

ORDINANCES ARTICLE 1 -- DWELLINGS

SECTION 1. No person, firm, or corporation shall use, rent, or lease any garage, trailer, or tent for dwelling or living purposes within the territorial limits of the Giants Neck Beach Association (also referred to herein as “GNBA” and “Association”).

SECTION 2. No house trailer or recreational vehicle may be parked within the territorial limits of the Association except in the driveway of a dwelling and for a period not to exceed one week, provided that said vehicle shall not be parked in such a manner as to create a safety hazard or cause a public nuisance.

ARTICLE 2 – TRAFFIC LAWS

SECTION 1. Operators of any motor vehicle upon any road within the territorial limits of the Giants Neck Beach Association shall obey all traffic regulations and are subject to fines for violation thereof in accordance with Article 10, Paragraph 1.b.

ARTICLE 3 – GARBAGE AND SANITATION

SECTION 1. a. Garbage is defined to be all waste, animal, fish, fowl, fruit, or vegetable matter.

 b. Rubbish is defined to be all other refuse.

SECTION 2. All garbage, as defined in Section 1.a., must be placed in containers provided or authorized by the Town of East Lyme and all recycled items shall be managed according to East Lyme Rules and Regulations. All trimmings and brush are to be disposed of by removal or placement in compost piles, which piles shall cover no more than twenty-five square feet, shall be no more than three feet high and shall be appropriately screened from neighboring properties. Trimmings, brush and lawn cuttings may not under any circumstances be deposited upon any property owned or leased by GNBA or Giants Neck Improvement Club (“GNIC”), or upon any beach or in any pond, stream, or other body of water within the territorial limits of the Association, including the Long Island Sound.

SECTION 3. Persons having custody or control of premises from which garbage or rubbish is intended for collection must provide that the same is placed at the side of the road in such containers and bundles as described herein and in such a manner that said containers and bundles do not constitute a travel or health hazard or nuisance of any sort.

SECTION 4. Every effort should be made to place containers at the curb the night before the scheduled collection and, after collection, to remove them from the side of the road as soon as possible.

SECTION 5. No rubbish of any kind or garbage of any sort shall be thrown or placed on any street, sidewalk, beach, or vacant lot or in any creek or lake within the territorial limits of the Association.

SECTION 6. No person or persons shall leave any rubbish or garbage so exposed to the elements as to make said rubbish or garbage obnoxious or a menace to public health.

ARTICLE 4 – RESTRICTIONS ON COMMERCIAL USE

SECTION 1. No business shall be established or carried on in a residence or building or from any residence or building, or on or from the land of any right of way, or upon any dock, or upon any raft or boat adjacent to any lot and accessible therefrom, within the territorial limits of the Association for any purpose unless it is a home occupation as defined in Article 130, Section 1305 of the Zoning Regulations.

SECTION 2. The Governing Board may regulate any home occupation (as defined in Article 130, Section 1305 of the Zoning Regulations) that is an unreasonable annoyance to those in the neighborhood of said home occupation or that is dangerous or prejudicial to the public health.

SECTION 3. No garage, tag, or yard sale shall be held or carried on within the territorial limits of the Association.

SECTION 4. It shall be unlawful for an owner or lessor of a residence located within the territorial limits of the Association to rent such residence to a sorority, fraternity, or club group of a similar nature. No such group shall occupy a residence in the territorial limits of the Association.

SECTION 5. Owners are fully responsible for the actions of their renters as those actions pertain to the adherence to the Giants Neck Beach Association Bylaws and Ordinances. All tenants shall be provided with copies of the Bylaws and Ordinances of the Association and all written leases shall incorporate said Bylaws and Ordinances by reference. Any Giants Neck Beach Association fine unpaid by a tenant or guest shall be the obligation of the Owner of the property.

ARTICLE 5 – USE OF ASSOCIATION PROPERTY

SECTION 1. The beaches, right of ways, and other lands within the territorial limits of the Giants Neck Beach Association are for the use of the members of the Association, their families, guests, and renters exclusively. Use of such areas by others is forbidden.

ARTICLE 6 – MOTOR VEHICLES AND PARKING

SECTION 1. a. It shall be unlawful for any vehicle to obstruct or interfere with traffic. Except as provided below, no vehicle shall be parked upon any marginal land, right of way, or roadway within the territorial limits of the Association. Violation will be subject to a fine or other penalty as provided herein.

A vehicle under custody or control of a property owner may be parked on the strip of marginal land located between the paved road surface and that owner's adjacent property line. Should two property owners overlap such a piece of marginal land, neither may park on such overlapped piece.

b. Permission may be granted by the President or his/her designee for temporary parking on Association property for special occasions.

SECTION 2. No lot, improved or unimproved, within the territorial limits of the Association, shall be used primarily as a parking space for automobiles or other vehicles. No vehicles shall be parked overnight on Association property.

SECTION 3. Any vehicle parked in violation of these Ordinances is subject to ticketing and/or towing at the owner's expense, including fines as may be established from time to time by the Board of Governors pursuant to Article 10, Paragraph 1.b.

