



**6.1.2022 National Park Service  
U.S. Department of the Interior**

**Theodore Roosevelt  
Birthplace National  
Historic Site**

28 East 20<sup>TH</sup> Street  
New York, New York 10003

**Superintendent's Compendium**  
Of Designations, Closures, Permit  
Requirements and Other Restrictions  
Imposed Under Discretionary Authority.

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www.nps.gov/thrb

Approved:

Date: 6/1/2022

Shirley McKinney, Superintendent

## **A. INTRODUCTION**

### **1. Superintendent's Compendium Described**

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park System.

A copy of Title 36, CFR, can be purchased from the U.S. Government Printing Office at:

Superintendent of Documents  
P.O. Box 371954  
Pittsburgh, PA 15250-7954

The CFR is also available on the Internet at:

[http://www.access.gpo.gov/nara/cfr/waisidx\\_05/36cfrv1\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx_05/36cfrv1_05.html)

## **2. Laws and Policies Allowing the Superintendent to Develop This Compendium**

The National Park Service (NPS) is granted broad statutory authority under 16 United States Code (U.S.C.) Section 1 *et. seq.* (Organic Act of 1916, as amended) to "...regulate the use of the Federal areas known as national parks, monuments, and reservations...by such means and measures as conform to the fundamental purposes of the said parks...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations" (16 U.S.C. Section 1). In addition, the NPS Organic Act allows the NPS, through the Secretary of the Interior, to "make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service" (16 U.S.C. Section 3).

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970 (16 U.S.C. Sections 1a1-1a8), Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating "Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States."

16 U.S.C. Section 1c defines the National Park System as "...any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes."

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director's Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection, where the Superintendent has a reasonable basis to believe a resource is or would become impaired, than that Superintendent is obliged to place limitations on public use.

## **3. Consistency of This Compendium with Applicable Federal Law and Requirements**

The Superintendent's Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such, an Environmental Assessment will not be prepared.

#### **4. Development of the Requirements of the Superintendent's Compendium**

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

#### **5. Applicability of the Compendium**

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

#### **6. Enforcement of Compendium Requirements**

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

#### **7. Penalties for Not Adhering to the Compendium Requirements**

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

#### **8. Comments on the Compendium**

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

## 9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of this document, and remains in effect until revised for a period up to one year.

## 10. Additional Information

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

## 11. Availability

Copies of the Compendium are available at 28 East 20<sup>th</sup> Street, New York, New York, 10005. It may also be found at [www.nps.gov/thrb](http://www.nps.gov/thrb).

## B. SUPERINTENDENT'S COMPENDIUM

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Theodore Roosevelt Birthplace National Historic Site. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

### I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

**(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:**

#### Visiting Hours:

- The National Historic Site is open as scheduled and posted at the building and/or through press releases and public park website, [www.nps.gov/thrb](http://www.nps.gov/thrb).
- The building and grounds are open to the public between the hours of 9:00 a.m. and 5:00 p.m., 5 days a week, Wednesday through Sunday. The site is closed Monday and Tuesday.
- The park is closed on the following designated federal holiday(s): New Year's Day, Thanksgiving Day, and Christmas Day.
- The park superintendent may close park facilities due to severe weather or emergencies on an as-needed basis.

*These visiting hours were determined to be in the best interests of the park and are necessary for the proper management of the park.*

**Management Decision:** Theodore Roosevelt Birthplace is closed. A condition assessment was conducted of the building an uncovered multiple failed sewage pipes that created on-going moisture and flooding issues. Risk assessments determined a high risk to public safety.

The National Park Service (NPS) is coordinating to complete the necessary repairs to target reopening in September 2022.

