

# National Park Service Roles and Responsibilities

## Fire Management Officer

- Monitors conditions on the unit, including the energy release component and 10-day ERC forecast; risk to firefighters and public safety; ongoing fire activity (number and size of fires) and suppression resources; social, political, and economic impacts; and increase or decrease in recreation use (see Southwest Area Interagency Fire Restrictions and Closures Toolbox, Chapter 3).
- Coordinates within their fire management geographic area prior to making recommendations for restrictions, closures, and rescissions.
- Recommends restrictions, closures, and rescissions to the Superintendent.
- Monitors anticipated and enacted restrictions and/or closures and provides notification to the regional restriction/closure coordinator.

## Superintendent

- Issues park restrictions/closure orders.
- Ensures orders receive review and concurrence by park law enforcement personnel.

## Law Enforcement

- Prepares restriction/closure orders, and review and concurs with Superintendent's Compendium before implementation.
- Ensures proper posting of restriction/closure notices.
- Authorizes and issues entry/activity permits with appropriate terms and conditions.
- Maintains contact with the U.S. Attorney's Office, as appropriate.
- Enforces orders and regulations.
- Coordinates with local law enforcement.
- Anticipate need and arrange for additional law enforcement officers (i.e. detailers under severity funding).

## Solicitor's Office

- Provides legal advice.
- Reviews and comments on orders inconsistent with the pre-approved templates in Appendix A.

## Public Affairs Officer

- Develops and implements a communication plan and coordinates with affected interests, including the following:
- [swa\\_fire\\_info@yahoo.com](mailto:swa_fire_info@yahoo.com) (SW Restriction/Closure Coordinator)
- [nmswc\\_i@dms.nwcg.gov](mailto:nmswc_i@dms.nwcg.gov) (SW Restriction/Closure Coordinator)
- [Richard\\_Atkinson@blm.gov](mailto:Richard_Atkinson@blm.gov) (Public Lands Information Center)
- [Michelle\\_Fidler@nps.gov](mailto:Michelle_Fidler@nps.gov) (Regional Fire Communication and Education Specialist)
- Concessionaries, contractors, permittees, or other parties that may be impacted
- Parkwide All-Employees
- Local media, partner agencies, and other key contacts
- Posting current restrictions to park website



# United States Department of the Interior



NATIONAL PARK SERVICE  
Saguaro National Park  
3693 S. Old Spanish Trail  
Tucson, Arizona 85730

IN REPLY REFER TO:

W46

## PUBLIC USE RESTRICTIONS

Notice is hereby given that pursuant to the authority contained in Title 16 of the United States Code, Section 3, and Title 36 Code of Federal Regulations, Sections 1.5(a)(1), 1.5 (a)(3) and 2.13(c), the following acts are prohibited on all National Park Service lands with Saguaro National Park.

### PROHIBITIONS:

1. Building, maintaining, attending or using a fire, campfire, charcoal, coal, or wood stove, except within a developed recreation site where grills are provided. The use of liquid petroleum or LPG fueled stoves, lanterns or heating devices is permitted.
2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material.

### EXEMPTIONS:

The following persons are exempt from this order:

1. Persons with a National Park Service permit specifically authorizing the prohibited act.
2. Any Federal, State, or Local Officer or member of an organized firefighting force in the performance of an official duty.
3. Occupants of government-owned quarters, resident owners or lessees of land within Saguaro National Park are exempt from prohibition #1 above, provided such fires are within a permanent structure.

The possession or use of fireworks has already been identified as prohibited, under 36 CFR § 2.38(b).

The purpose of these public use restrictions is to ensure the safety of park visitors and employees, and for the protection of the park's natural and cultural resources. Fire danger is high in the park, and throughout the Southern Arizona area. These restrictions are dependent on extended fire, fuel and weather conditions, and will be evaluated weekly.

These use restrictions become effective at 12:01 a.m. on April 19, 2006, and will remain in force until rescinded, or until December 31, 2006, which ever occurs first.

When necessary, Park Rangers will issue citations to persons violating the terms of these use restrictions, under the authority provided in 36 CFR § 1.5(f) and 2.13(a)(1). Violations of these regulations is punishable as a Class B misdemeanor, by a fine of not more than \$5,000, or imprisonment for not more than six (6) months or both, pursuant to 18 USC § 3559 and 3571.

