alcoholic beverage and consumption regulation – minors – forbids the possession of alcohol by minors "while on, in or upon any public way or way or any other place to which the public has a right or access as invitees or licensees..."*

**§601-11. Violations and Penalties:**

- A. *Violations of any provisions of Sandy Neck regulations may be punished by a non-criminal fine not to exceed three hundred dollars (\$300.00), and/or loss of beach privileges. Criminal acts are subject to enforcement as allowed by the Town of Barnstable Ordinances or the General Laws of the Commonwealth.*
- B. *The provisions of these regulations may be enforced utilizing the procedures contained in Massachusetts General Law C40 s21D as a noncriminal alternative.*

**§601-12. Contact Information:**

*If you have any questions pertaining to Sandy Neck operations, call the Gatehouse at 508-362-8300 or the Marine and Environmental Affairs Office at 508-790-6272.*

\_\_\_\_\_  
*Mark S. Ells, Town Manager*

\_\_\_\_\_  
*Date*

*Please contact Nina Coleman know if you have any other proposed changes you would like included or if you have any additional questions*

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**DRAFT**

**Matters not reasonably anticipated by the Chair:**

*Chairman Rich French requested that the Long-term Coastal Resiliency Alternatives Report remain on the agenda under Old Business. He (or a Board Member) will review this information with the new Town Councilors at a later date.*

**Public Comment:**

- None

**Adjournment:**

- There being no further business, the meeting adjourned at 9:06 pm.

Respectfully submitted,

Debbie Lavoie, Secretary