ARTICLE 7 – PROPERTY MAINTENANCE

SECTION 1. All unimproved property shall be cut and cleared annually. Should any property owner fail to comply with this requirement, the Governing Board shall notify him/her of such neglect. If, within 15 days from the date of such notice, the situation has not been corrected then the Governing Board may arrange to have it cleared at the expense of the offending owner.

SECTION 2. All property within the territorial limits of the Association must be maintained in compliance with all applicable regulations and ordinances of the Town of East Lyme, and must be painted and kept orderly in a manner conforming to the surrounding area.

ARTICLE 8 -- ANIMALS

- SECTION 1.**
- a. No dog or other animal shall be allowed within the territorial limits of the Giants Neck Beach Association unless vouched for by some member of the Association or his/her renter(s), which person(s) shall be responsible for any damage or nuisance caused by said animal. No person owning, keeping, or having in charge any animal shall permit it to run at large, but every animal shall be contained on its property or leashed. No animal shall be allowed on any beach from May 1 to October 1. No person responsible for any animal shall allow it to create a nuisance by persistent barking, whining, or other behavior.
 - b. A nuisance is also defined as fecal droppings by a dog or other animal within the territorial limits of the Giants Neck Beach Association. The owner of the animal is responsible for the removal of the droppings by “pooper scooper” or other means. Fines will be levied by the President or his/her designee in accordance with Article 10, Paragraph 1.b.
 - c. The President or his/her designee is authorized to file a complaint with the Animal Control Officer of East Lyme for any violation of Section 22-364 of the Connecticut statutes and the owner is subject to a fine for each such violation in accordance with Article 10, Paragraph 1.b.

ARTICLE 9 – QUIET ENJOYMENT AND PUBLIC SAFETY

- SECTION 1.**
- a. No construction or construction related activities including, but not limited to, land clearing, excavation, the installation of footings or foundations, the erection of structures, and the siding or roofing of such structures, shall commence prior to 8:00 AM nor conclude later than 6:00 PM on Monday thru Saturday 8:00 AM to 6 PM. No construction work is permitted on Sundays. No commercial work shall occur on Memorial Day, July 4th, and Labor Day. Emergency work is permitted after contacting the ZEO.
 - b. No radios or other forms of audio amplifications are to be used on Association beaches except with headsets that restrict the sound to the wearer of the headset.

SECTION 2. No person shall make, ignite, or maintain any uncontained fire within the territorial limits of the Giants Neck Beach Association. Notwithstanding the foregoing, there shall be no fire allowed on any Association beach or other property owned by GNBA/GNIC except with the express, advance written permission of the President or his/her designee.

SECTION 3. No person shall place or maintain any building materials on any street, right of way, or public area without permission of the President or his/her designee.

SECTION 4. No person shall change into a bathing suit or from a bathing suit into clothing or dress or undress in any automobile or other vehicle or on any property within the territorial limits of the Association except in dwellings, bath houses, or other buildings provided for that purpose.

SECTION 5. Use of the beaches is restricted to members of the Association, their guests, and renters. Between 10 p.m. and 6. a.m., there shall be no bathing, sleeping or gatherings on any of the Association beaches.

SECTION 6. No person shall discharge any firearm within the territorial limits of the Association.

SECTION 7.

- a. Non alcoholic beverages, snacks and ice cream are permitted on the beaches. Alcoholic beverages and ice chests/coolers are not permitted. No glass containers of any kind are allowed on the beaches. It will be the responsibility of each member, renter or guest to remove his/her garbage from the beach each day as he or she leaves the beach.
- b. Smoking is prohibited on all GNBA beaches.

SECTION 8.

- a. All watercraft must be removed from the beaches by December 1 of each year and may not be returned to the beach overnight until April 1.
- b. All watercraft on the beach must be marked with the name of the owner unless authorized by the President or his/her designee.

SECTION 9. All boating/watercraft of any kind are prohibited on the upper and lower ponds.

SECTION 10. No person shall operate any drone or unmanned aerial vehicle for personal use within the territorial limits of the Association without the prior written permission of the President or his/her designee.

ARTICLE 10 -- ENFORCEMENT

- SECTION 1.** a. Any person who violates any ordinance or regulation shall be notified of the violation by the President or his/her designee, including any security guard or Zoning Enforcement Officer. If the violation is not corrected, the offender shall be fined as outlined in Section 1.b.
- b. Any person who violates any ordinance or zoning regulation shall be fined in accordance with the attached fine schedule, which may be amended from time to time by the Governing Board in its discretion. Each day that any violation continues shall constitute a separate offense.

SECTION 2. Any person aggrieved by any ruling issued by the Governing Board, shall give notice of same to the Governing Board.

SECTION 3. The Governing Board may, at its discretion, in a specific case and after public notice, hear and decide appeals where it is alleged that there has been an error in any ruling.

The Governing Board shall have the authority to vary any ordinance or ruling, without prejudice, in special cases in harmony with its general purpose and intent so that justice may be done. This authority shall be exercised in a manner to secure the public health, safety, and welfare solely in instances where there are practical difficulties or unnecessary hardships in carrying out the strict letter of the law.

