



City of Galveston

DEVELOPMENT SERVICES

Planning Division

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Date: August 7, 2018

To: Beach Access and Dune Protection Plan Review Ad Hoc Committee Chair

From: Dustin Henry, AICP – Coastal Resource Manager and Virginia Greb–Coastal Resources Assistant Manager

RE: City of Galveston Code of Ordinances relating to public beach rules

Public Beach Rules – Galveston, TX – Code of Ordinances

- **Sec. 8-4. - Driving vehicles or horses on sand dunes.**
 - o It shall be unlawful for any person to drive, operate or park any motor vehicle, motorcycle or motorbike, dune buggy or other recreational vehicle upon, over or across any sand dune, or to ride or walk any horse, pony or mule upon, over or across any sand dune, located within the city.
- (Code 1960, § 4-1.5; Ord. No. 79-48, § 1, 5-31-79)
- **State Law reference**— Similar provisions, V.A.T.C. Natural Resources Code, § 63.093.

- **Sec. 8-5. - Fishing.**
 - o It shall be unlawful for any person who shall catch or capture fish, crab or shrimp in the waters of the Galveston Bay or Gulf of Mexico to leave any such fish, crab or shrimp upon any beach or other public place in the city. It shall be the duty of any person catching or capturing such fish, crab or shrimp to make such disposition of his catch or capture that the same will not be found upon any beach or other public place.
- (Code 1960, § 4-11)

- **Sec. 8-6. - Camping on beaches.**
 - o (a) The term "camping" shall mean to use for habitation any tent, lean-to, sleeping bag, blanket, vehicle, trailer, camper, or other means of shelter. Nothing contained in this definition shall prevent the use of umbrellas, sun shades, small tents and the use of usual beach equipment for temporary use and not for human habitation.
 - o (b) It shall be unlawful for any person to camp on any public beach within the city limits between the hours of 12:00 midnight and 5:00 a.m.
 - o (c) The provisions of subsection (b) shall not apply to:
 - (1) Camping in a tourist camp or automobile tourist camp duly authorized and designated by ordinance.



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- (2) Camping in areas designated by ordinance, resolution or other official action of the city council.
 - (d) It shall be unlawful for any person to camp at any location on the Seawall Boulevard between the hours of midnight and 5:00 a.m.
- (Code 1960, § 4-11.1; Ord. No. 82-8, § 1, 1-21-82; Ord. No. 83-37, § 1, 6-16-83; Ord. No. 01-031, § 3, 6-14-01; Ord. No. 02-057, § 2, 6-27-02)
- **Sec. 8-7. - Glass beverage containers.**
 - (a) It shall be unlawful for any person to use or possess any glass beverage container in any area situated upon the Seawall Boulevard right-of-way. For purposes herein, "Seawall Boulevard right-of-way" shall mean and include all portions of the seawall structure, in its entire length, together with sidewalk areas adjacent thereto on both sides. It shall be unlawful for any person to use or possess any such glass beverage container in any area situated south of the Seawall Boulevard; for purposes herein, "south of the Seawall Boulevard" shall mean and include all areas situated between the seawall and the waters of the Gulf of Mexico, whether such areas are in fact due south of said seawall or otherwise. It shall be unlawful for any person to use or possess any glass beverage container in or upon any other public beach area situated within the city.
 - (b) The provisions of subsection (a) shall not apply where any such glass beverage container is used or possessed inside a motor vehicle or within the enclosed perimeter of a business establishment.
 - (c) It shall be unlawful for any business establishment situated within the prohibited area defined in subsection (a) to sell or offer for sale any beverage in a glass container for off-premises consumption.
- (Code 1960, § 4-11.2)
- **Cross reference**— Similar provisions relative to The Strand, [§ 24-10](#).



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- **Sec. 8-8. - Horses on beaches.**

- (a) Except in areas designated for the purpose, it shall be unlawful for any person to ride, lead or drive any horse, mule, jackass, donkey or pony upon any public beach within the-city between the hours of 9:00 a.m. and 8:00 p.m., on Memorial Day, the Fourth of July, Labor Day and on any Saturday or Sunday during the months of May through September, inclusive. The city council shall, from time to time, by ordinance, resolution or other official action, designate areas where the prohibition of this section shall not apply.
- (b) The prohibition set forth in subsection (a) shall not apply to the public beach area situated between the westerly boundary of County Beach Pocket Park No. 1 and the easterly boundary line of County Beach Pocket Park No. 2.

- (Code 1960, § 4-11.3; Ord. No. 85-47, § 1, 7-11-85)

- **Sec. 8-8.1. - Animals running at large on beaches prohibited.**

- It shall be unlawful for any person owning, keeping or having in his possession or control any animal, including but not limited to dogs, to allow such animal to run at large upon the public beaches within this city, unless the animal is under the control of such person by means of a cord, chain or leash not more than six (6) feet in length and of sufficient strength to control and retain the animal. The provisions of this section shall not in any manner be construed to repeal the provisions of [section 7-1](#) of this Code, but shall be deemed supplementary thereto as applied to beach area only, as said beach areas are-defined in this chapter.

- (Ord. No. 81-30, § 2, 4-2-81)

- **Editor's note**— Ord. No. 81-30, § 2, adopted April 2, 1981, added a § 4-11.7 to the 1960 Code, codified as [§ 8-8.1](#) hereof at the editor's discretion.

- **Sec. 8-9. - Campfires on beaches.**

- (a) It shall be unlawful for any person to start, ignite or maintain an open wood campfire upon any public beach within the city without having first obtained a permit therefor from the city manager.
- (b) The provisions of subsection (a) shall not apply where such campfire is wholly contained in a grill, habachi or other stove device and charcoal, butane or other flammable petroleum produce is used as a fuel.

- (Code 1960, § 4-11.4; Ord. No. 84-64, § 2, 8-30-84)



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- **Sec. 8-10. - Swimming.**
 - o It shall be unlawful for any person to swim in the waters adjacent to the following beach areas of the city anytime:
 - (1) In the Galveston Ship Channel at the sand bar adjacent to the South Jetties.
 - (2) San Luis Pass, in that area between signs duly posted and advising that swimming is so prohibited.
 - (3) Within one hundred (100) feet of piers and jetties.
 - (4) In the waters of any beach area of the gulf, more than fifty (50) yards seaward of the shoreline with or without any type of personal flotation device, unless express permission has been obtained from the supervising lifeguard on duty. This prohibition shall not apply to the use of hard-bottomed, nonmotorized, aquatic recreational devices including surfboards, hard-bottomed boogie boards, windsurfers, kayaks, surf skis, surfboats, canoes, or other such aquatic devices that are specifically approved by the Galveston Island Beach Patrol.
- (Ord. No. 01-031, § 4, 6-14-01; Code 1960, § 4-11.6; Ord. No. 78-55, § 1, 6-29-78; Ord. No. 81-30, § 1, 4-2-81; Ord. No. 07-026, § 2, 4-12-07; Ord. No. 09-037, § 2, 5-28-09)
- **State Law reference**— Power of city to regulate swimming and bathing, Vernon's Ann. Civ. St. art. 9206, [§ 20](#).
- **V.T.C.A., Local Government Code § 342.003- Fireworks**
 - o The fire code, as adopted, prohibits the possession, use, sale, etc. of fireworks within city limits. Commercial shows under permit and supervision by FD staff are allowed.

Respectfully Submitted,

Dustin Henry, AICP - Coastal Resource Manager