Sarah Craighead  
Superintendent



---

## Saguaro National Park News Release

*For Immediate Release*

June 29, 2007

Contact: Bob Love at (520) 733-5110

Michelle Fidler at (520) 733-5136

### **FIRE RESTRICTIONS BEGIN AT SAGUARO NATIONAL PARK**

Due to increase fire danger in southeast Arizona, Saguaro National Park will implement fire restrictions in both the Rincon and Tucson Mountain Districts, effective at 8:00 a.m. on Saturday, June 30, 2007. These restrictions coincide with similar restrictions going into effect this week-end on nearby federal lands.

The fire restrictions prohibit the following acts:

- Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter and free of all flammable material.

The purpose of these restrictions is to ensure the safety of park visitors and employees, and for the protection of the park's natural and cultural resources. These restrictions are dependent upon extended fire and weather conditions, and will be evaluated daily. These restrictions are pursuant to the authority contained in Title 16 of the United States Code, Section 3, and Title 36 of the Code of Federal Regulations, Sections 1.5(a)(1) and 1.5(a)(3).

Building or using a fire, campfire, charcoal grill or stove fire is already prohibited, except in developed campgrounds and picnic areas where grills are provided, under Title 36 of the Code of Federal Regulations, Section 2.13(a)(1). Pressurized liquid or gas stoves, lanterns and heaters possessing shut-off devices are allowed.

The possession or use of fireworks at Saguaro National Park is already prohibited, under Title 36 of the Code of Federal Regulations, Section 2.38(b).

It is anticipated that these restrictions will remain in effect until the fire danger moderates. Violation of these restrictions is punishable by a fine of not more than \$5000, or imprisonment for no more than six months, or both.

For local fire restrictions and fire information for Federal, Tribal and State lands in Arizona and New Mexico, as well as additional information on southeast Arizona public lands, visit <http://gacc.nifc.gov/swcc> or call the toll free Fire Restriction Hotline 1-877-864-6985.

07-29



---

## Saguaro National Park News Release

*For Immediate Release*

July 26, 2007

Contacts: Bob Love (520) 733-5110, cell (520) 591-1013  
Recorded Fire Information (520) 733-5150

### Fire Restrictions Lifted at Saguaro National Park

Effective 8:00 am Friday, July 20, Saguaro National Park lifted fire restrictions in both the Rincon and Tucson Mountain Districts. Precipitation associated with the onset of monsoon season has decreased fire potential, however Park visitors are still being urged to exercise caution while smoking, and with campfires.

Campfires are permitted only in picnic areas where fire grates or fireplaces are provided. Visitors must provide their own wood or charcoal. Collecting living or dead vegetation for firewood is prohibited.

Keep these tips in mind before you leave home as well as on the trail, to make for an enjoyable outdoor experience during fire season:

- Before going hiking or camping, check with public land management agencies for fire restrictions or area closures.
- Plan ahead and prepare - know your route, sign in at the trailhead, let someone else know where you are going and be sure to know how to get out.
- If you use a campfire, make sure it is fully extinguished before leaving the area - be sure it is cold to the touch.
- If you are using a portable stove, make sure the area is clear of grasses and other fine fuels. Prevent stoves from tipping and starting a fire.
- Practice Leave No Trace principles - pack out cigarette butts and burned materials from your camping area.
- Be aware of sudden changes in the weather or changing weather conditions. For example, if you see a thunderstorm approaching, consider leaving the area.
- If you see a wildland fire, report its location. Avoid traveling near it.

For the latest updates on fire restrictions in Arizona, visit <http://gacc.nifc.gov/swcc> or call the toll free Fire Restriction Hotline 1-877-864-6985.

## PART I—GENERAL PROVISIONS

Sec.

- 1.1 Purpose.
- 1.2 Applicability and scope.
- 1.3 Penalties.
- 1.4 What terms do I need to know?
- 1.5 Closures and public use limits.
- 1.6 Permits.
- 1.7 Public notice.
- 1.8 Information collection.
- 1.10 Symbolic signs.

AUTHORITY: 16 U.S.C. 1, 3, 9a, 460 1-6a(e), 462(k); D.C. Code 8-137, 40-721 (1981).

SOURCE: 48 FR 30275, June 30, 1983, unless otherwise noted.

### § 1.1 Purpose.

(a) The regulations in this chapter provide for the proper use, management, government, and protection of persons, property, and natural and cultural resources within areas under the jurisdiction of the National Park Service.

(b) These regulations will be utilized to fulfill the statutory purposes of units of the National Park System: to conserve scenery, natural and historic objects, and wildlife, and to provide for the enjoyment of those resources in a manner that will leave them unimpaired for the enjoyment of future generations.

### § 1.2 Applicability and scope.

(a) The regulations contained in this chapter apply to all persons entering, using, visiting, or otherwise within:

(1) The boundaries of federally owned lands and waters administered by the National Park Service;

(2) The boundaries of lands and waters administered by the National Park Service for public-use purposes pursuant to the terms of a written instrument;

(3) Waters subject to the jurisdiction of the United States located within the boundaries of the National Park System, including navigable waters and areas within their ordinary reach (up to the mean high water line in places subject to the ebb and flow of the tide and up to the ordinary high water mark in other places) and without regard to the ownership of submerged lands, tidelands, or lowlands;

(4) Lands and waters in the environs of the District of Columbia, policed with the approval or concurrence of the head of the agency having jurisdiction or control over such reservations, pursuant to the provisions of the Act of March 17, 1948 (62 Stat. 81);

(5) Other lands and waters over which the United States holds a less-than-fee interest, to the extent necessary to fulfill the purpose of the National Park Service administered interest and compatible with the nonfederal interest.

(b) The regulations contained in parts 1 through 5, part 7, and part 13 of this chapter do not apply on non-federally owned lands and waters or on Indian tribal trust lands located within National Park System boundaries, except as provided in paragraph (a) or in regulations specifically written to be applicable on such lands and waters.

(c) The regulations contained in part 7 and part 13 of this chapter are special regulations prescribed for specific park areas. Those regulations may amend, modify, relax or make more stringent the regulations contained in parts 1 through 5 and part 12 of this chapter.

(d) The regulations contained in parts 2 through 5, part 7, and part 13 of this section shall not be construed to prohibit administrative activities conducted by the National Park Service, or its agents, in accordance with approved general management and resource management plans, or in emergency operations involving threats to life, property, or park resources.

(e) The regulations in this chapter are intended to treat a mobility-impaired person using a manual or motorized wheelchair as a pedestrian, and are not intended to restrict the activities of such a person beyond the degree that the activities of a pedestrian are restricted by the same regulations.

[51 FR 37010, Oct. 17, 1986, as amended at 52 FR 10683, Apr. 2, 1987; 52 FR 35239, Sept. 18, 1987; 61 FR 35136, July 5, 1996]

### § 1.3 Penalties.

(a) A person convicted of violating a provision of the regulations contained in parts 1 through 7, 12 and 13 of this chapter, within a park area not covered in paragraphs (b) or (c) of this section, shall be punished by a fine as provided

## § 1.4

## 36 CFR Ch. I (7-1-07 Edition)

by law, or by imprisonment not exceeding 6 months, or both, and shall be adjudged to pay all costs of the proceedings.

(b) A person who knowingly and willfully violates any provision of the regulations contained in parts 1 through 5, 7 and 12 of this chapter, within any national military park, battlefield site, national monument, or miscellaneous memorial transferred to the jurisdiction of the Secretary of the Interior from that of the Secretary of War by Executive Order No. 6166, June 10, 1933, and enumerated in Executive Order No. 6228, July 28, 1933, shall be punished by a fine as provided by law, or by imprisonment for not more than 3 months, or by both.

NOTE: These park areas are enumerated in a note under 5 U.S.C. 901.

(c) A person convicted of violating any provision of the regulations contained in parts 1 through 7 of this chapter, within a park area established pursuant to the Act of August 21, 1935, 49 Stat. 666, shall be punished by a fine as provided by law and shall be adjudged to pay all costs of the proceedings. 16 U.S.C. 462.

(d) Notwithstanding the provisions of paragraphs (a), (b) and (c) of this section, a person convicted of violating § 2.23 of this chapter shall be punished by a fine as provided by law. 16 U.S.C. 460.

[61 FR 2918, Jan. 30, 1996]

### § 1.4 What terms do I need to know?

(a) The following definitions shall apply to this chapter, unless modified by the definitions for a specific part or regulation:

*Abandonment* means the voluntary relinquishment of property with no intent to retain possession.

*Administrative activities* means those activities conducted under the authority of the National Park Service for the purpose of safeguarding persons or property, implementing management plans and policies developed in accordance and consistent with the regulations in this chapter, or repairing or maintaining government facilities.

*Airboat* means a vessel that is supported by the buoyancy of its hull and powered by a propeller or fan above the waterline. This definition should not be

construed to mean a "hovercraft," that is supported by a fan-generated air cushion.

*Aircraft* means a device that is used or intended to be used for human flight in the air, including powerless flight.

*Archeological resource* means material remains of past human life or activities that are of archeological interest and are at least 50 years of age. This term includes, but shall not be limited to, objects made or used by humans, such as pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, or any portion or piece of the foregoing items, and the physical site, location or context in which they are found, or human skeletal materials or graves.

*Authorized emergency vehicle* means a vehicle in official use for emergency purposes by a Federal agency or an emergency vehicle as defined by State law.

*Authorized person* means an employee or agent of the National Park Service with delegated authority to enforce the provisions of this chapter.

*Bicycle* means every device propelled solely by human power upon which a person or persons may ride on land, having one, two, or more wheels, except a manual wheelchair.

*Boundary* means the limits of lands or waters administered by the National Park Service as specified by Congress, or denoted by presidential proclamation, or recorded in the records of a state or political subdivision in accordance with applicable law, or published pursuant to law, or otherwise published or posted by the National Park Service.

*Camping* means the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home or trailer, or mooring of a vessel for the apparent purpose of overnight occupancy.

*Carry* means to wear, bear, or have on or about the person.

*Controlled substance* means a drug or other substance, or immediate precursor, included in schedules I, II, III, IV, or V of part B of the Controlled Substance Act (21 U.S.C. 812) or a drug

## National Park Service, Interior

## § 1.5

collect, kill, wound, or attempt to do any of the above.

*Traffic* means pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together while using any road, trail, street or other thoroughfare for purpose of travel.

*Traffic control device* means a sign, signal, marking or other device placed or erected by, or with the concurrence of, the Superintendent for the purpose of regulating, warning, guiding or otherwise controlling traffic or regulating the parking of vehicles.

*Trap* means a snare, trap, mesh, wire or other implement, object or mechanical device designed to entrap or kill animals other than fish.

*Trapping* means taking or attempting to take wildlife with a trap.

*Underwater diving* means the use of any apparatus, whether self contained or connected to a distant source of air or other gas, whereby a person wholly or partially submerged in water, can obtain or reuse air or any other gas or gasses for breathing without returning to the surface of the water. Underwater diving would include, but is not be limited to use of SCUBA, surface supplied air, mixed gas, or re-breathers.

*Underway* means when a vessel is not at anchor, moored, made fast to the shore or docking facility, or aground.

*Unloaded*, as applied to weapons and firearms, means that: (1) There is no unexpended shell, cartridge, or projectile in any chamber or cylinder of a firearm or in a clip or magazine inserted in or attached to a firearm;

(2) A muzzle-loading weapon does not contain gun powder in the pan, or the percussion cap is not in place; and

(3) Bows, crossbows, spear guns or any implement capable of discharging a missile or similar device by means of a loading or discharging mechanism, when that loading or discharging mechanism is not charged or drawn.

*Un-manned submersible* means any device operated by remote control, used or capable of being used, to search or collect below the surface of the water. This definition does not apply to a device being used lawfully for fishing.

*Vehicle* means every device in, upon, or by which a person or property is or may be transported or drawn on land,

except snowmobiles and devices moved by human power or used exclusively upon stationary rails or track.

*Vessel* means every description of watercraft, or other artificial contrivance used, or capable of being used, as a means of transportation on the water. This definition does not apply to a seaplane on the water.

*Weapon* means a firearm, compressed gas or spring-powered pistol or rifle, bow and arrow, crossbow, blowgun, speargun, hand-thrown spear, slingshot, irritant gas device, explosive device, or any other implement designed to discharge missiles, and includes a weapon the possession of which is prohibited under the laws of the State in which the park area or portion thereof is located.

*Wildlife* means any member of the animal kingdom and includes a part, product, egg or offspring thereof, or the dead body or part thereof, except fish.

(b) In addition to the definitions in paragraph (a), for the purpose of the regulations contained in parts 3 and 7 of this chapter, the definitions pertaining to navigation, navigable waters and shipping enumerated in title 14 United States Code, title 33 Code of Federal Regulations, title 46 Code of Federal Regulations, title 49 Code of Federal Regulations, the Federal Boating Safety Act of 1971, and the Inland Navigational Rules Act of 1980, shall apply for boating and water activities.

[48 FR 30275, June 30, 1983, as amended at 49 FR 18449, Apr. 30, 1984; 51 FR 37011, Oct. 17, 1986; 52 FR 10683, Apr. 2, 1987; 60 FR 55790, Nov. 3, 1995; 61 FR 35136, July 5, 1996; 62 FR 30234, June 3, 1997; 65 FR 15089, Mar. 21, 2000; 72 FR 13702, Mar. 23, 2007]

### § 1.5 Closures and public use limits.

(a) Consistent with applicable legislation and Federal administrative policies, and based upon a determination that such action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, aid to scientific research, implementation of management responsibilities, equitable allocation and use of facilities, or the avoidance of conflict among visitor use activities, the superintendent may:

## § 1.6

(1) Establish, for all or a portion of a park area, a reasonable schedule of visiting hours, impose public use limits, or close all or a portion of a park area to all public use or to a specific use or activity.

(2) Designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity.

(3) Terminate a restriction, limit, closure, designation, condition, or visiting hour restriction imposed under paragraph (a)(1) or (2) of this section.

(b) Except in emergency situations, a closure, designation, use or activity restriction or condition, or the termination or relaxation of such, which is of a nature, magnitude and duration that will result in a significant alteration in the public use pattern of the park area, adversely affect the park's natural, aesthetic, scenic or cultural values, require a long-term or significant modification in the resource management objectives of the unit, or is of a highly controversial nature, shall be published as rulemaking in the FEDERAL REGISTER.

(c) Except in emergency situations, prior to implementing or terminating a restriction, condition, public use limit or closure, the superintendent shall prepare a written determination justifying the action. That determination shall set forth the reason(s) the restriction, condition, public use limit or closure authorized by paragraph (a) has been established, and an explanation of why less restrictive measures will not suffice, or in the case of a termination of a restriction, condition, public use limit or closure previously established under paragraph (a), a determination as to why the restriction is no longer necessary and a finding that the termination will not adversely impact park resources. This determination shall be available to the public upon request.

(d) To implement a public use limit, the superintendent may establish a permit, registration, or reservation system. Permits shall be issued in accordance with the criteria and procedures of § 1.6 of this chapter.

(e) Except in emergency situations, the public will be informed of closures, designations, and use or activity restrictions or conditions, visiting hours, public use limits, public use limit pro-

## 36 CFR Ch. I (7-1-07 Edition)

cedures, and the termination or relaxation of such, in accordance with § 1.7 of this chapter.

(f) Violating a closure, designation, use or activity restriction or condition, schedule of visiting hours, or public use limit is prohibited.

[48 FR 30275, June 30, 1983, as amended at 51 FR 29470, Aug. 18, 1986]

### § 1.6 Permits.

(a) When authorized by regulations set forth in this chapter, the superintendent may issue a permit to authorize an otherwise prohibited or restricted activity or impose a public use limit. The activity authorized by a permit shall be consistent with applicable legislation, Federal regulations and administrative policies, and based upon a determination that public health and safety, environmental or scenic values, natural or cultural resources, scientific research, implementation of management responsibilities, proper allocation and use of facilities, or the avoidance of conflict among visitor use activities will not be adversely impacted.

(b) Except as otherwise provided, application for a permit shall be submitted to the superintendent during normal business hours.

(c) The public will be informed of the existence of a permit requirement in accordance with § 1.7 of this chapter.

(d) Unless otherwise provided for by the regulations in this chapter, the superintendent shall deny a permit that has been properly applied for only upon a determination that the designated capacity for an area or facility would be exceeded; or that one or more of the factors set forth in paragraph (a) of this section would be adversely impacted. The basis for denial shall be provided to the applicant upon request.

(e) The superintendent shall include in a permit the terms and conditions that the superintendent deems necessary to protect park resources or public safety and may also include terms or conditions established pursuant to the authority of any other section of this chapter.

(f) A compilation of those activities requiring a permit shall be maintained by the superintendent and available to the public upon request.

(g) The following are prohibited:

## § 2.13

(2) In developed areas, operating a power saw, except pursuant to the terms and conditions of a permit.

(3) In nondeveloped areas, operating any type of portable motor or engine, or device powered by a portable motor or engine, except pursuant to the terms and conditions of a permit. This paragraph does not apply to vessels in areas where motor boating is allowed.

(4) Operating a public address system, except in connection with a public gathering or special event for which a permit has been issued pursuant to § 2.50 or § 2.51.

(b) Violation of the terms and conditions of a permit issued in accordance with section is prohibited and may result in the suspension or revocation of the permit.

## § 2.13 Fires.

(a) The following are prohibited:

(1) Lighting or maintaining a fire, except in designated areas or receptacles and under conditions that may be established by the superintendent.

(2) Using stoves or lanterns in violation of established restrictions.

(3) Lighting, tending, or using a fire, stove or lantern in a manner that threatens, causes damage to, or results in the burning of property, real property or park resources, or creates a public safety hazard.

(4) Leaving a fire unattended.

(5) Throwing or discarding lighted or smoldering material in a manner that threatens, causes damage to, or results in the burning of property or park resources, or creates a public safety hazard.

(b) Fires shall be extinguished upon termination of use and in accordance with such conditions as may be established by the superintendent. Violation of these conditions is prohibited.

(c) During periods of high fire danger, the superintendent may close all or a portion of a park area to the lighting or maintaining of a fire.

(d) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

[48 FR 30282, June 30, 1983, as amended at 52 FR 35240, Sept. 18, 1987]

## 36 CFR Ch. I (7-1-07 Edition)

## § 2.14 Sanitation and refuse.

(a) The following are prohibited:

(1) Disposing of refuse in other than refuse receptacles.

(2) Using government refuse receptacles or other refuse facilities for dumping household, commercial, or industrial refuse, brought as such from private or municipal property, except in accordance with conditions established by the superintendent.

(3) Depositing refuse in the plumbing fixtures or vaults of a toilet facility.

(4) Draining refuse from a trailer or other vehicle, except in facilities provided for such purpose.

(5) Bathing, or washing food, clothing, dishes, or other property at public water outlets, fixtures or pools, except at those designated for such purpose.

(6) Polluting or contaminating park area waters or water courses.

(7) Disposing of fish remains on land, or in waters within 200 feet of boat docks or designated swimming beaches, or within developed areas, except as otherwise designated.

(8) In developed areas, the disposal of human body waste, except at designated locations or in fixtures provided for that purpose.

(9) In nondeveloped areas, the disposal of human body waste within 100 feet of a water source, high water mark of a body of water, or a campsite, or within sight of a trail, except as otherwise designated.

(b) The superintendent may establish conditions concerning the disposal, containerization, or carryout of human body waste. Violation of these conditions is prohibited.

## § 2.15 Pets.

(a) The following are prohibited:

(1) Possessing a pet in a public building, public transportation vehicle, or location designated as a swimming beach, or any structure or area closed to the possession of pets by the superintendent. This subparagraph shall not apply to guide dogs accompanying visually impaired persons or hearing ear dogs accompanying hearing-impaired persons.

(2) Failing to crate, cage, restrain on a leash which shall not exceed six feet in length, or otherwise physically confine a pet at all times.

## National Park Service, Interior

## § 2.22

### § 2.19 Winter activities.

(a) Skiing, snowshoeing, ice skating, sledding, innertubing, tobogganing and similar winter sports are prohibited on park roads and in parking areas open to motor vehicle traffic, except as otherwise designated.

(b) The towing of persons on skis, sleds, or other sliding devices by motor vehicle or snowmobile is prohibited, except in designated areas or routes. This paragraph shall not apply to sleds designed to be towed behind snowmobiles and joined to the snowmobile with a rigid hitching mechanism.

(c) Failure to abide by area designations or activity restrictions established under this section is prohibited.

### § 2.20 Skating, skateboards, and similar devices.

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited, except in designated areas.

### § 2.21 Smoking.

(a) The superintendent may designate a portion of a park area, or all or a portion of a building, structure or facility as closed to smoking when necessary to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities. Smoking in an area or location so designated is prohibited.

(b) Smoking is prohibited within all caves and caverns.

### § 2.22 Property.

(a) The following are prohibited:

(1) Abandoning property.

(2) Leaving property unattended for longer than 24 hours, except in locations where longer time periods have been designated or in accordance with conditions established by the superintendent.

(3) Failing to turn in found property to the superintendent as soon as practicable.

(b) *Impoundment of property.* (1) Property determined to be left unattended in excess of an allowed period of time may be impounded by the superintendent.

(2) Unattended property that interferes with visitor safety, orderly management of the park area, or presents a

threat to park resources may be impounded by the superintendent at any time.

(3) Found or impounded property shall be inventoried to determine ownership and safeguard personal property.

(4) The owner of record is responsible and liable for charges to the person who has removed, stored, or otherwise disposed of property impounded pursuant to this section; or the superintendent may assess the owner reasonable fees for the impoundment and storage of property impounded pursuant to this section.

(c) *Disposition of property.* (1) Unattended property impounded pursuant to this section shall be deemed to be abandoned unless claimed by the owner or an authorized representative thereof within 60 days. The 60-day period shall begin when the rightful owner of the property has been notified, if the owner can be identified, or from the time the property was placed in the superintendent's custody, if the owner cannot be identified.

(2) Unclaimed, found property shall be stored for a minimum period of 60 days and, unless claimed by the owner or an authorized representative thereof, may be claimed by the finder, provided that the finder is not an employee of the National Park Service. Found property not claimed by the owner or an authorized representative or the finder shall be deemed abandoned.

(3) Abandoned property shall be disposed of in accordance with title 41 Code of Federal Regulations.

(4) Property, including real property, located within a park area and owned by a deceased person, shall be disposed of in accordance with the laws of the State within whose exterior boundaries the property is located.

(d) The regulations contained in paragraphs (a)(2), (b) and (c) of this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

[48 FR 30282, June 30, 1983, as amended at 52 FR 35240, Sept. 18, 1987]

### § 2.36

(b) *Controlled substances.* The following are prohibited:

(1) The delivery of a controlled substance, except when distribution is made by a practitioner in accordance with applicable law. For the purposes of this paragraph, delivery means the actual, attempted or constructive transfer of a controlled substance whether or not there exists an agency relationship.

(2) The possession of a controlled substance, unless such substance was obtained by the possessor directly, or pursuant to a valid prescription or order, from a practitioner acting in the course of professional practice or otherwise allowed by Federal or State law.

(c) Presence in a park area when under the influence of alcohol or a controlled substance to a degree that may endanger oneself or another person, or damage property or park resources, is prohibited.

[48 FR 30282, June 30, 1983, as amended at 52 FR 10683, Apr. 2, 1987]

### § 2.36 Gambling.

(a) Gambling in any form, or the operation of gambling devices, is prohibited.

(b) This regulation applies, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

[48 FR 30282, June 30, 1983, as amended at 52 FR 35240, Sept. 18, 1987]

### § 2.37 Noncommercial soliciting.

Soliciting or demanding gifts, money, goods or services is prohibited, except pursuant to the terms and conditions of a permit that has been issued under § 2.50, § 2.51 or § 2.52.

### § 2.38 Explosives.

(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit. When permitted, the use, possession, storage and transportation shall be in accordance with applicable Federal and State laws.

(b) Using or possessing fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a

### 36 CFR Ch. I (7-1-07 Edition)

permit or in designated areas under such conditions as the superintendent may establish, and in accordance with applicable State law.

(c) Violation of the conditions established by the superintendent or of the terms and conditions of a permit issued in accordance with this section is prohibited and may result in the suspension or revocation of the permit.

### § 2.50 Special events.

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed: *Provided, however,* There is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the superintendent. A permit shall be denied if such activities would:

(1) Cause injury or damage to park resources; or

(2) Be contrary to the purposes for which the natural, historic, development and special use zones were established; or unreasonably impair the atmosphere of peace and tranquility maintained in wilderness, natural, historic, or commemorative zones.

(3) Unreasonably interfere with interpretive, visitor service, or other program activities, or with the administrative activities of the National Park Service; or

(4) Substantially impair the operation of public use facilities or services of National Park Service concessioners or contractors; or

(5) Present a clear and present danger to the public health and safety; or

(6) Result in significant conflict with other existing uses.

