

Ministry of Infratructures and Transports

UFFICIO CIRCONDARIALE MARITTIMO DI ALGHERO

ORD. N. 7/2020

BATHING SECURITY

ART. 1 GENERAL PROVISIONS

Temporal and territorial scope of application

1. Unless otherwise specified, the provisions of this Ordinance have

effectiveness within the Maritime District of Alghero (stretch of coast, and the sea area in front, between Capo Falcone and Porto Tangone which embraces the coastal municipalities of Villanova Monteleone, Alghero, Sassari and Stintino), during the "summer bathing season" (1 April - 31 October), within the time limits identified by the Autonomous Region of Sardinia with its own regulatory provision (Seaside Ordinance).

Seasonal periods and implementation of the rescue service in bathing establishments

- 2. During the summer bathing season (1 April 31 October) the bathing establishments, if open, must ensure the implementation of rescue services according to the procedures set out in the following rules. However, the opening to the public must be compulsorily guaranteed, in line with the provisions of the Regional Bathing Ordinance, in the period June 15 September 15. During the aforementioned period, the bathing establishments must guarantee the rescue service even in the presence of unfavorable weather conditions.
- 3. In the period called "winter sea" (period between 1 November and 31 March of the following calendar year), the bathing establishments may be open to the public for heliotherapy or for bathing; should these bathing establishments opt for the opening to the public for bathing, the rescue service must in any case be ensured.
- 4. Where in the period called "winter sea" a bathing establishment intends to open exclusively for heliotherapeutic purposes, it is not mandatory to guarantee the rescue service. In this case, a red flag must be hoisted easily and immediately visible and appropriate signs must be displayed at the entrance and inside the maritime state owned area under concession, in a position as close to the shoreline, meeting the requirements indicated in point 8 below, bearing the following wording:

"WARNING - BEACH USED FOR HELIOTHERAPY - BATHING NOT SAFE FOR LACK OF THE APPROPRIATE RESCUE SERVICE "

5. In the period called "winter sea", when a bathing establishment intends to operate for any purpose, the concessionaire is required to give advance notice to this Maritime Authority with correspondence sent in electronic format. The presence of the first aid material referred to in the following article 5 and the regular functioning of the room / shaded area used as first aid referred to in the same article must in any case be ensured even in the aforementioned periods, although during the opening for heliotherapy.

Rescue service implemented by coastal municipalities

- 6. On the beaches intended for free use, the territorially competent municipalities are obliged to activate rescue services, according to the procedures set out in the following rules, for the stretches of water in front of the aforementioned free beaches.
- 7. If the Municipalities do not guarantee the rescue service, they must notify the Maritime Authority and provide, at the same time, to affix adequate signs clearly visible to users on the beaches concerned, according to the specifications referred to in point 8 below, bearing the following wording:

"WARNING - UNSAFE BATHING DUE TO LACK OF APPROPRIATE SERVICE RESCUE "

Prohibitions and dangers

8. Signs bearing notices connected to potentially dangerous situations or bearing the main prohibitions connected to activities that take place at sea / on the beach, must be written in several languages, at least in Italian and English, in order to correctly inform foreign users. The signs must be made in such a

way as to be clearly visible even from a distance, positioned and shaped so as not to constitute a potential danger themselves, with letters in a strong contrast to the background color of the sign.

9. It is compulsory for the holders of bathing concessions generally understood and for the Administrations

Municipal, for the free beaches falling within the respective territorial area, to exhibit signs indicating the main prohibitions in different languages, even in the form of icons easily understandable.

10. It is the responsibility of the Municipal Administrations to carry out frequent and constant reconnaissance

aimed at verifying the existence and continuous presence in situ of the installed signs, possibly at the beginning of the summer bathing season but in any case before June 15, providing for them restoration in the event that they have been, for any reason, damaged, uprooted, removed or made illegible; the signs can be removed at the end of the summer bathing season.

11. The concessionaires of bathing establishments as well as the Municipalities for free beaches are obliged to

inform users immediately, in the manner deemed most appropriate but in any case in a manner clear and unequivocal, about the presence of any dangers or obstacles on the ground as well as in sea - emerged, submerged and / or semi-submerged - (presence of holes, irregular depressions of the

seabed, submerged / outcropping cliffs or boulders, dangerous currents, etc.), working with each means and urgency to restore safety conditions by removing the

source of danger, where possible. Obstacles and / or dangers for users must, however, be equally promptly reported by placing buoys (at sea,

firmly anchored to the bottom in correspondence of the same) and suitable signs (on the ground or a

mare), clearly visible to users and meeting the requirements set out in point 8 above.

Access to the beaches with vehicles

12. Access to the beaches with vehicles of any kind is prohibited throughout the year, except for vehicles intended for rescue and cleaning of the beaches as well as authorized vehicles for this purpose; q, also, access to the beaches is allowed with electric propulsion vehicles suitable for allowing disabled users autonomy of movement.

Beach hygiene and cleanliness

- 13. On the free beaches, hygiene and cleanliness must be ensured, as far as competence, by the Municipal Administrations in compliance with the current provisions of the Autonomous Region of Sardinia as well as national provisions regarding the collection, transport and disposal of waste.
- 14. Beach cleaning vehicles can operate throughout the entire calendar year. During the summer bathing season they will have to operate in the time before the opening of the bathing establishments or after the closure, within the limits of the provisions dictated to this effect by the Autonomous Region of Sardinia.

Prohibition of occupation of the stretch of beach overlooking the shoreline

15. The strip of maritime state property immediately facing the shoreline (5 meters) is instrumental to carry out the rescue activity and is intended for free transit and, therefore, is prohibited any form of stable employment; any legitimate forms of use of this range of

maritime state property must not bring limitations and / or impediments to the carrying out of the same

service;

ART. 2 SEA AREAS RESERVED FOR BATHING

Generality

1. During the summer bathing season, in the Maritime District of Alghero, the strip of sea extended for a distance of up to 200 meters from the sandy coasts and up to 100 meters from the cliffs, rocky coasts and steep coasts, is reserved for bathing.

Delimitation of waters reserved for bathing - obligations for bathing establishments

2. The limit of the area reserved for bathing must be indicated by the bathing establishments, before opening to the public for bathing, by placing colored buoys red / orange (other colors are not allowed) firmly anchored to the bottom and placed at a distance of 100 meters from each other, parallel to the coastline, at the ends of the seafront of the concession and in any case in the minimum number of two for each concessionaire if the sea front is less than 100 meters; alternatively the signaling can be

obtained through the positioning of tarozzati cables, equipped with red floats. Where the conformation of the costa requires a different positioning of the buoys or of the tarozzati cables, in order to improve

protection for bathing in coves, small inlets, bays and the like, the concessionaires must request specific authorization from this Maritime Authority in order to assess the safety of the peculiar and specific different positioning.

Delimitation of waters reserved for bathing - obligations for coastal municipalities

3. The obligations referred to in the previous paragraph are charged to the Municipal Administrations

for the stretches of water in front of the free beaches frequented by bathers, falling within the scope territorial area of respective competence. Where the conformation of the coast requires a different one

positioning of buoys or tarozzati cables, in order to provide greater protection for bathing in coves, small inlets, bays and the like, the Municipal Administrations must request appropriate authorization to this Maritime Authority in order to evaluate the safety of the particular specific different positioning.

4. If the municipal administrations do not guarantee the implementation of the system signaling referred to in paragraph 3 above, must be affixed to the beaches frequented by bathers adequate signs clearly visible by users (see art. 1, point 8) with the following caption:

"ATTENTION - LIMITS OF WATERS PROHIBITED TO NAVIGATION NOT REPORTED "

Limit of "safe waters"

- 5. The Municipal Administrations, for the free beaches frequented by bathers, and concessionaires of bathing establishments, for concession areas, must report, with the affixing of white floats, connected by a rope, at intervals not exceeding mt.
- 5 (whose ends are anchored to the bottom) the limit of safe waters where they can perform the bathing for non-experts in swimming (the limit of these waters is given by the bathymetric line of 1.60 meters).
- 6. If the municipal administrations fail to implement the system of signaling referred to in point 5 above, must be affixed to the beaches frequented by bathers, adequate signage clearly visible by users (see art. 1, point 8) with the following caption:

"ATTENTION - SAFE WATER LIMIT (meters - 1.60) NOT REPORTED"

PROHIBITIONS WITHIN THE WATERS RESERVED FOR BATHING AND RELATED EXCEPTIONS

- 7. During the summer bathing season, on the beaches of the Maritime District of Alghero and in the sea area reserved for bathing as identified, **IT IS FORBIDDEN**:
- a) the transit of naval units, including windsurfing, kite-surfing and the like, as well as the mooring and anchoring of any unit, except for authorized rescue vehicles; further

the exception is represented by the possibility of navigating in these areas granted to the "boats from

beach ", ie pleasure boats such as jole, canoes, skates, blowflies, lances, as well as pedal boats and

similar, which in any case must maneuver in such a way as not to cause disturbance or danger to swimmers and will have to comply with the rules contained in the regulation concerning boating

in the Maritime District of Alghero;

If the limit of the waters reserved for bathing should not be reported, all vessels are obliged to navigate or stop in a position that does not generate any doubts as to compliance with the distances provided.

- b) the exercise of underwater fishing at any time and fishing from the ground with any tool (lines, rods, coppo, rezzaglio, etc ...) in the areas dedicated to bathing, from dawn to dusk;
- c) take-off, overflight, landing or ditching with pleasure or sports aircraft (including ultralights and hang gliders), parachutes and similar means, except for the other requirements of the current regulations on the subject.
- 8. Without prejudice to the prohibitions on underwater and surface activities within details areas at risk identified by ordinances of this Maritime Authority (see n. 31/2012 and 51/2015), the areas facing the steep coasts not frequented by bathers (it is essential the complete absence of bathers within a radius of 50 meters from the unit) can only be crossed landing purposes, from slow motion units (maximum speed 3 knots) and with a course perpendicular to the coast line, ensuring the presence of lookout personnel in the bow during the course of the crossing.
- 9. From the prohibition of transit in waters reserved for bathing, the means of the State engaged in their own Institute activities or other means employed in such activities and expressly authorized by the Maritime Authority are also exempted. Also exempt from the aforementioned ban on transit are vehicles that carry out water samples for bathing purposes and which must be carried out in compliance with the Decree of the President of the Republic 08.06.1982, n. 470 and subsequent amendments. These vehicles must be recognizable thanks to a specific clearly legible wording "SAMPLING SERVICE", if they do not belong to the State Bodies and take every precaution when approaching the coast. The swimmers must keep at least 10 meters from the vehicles engaged in the sampling operations.

ART. 3

SEA AREAS PERMANENTLY PROHIBITED TO BATHING

- 1. The provisions of this article apply throughout the year and at any time of day.
- 2. Bathing is prohibited:
- a) within ports and landings, as well as within a radius of 100 meters from their mouths (200 meters for the port of Alghero) and from the outer structures;
- b) within a radius of 100 meters from the authorized mooring points and identified with buoys;
- c) within a radius of 10 meters from the rescue units authorized for parking within the waters reserved for bathing;
- d) in the waters in state concession to nautical assistance structures from pleasure craft or sea fishing, suitably marked;
- e) within the launch and landing corridors, authorized and appropriately marked;
- f) within a radius of 500 meters from passenger or merchant ships, at sea or at anchor;
- g) within a radius of 200 meters from authorized industrial sites (fishing facilities, fish farming and mussel farming; works for the intake and return of sea water; civil discharges or industrial; etc.), duly reported by the owners who must also provide to place suitable signs indicating (possibly in several languages) the prohibition of approach;
- h) in the vicinity of stretches of water affected by authorized works and appropriately reported;
- i) in the stretches of water in front of the mouths of rivers and navigable canals, up to 50 meters from the coast;
- j) in sea areas declared unsuitable for bathing by the competent authorities, pursuant to of the D.P.R. 470/82 and subsequent amendments and additions;
- k) in sea areas of regular transit for entry / exit to ports and landings;

I) in sea areas identified from time to time, for reasons of navigation safety protection of public safety, with specific Ordinances of the Maritime Authority, of character temporary or permanent, duly disclosed in the forms of law: among others yes recall, by way of example, the ordinances n. 31/2012 and 51/2015 of this Authority Maritime that prohibit any underwater and surface activities inside some mirrors waters near Capo Caccia and Punta Giglio.

[...]

EMERGENCY NUMBER 1530

(free number, reserved exclusively for emergencies and rescue at sea, valid throughout the national territory),

Operations Room of the Maritime District Office by telephone call at: Guardia Costiera di Alghero,

079/953174 - 079/986811 or via radio on the

CHANNEL 16 VHF

and forward, as soon as possible, the appropriate ACCIDENT REPORTING FORM as per Annex 1, which forms an integral part of this Ordinance.

[...]

ART. 7 FISHING REGULATION

General provisions

1. In the sea area reserved for bathing, the exercise of any type of fishing is prohibited from sunrise to sunset.

Fishing with rod

2. From moletti (natural or artificial) and cliffs, rod fishing is also allowed from sunrise to sunset as long as the absence of swimmers in the adjacent body of water is guaranteed (for a radius of at least 100 meters).

