



Date: August 14, 2024
To: All Personnel
From: Lieutenant Julia Clasby
Subject: Training Bulletin #24-02

Beach Closure Regulations and Public Access

Purpose: To provide patrol officers with a clear understanding of the regulations governing beach closures and public access in the City of Seal Beach, including the relevant state and local codes, signage, and enforcement practices.

California Coastal Act Overview

In California, public access to coastal areas is protected under the California Coastal Act. This legislation mandates that:

- **Public Access:** The public has a right to access California's coastal areas, and this right is protected by law.
- **New Developments:** New developments must provide adequate access to the shoreline.
- **Local Implementation:** Local governments are required to enforce policies that guarantee public access while also protecting coastal resources.

However, this right is subject to reasonable restrictions such as:

- **Nighttime Curfews:** For safety and environmental protection.
- **Bonfire Bans:** To prevent fires and protect wildlife.
- **Beach Closures:** To safeguard marine life and sensitive vegetation.

Seal Beach Municipal Code § 9.05.020: establishes that the beach closure hours are set by city council resolution.

"No person shall be upon, use or occupy the city beach during the closure hours designated by city council resolution. (Ord. 1515)"

Ordinance 1515:

(April 26, 2004) Adopted municipal codes, chapters 1 through 9.

Ordinance 1365:

(April 26, 1993) Amended Chapter 4, Article 1, Section 4-2 of the municipal code regarding the hours of utilization of public beaches and parks.

"No person shall be upon, use, or occupy the public beach, or any public park, owned, belonging to, or under the jurisdiction of the City during those hours expressly prohibited in accordance with a properly adopted Resolution of the City Council."

Physical Signage:

- Signs at beach parking lot entrances and pay stations state, *"Beach Closed 10pm to Dawn. State Law and Seal Beach Municipal Codes Are Enforced."*
- 8th Street Beach Signage: *"NOTICE: BEACH CLOSED 10PM to 4:30AM SB ORD 1365."*

Enforcement Practices and Exceptions

- **Lifeguards' Role:** Lifeguards, typically on duty from 8 AM to 8 PM during summer months, do not enforce beach curfews. Their primary focus is safety and beach management.
- **Police Enforcement:** Enforcement of hard closures (e.g., locking gates, ordering departures) has historically only occurred during exceptional circumstances such as COVID-19 lockdowns, severe weather, or specific emergencies.
- **Grunion Runs:** During grunion runs, which occur late at night, officers and lifeguards should not require people to leave the beach solely based on the closure times. However, specific issues such as noise complaints can be addressed on a case-by-case basis.

Beach Closure Timing

- **General Closure:** The beach is generally considered closed from 10 PM to 4:30 AM, based on signage.
- **Exceptions:** The beach may be closed at other times as deemed necessary by police and lifeguards for safety or special circumstances.

Key Points for Patrol Officers

- **Familiarize with Signage:** Recognize and understand the signage posted at beach entrances and parking areas.
- **Enforcement:** Enforce closure regulations as per signage and ordinances but consider exceptions for events like grunion runs or specific emergencies.
- **Public Communication:** Clearly communicate with the public about closure hours and reasons for enforcement actions.
- **Documentation:** Document any exceptions or unusual circumstances that require deviations from standard closure times.

Conclusion

Patrol officers should be aware of the legal framework governing beach closures and public access, including state statutes, municipal codes, and physical signage. Enforcement should align with the spirit of the law, considering both regular regulations and exceptional circumstances.