

## CHAPTER 18 - HEALTH AND SAFETY REGULATIONS

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### **18.010 - Purpose and intent**

It is the purpose of this chapter to protect the health and safety of persons visiting, using, working on, or otherwise occupying lands and facilities under the jurisdiction of the Port San Luis Harbor District, by providing regulations to restrict types of behavior and activities that may be dangerous or unhealthful.

### **18.015 - Aircraft**

It shall be unlawful for any aircraft, including but not limited to fixed and rotary winged craft, ultra light, flying vessels and any other craft that leaves the surface of the land or water capable of carrying a human to land, taxi, park or take off on any District properties, except for county, state or federal aircraft in the performance of official duty or in an emergency or with written approval of the Harbor District.

### **18.020 - Alcoholic beverages**

The possession or consumption of any alcoholic beverage, including but not limited to wine and beer, is prohibited on all District beaches.

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- A. Service animals must be harnessed, leashed, or tethered while on District property unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal.
- B. Dogs must be on a leash less than 7 feet long at all times, except for the following beaches:
- (1) Avila Beach
    - i. Dogs or other pets allowed off leash, but under owner's control.
    - ii. Dogs or other pets allowed on the beach before 10:00 a.m. and after 5:00 p.m.
  - (2) Olde Port Beach
    - i. Dogs or other pets allowed off leash, but under owner's control.
  - (3) Fishermen's Beach
    - i. Dogs or other pets not allowed on the beach.
  - (4) Coast Guard Beach (Lighthouse Beach)
    - i. Dogs or other pets allowed off leash, but under owner's control.
    - ii. Dogs or other pets are not permitted on property above the mean high tide line.
- C. The Harbor District may refuse to admit to any Harbor District Property any person who possesses a dog or other pet that:
- (1) Is dangerous.
  - (2) Disturbs or molests other pets, property or persons.
  - (3) Is left unattended or abandoned.
  - (4) Defecates without clean-up.

**18.040 - Closed areas**

No person shall enter or remain on any portion of the beach or Harbor District property posted by the District as being closed to public access.

**18.050 – Diving and swimming**

- A. No person shall jump or dive from any pier, structure, rock, seawall or land that is posted with a warning signal, sign or by oral or written direction from a District employee, except when making a rescue or as an authorized Harbor District employee
- B. No person shall swim in the navigation channels or within the small boat mooring areas without first securing written permission from the Harbor District.

**18.060 - Explosives**

The use, storage, or other keeping of explosives, including but not limited to gunpowder, giant powder dynamite, or any other explosives shall be prohibited on the wharf and on all properties of the District, except where the use of explosives during construction is approved in writing by the Harbor Manager. No person shall unload explosives from any vessel at or in the vicinity of the wharf, or load explosives from the wharf or other District property on any vessel. No vessel shall enter the waters owned by the District carrying any explosives.

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**18.070 - Fires**

- A. No person shall light, use or maintain a fire within the District except at, Olde Port Beach, and only in a fireplace or containment ring provided by the District, unless otherwise authorized by the District. No person shall abandon any fire without first having completely extinguished it with water; no fire, coals or ashes shall be covered with sand.
- B. No pallets, wood that contains nails, or manufactured wood may be burned on District beaches.
- C. Briquettes from personal barbecues and grills must be properly disposed in District provided ash containers.
- D. No barbecues, grills, heating or cooking devices other than those fuelled by gas and with active on/off controls are permitted on Harbor Terrace.

**18.080 - Glass containers, littering and dumping**

Glass containers are prohibited on District beaches. No person shall leave, deposit, drop or scatter broken glass, ashes, waste paper, cans, animal carcasses or any other rubbish, refuse or other discarded material in any location other than an approved District trash receptacle, and no person shall bring such materials to District property from other places.

**18.090 - Overhead casting**

Overhead casting on District piers is prohibited. Persons engaged in such activity shall be responsible for any injuries incurred.

**18.100 - Play, games and sports**

No person shall engage in any activity on the beach that is likely to cause injury. No activities are permitted that are likely to cause disruption of or infringement upon other beach users or lifeguards.

**18.110 - Public peace**

Disturbance of the peace by any person on any District beach, other property, or on any vessel in the harbor shall be prohibited. Disturbance of the peace by any person aboard a vessel in the harbor may, at the discretion of the Harbor Manager, be the basis for revocation of the permit for anchorage or berth of such vessel issued pursuant to Chapter 16 of this Code (Mooring Regulations).

**18.120 - Firearms and Other Weapons**

Unless otherwise authorized by law, no person shall, within the Harbor District, possess, use, or discharge any firearm, pellet gun, bow and arrow, crossbow, slingshot or missile launching device.

**18.130 (Deleted June 2009)**

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**18.140 – Miscellaneous Prohibited Acts**

- A. No person shall, within a Harbor District;
- (1) Throw, dump, or deposit upon the surface of the ground, except in containers placed by the Harbor District, any trash, refuse, garbage, litter, or waste material;
  - (2) Bring into the Harbor District any vehicle, trash, refuse, garbage, litter, or waste material for the purpose of leaving it therein;
  - (3) Possess or use any fireworks or other explosives;
  - (4) Operate any noise-producing equipment, whether or not electrically amplified, which disturbs other people, except in accordance with the terms and conditions of a permit therefore issued by the Harbor District;
  - (5) Sell or advertise any product or service, or carry on any other commercial activity; or distribute any handbill, tract, or other literature, without authorization by the Harbor Manager;
  - (6) Enter any area of the Harbor District when signs have been erected by the Harbor District forbidding such entry;
  - (7) Enter any fenced utility area, or remove, destroy, or tamper with any valve, switch, or control of any telephone, electrical, water, or sewer line or system owned or operated by any public entity or public utility;
  - (8) Engage in any riotous, boisterous, threatening, or indecent conduct, or use profane or indecent language, or operate a radio or musical instrument in such a manner as to disturb other persons;
  - (9) Willfully fail or refuse to comply with any lawful order, signal or direction of any authorized Harbor District employee or Sheriff's Department safety employee.
  - (10) No person shall enter or remain in any day-use area after the posted closing time without prior approval of the Harbor District.
  - (11) Use of any tobacco or other smoking material, or operate any Electronic Smoking Device, on Harbor District Beaches, within District owned and operated buildings, within 30 feet of any District owned and operated buildings or at any other location within the District where the smoke or vapor is likely to interfere with the public's enjoyment of the facilities and no smoking signs posted. Electronic Smoking Device means an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances.