

# **HOT SPRINGS NATIONAL PARK SUPERINTENDENT'S COMPENDIUM**

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## **Code of Federal Regulations Title 31, Chapter 1**

### **Designations, closures, permit requirements, and other restrictions imposed under the discretionary authority of the Superintendent**

**This compendium is established in accordance with regulations and the designated authority provided in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, authorized by Title 16, United States Code, Section 3. It addresses public use limitations or restrictions as well as establishes guidelines to assure proper management, resource protection, safety, and public use of Hot Springs National Park.**

**These discretionary public use limitations or restrictions are in addition to other designations based upon regulations published in Title 36, CFR, chapter 1, Parts 1 through 7.**

**This issuance presents changes to Sections 2.14, 2.15, 2.20, 2.51, 2.52, 7.18; and added Sections 1.1, 1.2, 1.7, 2.30, 4.13, 4.21, 5.5, and 5.6 of the compendium issued in April 2006.**

\_\_\_\_\_/s/\_\_\_\_\_  
**Josie Fernandez**  
**Superintendent**

\_\_\_\_\_**August 1, 2008**\_\_\_\_\_  
**Date**

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## PART 1 - GENERAL PROVISIONS

The specific discretionary authority for Park Superintendents to establish reasonable schedules for visiting hours, impose public use limits, and close park areas for all public use or specific use is found at 36 CFR 1.5. These park-specific restrictions are also based upon 36 CFR, Chapters 1-7 to protect park resources, visitors and employees. Under CFR 1.7 notice of all restrictions, closures, designations and permit requirements will be made available to the general public by at least one or more of the following methods of notification: maps, brochures, signs, permits, or other appropriate methods, as well as within this compendium. Any Records of Determination are available upon request under 36 CFR 1.5(c).

### Section 1.1 Definitions

The following are terms derived under 36 CFR 1.4 or 1.5, used in this document.

- *Bicycle* means every device propelled solely by human power upon which a person or persons may ride upon land having one, two, or more wheels, except a manual wheelchair.
- *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 for the apparent purpose of overnight occupancy.
- *Controlled substance* means a drug or other substance, or immediate precursor, included in scheduled I, II, III, IV, or V of part B of the Controlled Substance Act (21 U.S.C. 812) or a drug or substance added to these schedules pursuant to the terms of the Act.
- *Hunting* means taking or attempting to take wildlife, except trapping.
- *Motorized Wheelchair* means a self-propelled wheeled device, designed solely for and used by a mobility-impaired person for locomotion that is both capable and suitable for use in indoor pedestrian areas.
- *Motor Vehicle* means every vehicle that is self-propelled and every vehicle that is propelled by electric power but not operated on rails or upon water, except a snowmobile and a motorized wheelchair.
- *Park Road* means the main-traveled surface of a roadway open to motor vehicles, owned, controlled or otherwise administered by the National Park Service.
- *Permit* means a written authorization to engage in uses or activities that are otherwise prohibited, restricted or regulated.
- *Pet* means a dog, cat or any animal that has been domesticated.

- *Public Use Limit* means the number of persons; number and type of animals; amount, size and type of equipment, mechanical modes of conveyance, or food/beverage containers allowed to enter, be brought into, remain in, or be used within a designated geographic area or facility; or the length of time a designated geographic area or facility may be occupied.
- *Refuse* means trash, garbage, rubbish, waste papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded materials.
- *Segway* means motor vehicle as defined above, except when used as a motorized wheelchair in which case it must be identified as such.
- *Scooter* means a three or four wheeled motor vehicle as defined above, except when used as a motorized wheelchair in which case it must be identified as such.
- *Superintendent* means the official in charge of a park unit (area) as the authorized representative of the National Park Service.

### **Section 1.2 Applicability and Scope**

The regulations and public use limitations or restrictions contained in this document apply to all persons entering, using, visiting or otherwise within the boundaries of lands and waters, controlled, leased, administered or otherwise subject to the jurisdiction of Hot Springs National Park.

The regulations and public use limitations or restrictions contained in this document shall not be construed to prohibit administrative activities conducted by the National Park Service, or its agents, in accordance with approved management plans, or in emergency operations involving threats to life, property, or park resources.

### **Section 1.5 Closures and Public Use Limits**

(a)(1) The following are the closures, public use limits or restrictions applicable within Hot Springs National Park:

- The Visitor Center and park offices are closed to public visitation during non-business hours.
- The following areas are closed to the public from 10 p.m. to 6 a.m.:
  - Arlington Lawn
  - Grand Promenade
  - Bathhouse Row Porches
  - Bathhouse Row, Reserve Street, and Fountain Street sidewalks, except for walk through traffic
- The following areas are closed to the public from 10 p.m. to 7 a.m.:
  - Hot Springs Mountain Road
  - North Mountain Road
  - West Mountain Summit Road
- This is an interim limitation on Segways, as well as motorized scooters, subject to change pending development of NPS Management Policy that addresses this

emergent technology in the National Park System. Segways and motorized scooters, as defined under 36 C.F.R. § 1.4, are motor vehicles. Pursuant to 36 C.F.R. § 1.5(a) and 4.10(a), the Park has imposed an interim restriction on the use of Segways and motorized scooters from all areas within the park including all park roads, trails, and sidewalks. However, any park visitor with a disability **is** permitted to use Segways and motorized scooters throughout the park, including all structures, facilities, park roads, sidewalks, trails and other surfaces when such devices are used for the sole purpose of mobility assistance. Use of any mobility assistive device, as outlined herein, must also adhere to the following:

- No person under 16 years of age may operate a Segway.
- A person shall operate any mobility assistive device in a safe and responsible manner; maximum speed will not exceed 5 MPH, so as not to endanger one's self or any other park visitor.
- A person riding any mobility assistive device upon and along a sidewalk, while crossing a roadway in a crosswalk, entering or exiting from an elevator, or on any other surface shall have all the rights and duties applicable to a pedestrian under the same circumstances, except that the mobility assistive device operator must always yield to pedestrians (park visitors). Elevator use will be the only exception – users on any mobility assistive device will enter first, be allowed time to park and secure such device and will be last to exit.

#### **Section 1.6 Permits**

- (f) The following activities in Hot Springs National Park require a permit:
- Hunting or trapping wildlife for scientific research (Sec. 2.2)
  - Camping at the Gulpha Gorge Campground (Sec. 2.10)
  - Use of the campground amphitheater and/or fire ring (Secs. 2.13 & 2.50)
  - Conducting special events (Sec. 2.50)
  - Conducting public assemblies and meetings (Sec. 2.51)
  - Sale or distribution of printed matter (Sec. 2.52)
  - Displaying or posting commercial notices (Sec. 5.1)
  - Engaging in or soliciting any business (Sec. 5.3)
  - Operation of commercial, passenger-carrying vehicles (Sec. 5.4)
  - Commercial filming or photography (Sec 5.5)

#### **Section 1.7 Public Notices**

- (a) Information signs regarding closures and public use restrictions are posted in conspicuous places throughout the park. Copies of this compendium and activity area maps are available on the park's website, [www.nps.gov/hosp](http://www.nps.gov/hosp), or available upon request at:

Hot Springs National Park  
101 Reserve Street  
Hot Springs, Arkansas 71901  
501-623-2824

## **PART 2 - RESOURCE PROTECTION, PUBLIC USE AND RECREATION**

### **Section 2.1 Preservation of Natural, Cultural, and Archeological Resources**

(a)(4) Dead wood lying on the ground and unattached to live trees may be used for fuel at Gulpha Gorge campground and at designated picnic sites, only in fire grills provided.

(b) All hiking activity will be restricted to designated trails and walkway systems; "shortcutting" is prohibited.

(c) Because quantities are abundant beyond requirements for species reproduction and wildlife needs, collecting the following fruits and nuts for personal consumption only is permitted: plums, blackberries, hickory nuts, persimmons, grapes, muscadines, blueberries, and juneberries.

### **Section 2.2 Wildlife Protection**

(a) The hunting or trapping of wildlife within Hot Springs National Park is prohibited unless done in accordance with a Collecting Permit issued by the National Park Service.

### **Section 2.10 Camping and Food Storage**

(a) Camping or staying overnight is permitted only in designated sites in Gulpha Gorge Campground. Camping stays are limited to 14 days each calendar year.

### **Section 2.11 Picnicking**

The picnic area at Gulpha Gorge will be closed to all activity between 10:00 p.m. and 6:00 a.m. daily to coincide with quiet hours in the adjacent campground. Picnicking activity within Gulpha Gorge campsites is prohibited unless registered for that specific campsite and the camping fee is paid. Picnicking throughout the park is permitted unless posted to prevent that activity.

### **Section 2.13 Fires**

(a) Fires are permitted within the Gulpha Gorge Campground and at designated picnic sites only within fire grills provided, or at the group fire ring at the campground amphitheater. Self-contained portable stoves or grills may be used when off the ground and away from overhanging vegetation. Ground fires are prohibited throughout the park.

### **Section 2.14 Sanitation and Refuse**

(a)(4) The dump station at the Gulpha Gorge Campground is for the exclusive use of registered campers only.

(a)(5) Bathing or washing food, clothing, dishes, or other property in the thermal water pools at the Arlington Lawn Cascade or any park fountain is prohibited.

**Section 2.15 Pets**

(a)(1) Pets are not permitted within the Visitor Center or Administrative buildings. This restriction does not apply to service animals. All pets must be leashed or otherwise restrained in accordance with sec. 2.15(a)(2).

(a)(5) Pet owners must curb their animals and pick up and remove their animal's excrement.

**Section 2.16 Horses and Pack Animals**

(b) Horses are not allowed in the Gulpha Gorge campground or picnic area.

(b) Horseback riding is prohibited within the Bathhouse Row Historic Area, the Grand Promenade, and the Arlington Lawn.

(b) Horseback riding is permitted on designated trails within the park.

(c) Horseback riding is prohibited on the paved portion of the roadways within the park, except to cross the roadway.

**Section 2.20 Skating, skateboards, and similar devices**

The use or riding of skates, skateboards, or similar devices on walkways within the Bathhouse Row Cultural Landscape or on any park road is prohibited.

**Section 2.21 Smoking Policy**

(a) In accordance with DM Chapter 11, smoking is prohibited in all park buildings, whether leased, owned, or rented by the Federal Government.

**Section 2.22 Property**

(a) Personal property may be left unattended within the Gulpha Gorge campground for more than 24 hours only by permission of the Superintendent, and if the fee has been paid for the period the site will be unattended.

**Section 2.23 Recreation Fees**

(a) Areas where recreation fees are established in accordance with 36 CFR § 71.9 are:  
Gulpha Gorge Campground

**Section 2.30 Misappropriation of Property and Services**

(d) Coins may not be removed from park fountains.

**Section 2.35 Alcoholic Beverages and Controlled Substances**

(a)(3) The possession or consumption of alcoholic beverages within the bathing area of an operating bathhouse is prohibited to prevent contamination of bathing waters and for reasons of safety.

(a)(3)(i)(A) Unless a permit has been issued by the Superintendent, open containers of alcoholic beverages and the consumption of alcoholic beverages are prohibited outdoors along Bathhouse Row (Central Avenue from Fountain Street to Reserve Avenue), the Grand Promenade, and the Reserve Avenue sidewalk.

**Section 2.50 Special Events**

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed providing there is a special event permit issued by the Superintendent.

**Section 2.51 Public Assemblies, Meetings**

(a) Public assemblies, meetings, gatherings, demonstrations, parades, and other expressions of views (First Amendment activities) are allowed providing they meet the requirements contained in sec. 2.51 of this Title and a permit has been issued by the Superintendent. Locations authorized for these events are: the Arlington Lawn; Gulpha Gorge campground amphitheater to include the fire ring; Whittington Park; and the sidewalk in front of the park Administrative/Headquarters building. A map of these locations is available in the Superintendent's Office.

**Section 2 Sale and Distribution of Printed Matter**

(a) The sale or distribution of printed matter is allowed within the park provided that a permit has been issued by the Superintendent, and the printed matter is not solely commercial advertising. Locations authorized for this activity: On Bathhouse Row within the designated areas which are no more than 50 feet from the corners of Reserve Street and Central Avenue and Fountain Street and Central Avenue. A map of these locations is available in the Superintendent's Office.

**Section 2.62 Memorialization**

(b) The scattering of human ashes from cremation will be permissible, provided that a permit has been issued by the Superintendent, throughout the park with the exception of all designated picnic, camping areas and other developed areas, i.e., Bathhouse Row, the Grand Promenade, parking lots, overlooks, etc. These areas are restricted due to the heavy use and the activity at the Hot Springs Mountain Tower.

**PART 4 – VEHICLES AND TRAFFIC SAFETY**

**Section 4.13 Obstructing Traffic**

(a) Stopping or parking of motor vehicles on road shoulders on mountain drives and summits is prohibited, except for emergency situations.

**Section 4.21 Speed Limits**

(b) The speed limit for the following park roads is 25 MPH, except at trail crossings which are signed at 15 MPH:

- Hot Springs Mountain Road
- North Mountain Road
- West Mountain Drive and Summit

**Section 4.30 Bicycles**

(a) The use of a bicycle is prohibited except on park roads or in parking areas. The riding of a bicycle within the Bathhouse Row Historic District is prohibited.

## **PART 5 – COMMERCIAL AND PRIVATE OPERATIONS**

### **Section 5.3 Business Operations**

Engaging in or soliciting any business except in accordance with provisions of a permit, contract, or other written agreement with the U. S., is prohibited.

### **Section 5.5 Commercial Photography**

(a) All commercial filming, except that dealing with news media, requires a permit issued by the Superintendent and may require payment of location fees.

(b) Commercial still photography may not require a permit if the activity does not take place at location(s) where or when members of the public are generally not allowed; does not use paid model(s) or sets(s) and/or prop(s) that are not a part of the location's natural or cultural resources or administrative facilities; or the park would not incur additional administrative costs to monitor the activity.

### **Section 5.6 Commercial Vehicles**

(b) Commercial vehicles are prohibited from using Hot Springs Mountain and West Mountain Roads unless the use is in connection with the operation of Hot Springs National Park, or permission has been granted by the Superintendent.

## **PART 7 – SPECIAL REGULATIONS, AREAS OF THE NPS**

### **Section 7.18 Hot Springs National Park**

(b) Use of the Water. Attaching a hose to any thermal water jug fountain is prohibited due to the possibility of contamination of the water supply.