(b) An application for such a permit shall set forth the name of the applicant, the date, time, duration, nature and place of the proposed event, an estimate of the number of persons expected to attend, a statement of equipment and facilities to be used, and any other information required by the superintendent. The application shall be submitted so as to reach the superintendent at least 72 hours in advance of the proposed event.

(c) As a condition of permit issuance, the superintendent may require:

# Fire Restrictions

National Park Service  
U.S. Department of the Interior

Lake Meredith National Recreation Area  
Alibates Flint Quarries National Monument



## Extreme Fire Danger!

Fire restrictions are in effect and being enforced at Lake Meredith National Recreation Area and Alibates Flint Quarries National Monument due to extreme fire danger in the Texas panhandle.



### No Campfires

Do not set, build, maintain, attend, or use fires of any kind, including wood campfires and charcoal grills within developed campgrounds or picnic areas, or permanently improved places of habitation. Stoves fueled by petroleum or Liquid Propane Gas (LPG) fuels are allowed.

36 CFR 2.13(c)



### No Smoking

Do not smoke, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material down to mineral soil.

36 CFR 2.21(a)



### No Fireworks

Do not possess or use any kind of fireworks or other pyrotechnic devices. They are prohibited at all times on all federal public lands.

36 CFR 2.38(b)

For more information on fire restrictions in Lake Meredith National Recreation Area and Alibates Flint Quarries National Monument call 806 857-3151. Violation of these restrictions is punishable by a fine of up to \$5,000 or imprisonment for up to six months, or both.

36 CFR 1.5(a)(2) and 1.3(a)



## Extreme Fire Danger!

Fire restrictions are in effect and being enforced due to extreme fire danger in the Texas panhandle.



### No Campfires

Do not set, build, maintain, attend, or use fires of any kind, including wood and charcoal campfires within developed campgrounds or picnic areas, or permanently improved places of habitation. Stoves fueled by petroleum or Liquid Propane Gas (LPG) fuels are allowed. 36 CFR 2.13(c)



### No Smoking

Do not smoke, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material down to mineral soil. 36 CFR 2.21(a)



### No Fireworks

Do not possess or use any kind of fireworks or other pyrotechnic devices. They are prohibited at all times on all federal public lands. 36 CFR 2.38(b)

For more information on fire restrictions in Lake Meredith NRA and Alibates Flint Quarries NM call 806 857-3151. Violation of these restrictions is punishable by a fine of up to \$5,000 or imprisonment for up to six months, or both. 36 CFR 1.5(a)(2) and 1.3(a).



## Extreme Fire Danger!

Fire restrictions are in effect and being enforced due to extreme fire danger in the Texas panhandle.



### No Campfires

Do not set, build, maintain, attend, or use fires of any kind, including wood and charcoal campfires within developed campgrounds or picnic areas, or permanently improved places of habitation. Stoves fueled by petroleum or Liquid Propane Gas (LPG) fuels are allowed. 36 CFR 2.13(c)



### No Smoking

Do not smoke, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material down to mineral soil. 36 CFR 2.21(a)



### No Fireworks

Do not possess or use any kind of fireworks or other pyrotechnic devices. They are prohibited at all times on all federal public lands. 36 CFR 2.38(b)

For more information on fire restrictions in Lake Meredith NRA and Alibates Flint Quarries NM call 806 857-3151. Violation of these restrictions is punishable by a fine of up to \$5,000 or imprisonment for up to six months, or both. 36 CFR 1.5(a)(2) and 1.3(a).



## Extreme Fire Danger!

Fire restrictions are in effect and being enforced due to extreme fire danger in the Texas panhandle.



### No Campfires

Do not set, build, maintain, attend, or use fires of any kind, including wood and charcoal campfires within developed campgrounds or picnic areas, or permanently improved places of habitation. Stoves fueled by petroleum or Liquid Propane Gas (LPG) fuels are allowed. 36 CFR 2.13(c)



### No Smoking

Do not smoke, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material down to mineral soil. 36 CFR 2.21(a)



### No Fireworks

Do not possess or use any kind of fireworks or other pyrotechnic devices. They are prohibited at all times on all federal public lands. 36 CFR 2.38(b)

For more information on fire restrictions in Lake Meredith NRA and Alibates Flint Quarries NM call 806 857-3151. Violation of these restrictions is punishable by a fine of up to \$5,000 or imprisonment for up to six months, or both. 36 CFR 1.5(a)(2) and 1.3(a).