Underwater fishing

- 3. Underwater fishing is regulated by articles 128, 128 bis, 129, 130, 131 of the Sea Fishing Regulations, approved with Presidential Decree 2 October 1968, n. 1639, and subsequent amendments and additions.
- 4. In particular, the practice of underwater fishing is prohibited:
- a) in waters reserved for bathing;
- b) at a distance of less than 500 meters from the beach frequented by bathers;
- c) within ports and landings, as well as within a radius of 100 meters from their mouths (200 meters for the port of Alghero) and from the outer outer structures or from the signposts seafarers;
- d) within a radius of 100 meters from the authorized mooring points and identified with buoys;
- e) at a distance of less than 200 meters from fixed fishing facilities and gillnets;
- f) at a distance of less than 500 meters from ships anchored outside ports:
- g) in sea areas of regular transit of ships for exit and entry into ports and anchorages.
- 5. It is forbidden to keep the speargun in the cocking position except when submerged.
- 6. It is forbidden to cross areas frequented by swimmers with a loaded diving weapon.
- 7. Anyone who carries out underwater activities is obliged to report their presence in the manner indicated by current legislation for spearfishing.

[...]

ART. 8 LAUNCH / LANDING CORRIDORS

Faculty or obligation to install the corridor

- 1. The Municipalities for the stretches of free beach and the concessionaires, for the stretches of water in front of the concession areas, subject to regular authorization issued by the competent Authorities, can create launch corridors to be left to the public for the landing and departure of the units to which access to the waters reserved for bathing is forbidden.
- 2. Those who engage in nautical activities and the rental / rental of pleasure craft other than beach boats are obliged to install the launch corridors.

Characteristics of the corridors

- 3. The aforementioned corridors must have the following characteristics:
- a) width of mt. 20 (twenty). This measure, which in any case cannot be lower than the limit of
- 10 meters, may be reduced if the seafront of the concession is equal to or less than the limit of 20 meters or increased in relation to particular local needs, until it coincides with the seafront of the concession:
- b) depth equivalent to the sea area reserved for bathers;
- c) delimitation consisting of yellow or red buoys connected with a trimmed line e
- spaced at intervals of not less than 20 meters in the first 100 meters and, subsequently, at 50 meters;

- d) identification of the entrances to the sea by placing white flags on the external boundary buoys.
- e) near the shoreline must be placed a special sign bearing the words "LAUNCH CORRIDOR RESERVED FOR THE TRANSIT OF VESSELS / BOATS BATHING PROHIBITION.

Provisions for crossing

- 4. Sailing units, including wind-surf boards, must travel along the corridors with the maximum caution and at the lowest possible speed in order to avoid potential situations danger.
- 5. Motorized units, including watercraft, must travel along the corridors at a slow motion and in any case at a speed not exceeding 3 knots, making sure to minimize exhaust gas emissions and noise disturbances to swimmers.
- 6. Mooring or anchoring inside and outside the launch corridors is always prohibited. Parking is allowed inside the aforementioned corridors for the time strictly necessary to allow the safe boarding or disembarking of people bound for (or coming from) land.

ART. 9 REFERENCE STANDARD

- 1. Express reference is made to the current "Regulations governing pleasure boating within the Maritime District of Alghero", for the regulation of the following activities:
- underwater activities for tourist-recreational purposes;
- underwater fishing;
- floating trailer commonly known as banana boats and similar;
- water skiing and parasailing;
- leasing and rental of pleasure craft and similar vehicles;
- use of sailing boards (windsurfing), kite-surfing boards, jet skis, jet skis, body boards, SUPs and similar vessels;
- use of beach boats.

ART. 10 PROTECTED MARINE AREA "CAPO CACCIA - PIANA ISLAND"

1. The regulations of the Marine Protected Area called "Capo Caccia - Isola Piana" contained in the Implementing Regulations of the Ministerial Decree 20/09/2002 - establishment of the A.M.P. Capo Caccia - Isola Piana, approved with Decree n. 1 dated 02/04/2019 of the President of the Porto Conte Park Special Company, who establishes the procedures for carrying out the activities permitted within the Marine Protected Area called "Capo Caccia - Isola Piana", with specific regard to prohibitions and regulations regarding navigation, bathing and other activities within zones "A", "B" and "C". Without prejudice to any more restrictive provisions contained in the aforementioned Provisional Disciplinary, in the Marine Protected Area called "Capo Caccia - Isola Piana" all the safety requirements provided for in this ordinance are applied.

