

TRANSLATED FROM ITALIAN

Ministry of Infrastructure and Transport

MARITIME DISTRICT OFFICE OF ALGHERO

Via Eleonora d'Arborea n. 2 - 07041 Alghero (SS) Switchboard: 079 953174 - 079 986811 -  
Telefax: 079-984606 - Blue number: 1530 - VHF Ch16

Web: [www.alghero.guardiacostiera.it](http://www.alghero.guardiacostiera.it) - E-mail: [ucalghero@mit.gov.it](mailto:ucalghero@mit.gov.it) - PEC:  
[cp-alghero@pec.mit.gov.it](mailto:cp-alghero@pec.mit.gov.it)

BATHING SAFETY ORDER

The undersigned Lieutenant Commander (CP), Head of the Maritime District and  
Commander of the Port of Alghero:

HAVING SEEN Law No. 147 of April 3, 1989, concerning "Adherence to the International  
Convention on Maritime Search and Rescue adopted in Hamburg on April 27, 1979, and its  
implementation";

HAVING SEEN Presidential Decree No. 662 of September 28, 1994, containing "Regulation  
for the implementation of Law No. 147 of April 3, 1989, concerning adherence to the  
International Convention on Maritime Search and Rescue" adopted in Hamburg on April 27,  
1979, and its Annex;

HAVING SEEN Law No. 172 of July 8, 2003, concerning "Provisions for the reorganization  
and promotion of pleasure boating," specifically regarding Article 8 (competence of the Head  
of the Maritime District for issuing Maritime Police Orders on navigation limits concerning the  
coast) and Article 9, paragraph 2 (directive dated July 21, 2003, from the Minister of  
Infrastructure and Transport on navigation safety controls for pleasure craft and speed limits  
for navigation near the coast);

HAVING SEEN Legislative Decree No. 171 of July 18, 2005, known as the "Pleasure  
Boating Code";

HAVING SEEN Legislative Decree No. 4 of January 9, 2012, regarding "Measures for  
restructuring regulations on fishing and aquaculture, pursuant to Article 28 of Law No. 96 of  
June 4, 2010";

HAVING SEEN Ministerial Decree No. 146 of July 29, 2008, containing "Implementation  
regulations for Article 65 of Legislative Decree No. 171 of July 18, 2005, concerning the  
Pleasure Boating Code";

HAVING SEEN Ministerial Decree of January 26, 1960, as amended by Ministerial Decree of  
July 15, 1974, regarding "Regulations on water skiing";

HAVING SEEN Law No. 106 of March 25, 1985, concerning "Regulations on recreational  
and sport aviation";

HAVING SEEN Presidential Decree No. 133 of July 9, 2010, containing "New implementation regulations for Law No. 106 of March 25, 1985, concerning recreational and sport aviation";

HAVING SEEN Law No. 647 of December 23, 1996, converting, with amendments, Decree-Law No. 535 of October 21, 1996, regarding "Urgent provisions for the port, maritime, shipbuilding, and shipowning sectors, as well as interventions to ensure certain air connections";

HAVING SEEN Legislative Decree No. 507 of December 30, 1999, concerning "Depenalization of minor offenses and reform of the sanctioning system, pursuant to Article 1 of Law No. 205 of June 25, 1999";

[...] (Document continues with additional legal references and specific provisions)

## ORDERS

### ARTICLE 1 (GENERAL PROVISIONS)

1. Unless otherwise specified, the provisions of this Order are effective within the Maritime District of Alghero (stretch of coast and maritime area between Capo Falcone and Porto Tangone, encompassing the coastal municipalities of Villanova Monteleone, Alghero, Sassari, and Stintino) during the "summer bathing season" (April 1 - October 31), as defined by the regulatory provision of the Autonomous Region of Sardinia (Bathing Order).
2. During the summer bathing season (April 1 - October 31), establishments located in areas granted on maritime state property, intended for beach and adjacent sea use, offering bathing and/or sunbathing services, must ensure the implementation of rescue services as specified in the following regulations. Public opening must be guaranteed from June 15 to September 15, in accordance with regional Bathing Order provisions. Rescue services must be ensured even under unfavorable weather conditions.
3. During the "winter sea" period (November 1 - March 31 of the following calendar year), beach establishments may be open for sunbathing or bathing. If they opt for public opening for bathing, rescue services must be ensured.
4. If, during the "winter sea" period, a beach establishment opens solely for sunbathing, rescue services are not mandatory. However, a red flag must be hoisted in a clearly visible location, and appropriate signage must be placed at the entrance and within the concession area, stating:

"WARNING - BEACH USED FOR SUNBATHING - SWIMMING NOT SAFE DUE TO LACK OF RESCUE SERVICE"

5. If a beach establishment intends to operate for any purpose during the "winter sea" period, the concessionaire must notify this Maritime Authority in advance via

electronic communication. Even when open only for sunbathing, first aid equipment, as specified in Article 5, and a functioning first aid area must be available.

#### ARTICLE 2 (BATHING AREAS AND RESTRICTIONS)

1. The maritime zone up to 200 meters from sandy coasts and up to 100 meters from rocky coasts is designated for bathing activities.
2. Public beaches must ensure appropriate safety and rescue measures as outlined in local regulations.
3. Any commercial or recreational activities interfering with bathing areas must be conducted outside the designated zones.

#### ARTICLE 3 (LIFEGUARD SERVICES)

1. Each bathing establishment must employ certified lifeguards during operating hours.
2. Lifeguards must be equipped with appropriate rescue equipment and first aid kits.
3. Public authorities must oversee and ensure compliance with these regulations.

#### ARTICLE 4 (SAFETY MEASURES)

1. Clearly marked signs must indicate restricted zones and potential hazards in multiple languages.
2. All maritime activities must adhere to local and national safety standards.
3. Violations of these provisions will be subject to administrative penalties.

#### ARTICLE 5 (ENFORCEMENT AND PENALTIES)

1. Compliance with the provisions of this Order is the responsibility of beach establishment operators, local authorities, and maritime law enforcement agencies.
2. Violations of the safety measures, lifeguard requirements, or restricted area regulations will be subject to administrative fines ranging from €500 to €5,000, depending on the severity of the infraction.
3. Repeated violations may lead to temporary suspension of operating licenses, additional fines, or permanent revocation of beach establishment concessions.
4. Any unauthorized commercial or recreational activities within the designated bathing zones will result in immediate removal and potential legal action.
5. Public authorities are tasked with regular inspections and enforcement of this Order. Reports of violations may be submitted to the Maritime District Office of Alghero through official communication channels.
6. Any disputes or appeals regarding penalties must be submitted in writing to the competent maritime authority within 30 days of notification.

#### ARTICLE 6 (ENFORCEMENT PROCEDURES AND AUTHORITY RESPONSIBILITIES)

1. The Maritime District Office of Alghero is responsible for overseeing compliance with this Order and coordinating enforcement actions.
2. Regular patrols will be conducted by the Coast Guard and other authorized enforcement bodies to ensure adherence to bathing safety regulations.

3. Inspectors have the authority to issue warnings, impose fines, and, in severe cases, order the temporary closure of establishments found in violation of safety regulations.
4. Local municipalities must support enforcement efforts by providing necessary resources for monitoring public beaches and ensuring safety compliance.
5. In the event of serious violations, the Maritime Authority may escalate cases to judicial authorities for further legal action.
6. A public hotline and online reporting system will be maintained for citizens to report safety concerns or breaches of this Order.
7. The Maritime Authority will maintain a database of all reported violations, inspections, and penalties issued, ensuring transparency and accountability in enforcement efforts.
8. Annual reports on bathing safety compliance will be published, summarizing key findings, trends in violations, and recommendations for improving enforcement effectiveness.
9. Collaborative training programs will be organized for local authorities, law enforcement, and beach operators to enhance their understanding of safety regulations and enforcement procedures.
10. Emergency response protocols will be established to ensure swift action in case of serious safety breaches, accidents, or environmental hazards affecting bathing areas.