

Chapter 6.13

SPECIAL OPERATIONS PERMIT: USE OF PUBLIC BEACHES FOR
PROFESSIONAL SURF INSTRUCTION

(Ord. 2008-19)

Sections:

- 6.13.010 Finding and Purpose
- 6.13.020 Definitions
- 6.13.030 Regulations
- 6.13.040 Issuing Authority
- 6.13.100 Violation – Enforcement and Penalties

6.13.010 Purpose The City Council hereby finds and determines that the unlimited and unregulated use of the beaches in the City by surf instruction establishments interferes with the use and enjoyment of such beaches by the general public and burdens the City’s related maintenance and safety services. The purpose of this chapter is to establish a special operations permit requirement for such establishments to maximize their compatibility with the use of the beaches by the general public and minimize the burden on the City’s related maintenance and safety services.

6.13.020 Definitions

A. “Public Beach” shall mean the following City owned and/or maintained and operated beaches located within the City of Encinitas and their appurtenances such as access roads, parking lots and shore facilities including:

1. Grandview Beach (Leucadia State Beach), 1700 Neptune Avenue;
2. Beacon’s Beach (Leucadia State Beach), 948 Neptune Avenue;
3. Stone Steps Beach, 350 El Portal;
4. Moonlight State Beach, 400 B Street;
5. D Street Viewpoint/Access, 450 D Street; and
6. Swami’s Beach, 1298 South Coast Highway 101.

B. “Surf Instruction” shall mean any professional instruction in the sport of surfing, wave riding or similar activity including conducting a surf camp, surf school or similar activity.

C. “Professional” shall mean any formal instruction of any nature including but not limited to instruction provided for commercial purposes or any form of consideration such as donations.

6.13.030 Regulation—Permit Required No person shall conduct any surf instruction activities on public beaches without first obtaining a special operations permit pursuant to the provisions Chapter 6.02 and this Chapter of the Encinitas Municipal Code. The issuance of said permits shall be limited based upon a selection criteria established by the Parks and Recreation Department.

6.13.040 Issuing Authority The City Manager or designee is the issuing authority for the special operations permit: Use of Public Beaches for Professional Surf Instruction.

6.13.100 Violations – Enforcement and Penalties Any person who violates any provision of this chapter is guilty of an infraction punishable pursuant to Section 1.08.050 of the Encinitas Municipal Code. This chapter is not exclusive, and is not intended to preclude enforcement pursuant to any other applicable law.