ART. 11 FINAL PROVISIONS

- 1. This Ordinance, published on the website of the Alghero Maritime District Office, in the "Ordinances and notices" section, enters into force on May 31, 2020 and must be exposed by the concessionaires of bathing establishments or businesses relating to with bathing activities, as well as by the heads of non-profit organizations and associations, in a place that is clearly visible to users for the entire duration of the bathing season.
- 2. Anyone who does not observe the rules established in this Ordinance, unless the fact constitutes another administrative offense or crime and without prejudice to the greater responsibilities deriving from the unlawful conduct, q punished, depending on the infringements, pursuant to Articles 1161, 1164, 1174 and 1231 of the Navigation Code, of art. 53 of Legislative Decree 171/2005 and subsequent amendments and pursuant to Legislative Decree of 09.01.2012, n.4 and subsequent amendments.
- 3. Everyone who is responsible is obliged to observe and enforce this Ordinance, which replaces and repeals the previous Bathing Safety Ordinance no. 20/2016 issued by this Maritime Authority on 01.06.2016.

Alghero, 15.05.2020

THE COMMANDER

T.V. (CP) Pierclaudio MOSCOGIURI
Documento informatico firmato digitalmente ai sensi
del testo
unico D.P.R. 28 dicembre 2000 n. 445 e D.Lgs. 7
marzo 2005 n
82 e norme collegate

Allegato 1

SCHEDA DI RILEVAZIONE DEGLI INCIDENTI¹

(intestazione ed estremi dello stabilimento balneare o dell'associazione di volontariato)

	Alla U.C.G Ufficio Circondariale Marittimo di
	Alghero
	FAX 079 984606 - E-mail
	ucalghero@mit.gov.it
Intervento N° eseguito in data	dalle ore alle ore
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Personale dello stabilimento balneare/en	te/associazione di volontariato intervenuto:
Mezzi intervenuti:	_
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mediante: □ comunicazione verbale □ telefonata □ rileva	_
Rovesciamento imbarcazione/natante	Collisione tra imbarcazioni/natanti
Urto imbarcazione/natante con oggetti galleggianti	Urto imbarcazione/natante con oggetti fissi
Arenamento/Incaglio	Falla
Ingovernabilità imbarcazione/natante per	Ingovernabilità imbarcazione/natante per guasto
Allagamento a bordo	Principio di affondamento
Incendio a bordo estinto	Incendio a bordo in atto
Esplosione a bordo	Perdita di energia (generatori)
Perdita di propulsione	Perdita di carico
Rischio di perdita carburante	Perdita carburante in atto
Urto Imbarcazione/natante con bagnanti /sub	Malore/ferita bagnanti/subacquei (in acqua)
Malore/ferita persone a bordo di unità navali	Malore/ferita persone in spiaggia
Inabilità al nuoto/principio di annegamento	Insufficienza natatoria causata dallo stato del mare
Caduta in mare da imbarcazioni/natanti	Recupero unità navali/oggetti alla deriva
Partecipazione a ricerca persone scomparse in	Partecipazione a ricerca unità navali
(Altro: specificare)	
Breve descrizione dei fatti e delle operazioni compiute:	
	Firma compilatore

¹ La presente scheda di rilevazione degli incidenti viene adottata per la stagione balneare, ai sensi dell'Ordinanza di sicurezza balneare Deve essere inviata nel minor tempo possibile all'Ufficio Circondariale Marittimo di lghero, via fax al n. 079 984606 o via e-mail all'indirizzo: ucalghero@mit.gov.it

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Allegato 2

SCHEDA CENSIMENTO DEL SERVIZIO DI ASSISTENZA E SOCCORSO IN MARE

La presente scheda notizie deve essere compilata e sottoscritta dai soggetti interessati e fatta pervenire all'Ufficio Circondariale Marittimo di Ighero (all'indirizzo e-mail : ucalghero@mit.gov.it) a cura dei concessionari/gestori di stabilimenti balneari e/o spiagge libere attrezzate, comunque da chiunque sia tenuto ad istituire o intenda istituire il servizio di salvataggio conformemente a quanto stabilito dall'Ordinanza di Sicurezza Balneare emessa dall'Ufficio Circondariale Marittimo di Alghero, entro la data di apertura al pubblico della struttura balneare. Una nuova scheda dovrà nuovamente essere inviata nel caso in cui i dati relativi ai soggetti che effettuano la sorveglianza cambino nel corso della stagione balneare denominato Comune/località Generalità del titolare/gestore (o legale rappresentante se trattasi di società)									
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Allegato 3

SCHEDA CENSIMENTO DEL SERVIZIO DI ASSISTENZA E SOCCORSO IN MARE

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