ORDINANCES AND REGULATIONS CONCERNING ANCHORAGE IN AND USE OF GIANTS NECK HARBOR AND BEACHES

The area designated a SPECIAL ANCHORAGE on National Oceanic and Atmospheric Administration Chart No. 13211 is subject to these ordinances and regulations, as are all beaches that are under the governing control of the Association.

1. Definitions:

"Vessel" includes every description of watercraft used or capable of being used as a means of transportation on water.

"Motorboat" where used in these regulations includes every vessel propelled by machinery, whether or not such machinery is the principal source of propulsion.

"Waterskiing" means the act of towing a person or persons by means of a line, or lines, secured to a motorboat.

"Committee" means the Harbor Management Committee of the Giants Neck Beach Association.

2. No person shall operate any vessel in a reckless or negligent manner so as to endanger the life, limb or property of any person.

3. To protect swimmers at the West Beach,

a. no motorboat may be launched from any part of West Beach, and

b. motorboats may approach no nearer than 200 feet to the West Beach.

4. Two Main Beach swimming areas are designated by float lines perpendicular to the beach at the eastern and western ends of the main beach.

All vessels are prohibited from operating in these designated swimming areas, as well as in the area immediately east of the easternmost float line; this area is also designated as a swimming area.

5. Within the harbor, vessels may be operated ONLY:

a. from the beach between the two westernmost swim float lines, and

- b. in the area south of the swimming area marker buoys, as shown on Attachment "A" in the 3/27/84 letter of approval from the DEP (see map on last page of this section).
 - c. Boats may be walked through the water in the swimming area to the boat launching area.
 - d. Replacement of boat poles in the boat access area must have approval of the Harbor Management Committee.
 - e. Swimming is restricted in the boat launching areas. Swimmers who swim in those areas do so at their own risk.
 - f. In the marked areas, every vessel shall have careful regard to the existing circumstances and conditions, and in no case shall the speed of any vessel exceed 5 miles per hour or create a wake.
- 6. Channels provided for entering and leaving the harbor shall be kept clear at all times and shall not be used for any other purpose.
 - 7. Each owner and operator of any vessel operating, entering, mooring, or departing from the limits of the Special Anchorage Area, shall be responsible for the safe operation and mooring of the vessel and shall be liable for any damage or injury caused by such vessel. Said owner shall be responsible for removing his damaged boat and/or the debris from any damaged boat from any Association beach or marginal land.
 - 8. Mooring equipment (including but not limited to anchors, ground tackle, buoys, mooring lines or cables) shall be furnished and maintained by the owner; shall be adequate for securing the vessel and preventing dragging; and must also be inspected by the East Lyme Harbor Master or his appointee before being used. Mooring equipment must be registered with the East Lyme Harbor Master each year and is subject to inspection, at owner's cost, every two years.
 - 9. The owner of any vessel using the harbor shall be responsible for the conduct of all persons using, visiting or occupying such vessel.
 - 10. The owner and operator of any vessel using the harbor shall not permit any garbage, oil, sludge, refuse matter, or waste material of any kind to fall, be thrown, deposited or discharged overboard while the vessel is in the harbor.

The toilet facilities of any vessel which empty into the water shall not be used while such vessel is in the harbor.

11. Beaches, docks, piers, walks or rights of way shall not be used as storage space for any gear, equipment or supplies. Small boats may be placed against the seawall and must be identified in accordance with Article 9, Section 9.b. of the GNBA Ordinances.
12. No vessel shall be hauled up on the bathing beach for cleaning, painting, or scraping; however, emergency repairs sufficient to remove such vessel from the harbor may be permitted when, in the opinion of the Committee, such repairs are necessary.
13. No sign, placard, or commercial display of any kind, excluding signs reading "For Sale," may be attached to or exposed from any vessel within the SPECIAL ANCHORAGE area.
14. No "hard" floats will be permitted in the mooring areas.
15. All harbor areas are SPECIAL ANCHORAGE areas and restricted speed zones in these areas for motorboats will be in accordance with Connecticut State Law.

Water-skiing is not permitted within the limits of these areas.

16. No person shall erect a pier, dock, float, boat post, mooring, or similar fixed or floating structure or impediment whatsoever for use in connection with boating, fishing, bathing, or other related purposes upon the beaches or other marginal land along the waterfront or in the Nehantic Ponds within the territorial limits of the Association.

The Governing Board may direct, by written notice, the relocation or removal of any pier, dock, float, boat post, mooring, etc. upon the beaches or marginal lands.

17. Neither the Giants Neck Beach Association nor any of its committees shall be responsible for injury or damage caused by any vessel.
18. Only members of the Association shall be eligible to use the Giants Neck Beach Association dock and to apply for mooring privileges. Persons using the Association dock must conform to the Rules and Regulations of the dock committee. Persons using the private dock are responsible for observing the Rules and Regulations of the private dock association.
19. All motorboats must be registered in accordance with state statutes and regulations.
20. Boat owners are responsible for providing the registration number and description of the boat and position of mooring to the Chairperson of the Dock and Harbor Management Committees each year.