#### Public Use Limits:

- No signs or placards shall be permitted in the park area except hand held made of cardboard, poster board, plastic or cloth having dimensions no greater than three feet in width, four feet in length, and one-quarter inch in thickness.
- No supports shall be permitted for signs or placards No parcel, container, package, bundle or other property shall be placed or stored on or along any park fence, hand railing, structure or barrier.
- Due to the steepness, width (14 inches) and hard, solid surface of the front steps, these conditions are in place to ensure the stairs may be safely travelled without obstructions that may cause trip hazards and may result in personal injury.
- No parcel, container, package, bundle or other property shall be placed or stored on or along any park fence, hand railing, structure or barrier.
- Personal property larger than 22 inches by 14 inches by 9 nine inches is prohibited in the Park area. This restriction is based on the generally accepted airline carry-on standards.
- (See also 36 CFR § 2.22 Property of this document):
- Oversized bags (backpacks, suitcases, etc.) must be checked at the front desk before accessing the historically-furnished floors.
- Property left unattended for an extended period may be impounded for inspection, which may result in damage to the property.
- Items, including signs and pictures, cannot be attached to or otherwise left on park structures, including trees, except by permit. See also 36 CFR § 2. 1.
- Park quiet hours are established as between 8:00 p.m. - 9:00 a.m.
- Media players, including radios, CD players, MP3 players, televisions, and computers, may only be used with headphones.
- Segway's or similar motorized devices cannot be used in the park, except by individuals with documented disabilities related to mobility.
- Bicycles and other items are prohibited from being attached to the fence and any other objects within the NPS property.
- A maximum of 25 persons may occupy the steps of the national historic site at any time.
- Visitor capacity for tours of the historically-furnished floors is 18 persons at any given time.
- Visitor capacity for the first-floor gallery area is 50 persons at any given time
- Visitor capacity for the second-floor gallery (Lion's Room) is 20 persons at any given time.
- Unmanned aircrafts.

*These conditions have been established to protect park resources, ensure visitor safety, and promote the peaceful enjoyment of the park which is located in a congested, heavily trafficked, urban setting. These restrictions and conditions have been established to allow park visitors to exercise their First Amendment rights while also protecting the safety of visitors and demonstrators and ensuring proper ingress and egress to the park. These restrictions and conditions are necessary to facilitate the safe and proper management of the park area due to space restrictions located in a congested, heavily trafficked urban setting.*

#### Closures:

Unmanned aircrafts: *Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Theodore Roosevelt Birthplace National Historic Site is prohibited except as approved in writing by the superintendent.*

Definition: *The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links.) This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.*

E-Bikes: There are no park roads, landscape, steps, landings and pedestrian walkways or parking areas open to E-Bikes use by the general public within Theodore Roosevelt Birthplace National Historic Site and E-Bikes use is therefore prohibited.

Definition: An E-Bike is a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.) that provides propulsion assistance. Use of E-Bikes after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.

*This restriction is after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.*

- The building is closed between 5:00 p.m. and 8:00 a.m., except by permit. When necessary to protect park visitors from unsafe conditions or to protect park resources, all or portions of the park will be closed on a temporary basis. Signs will be posted to announce such temporary closures.
- The park is designated as closed to the following activities, for which a permit will not be issued:
- Camping - Camping is defined by 36 CFR 1.4(a) as the erecting of a tent or shelter or 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
- Audio Disturbances - Quiet hours for the exterior of the building are in place from 8:00 p.m. to 9:00 a.m.
- Residing on Federal Lands
- Memorialization
- Construction of Buildings
- Scattering of cremated human remains
- Demonstrations of more than 25 people. See 36 CFR § 2.51 of this document for more information.
- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Theodore Roosevelt National Historic Site is prohibited except as approved in writing by the superintendent.
- Aircraft
- Snowmobiles
- Skating, Skateboards and similar coasting vehicles
- Use of Motor Vehicles
- Unmanned Aircrafts

Definition: The term “unmanned aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links.) This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

**Carrying Capacity:** Superintendents are also authorized to modify, impose, or reimpose occupancy restrictions at any level relative to normal occupancy as appropriate. Such changes should be implemented and enforced by issuing administrative orders under 36 C.F.R. § 1.5; notifying the public of the specific restrictions, limitations, closures, etc.

The following capacity limits are set as a maximum. However, lower numbers may be determined to be necessary on a case-by-case basis depending on the nature of the activity, the arrangement and size of supporting infrastructure (stage, chairs, etc.) and other factors:

**Normal Operations:** The number of visitors in the following indoor locations may not exceed the maximum occupancy identified for each location.

<b>Indoor Location</b>	<b>Maximum Occupancy</b>
4 <sup>th</sup> floor Auditorium	152
3 <sup>rd</sup> floor lobby area (outside bathrooms)	20
Museum Exhibits Hall Front area with Island	27
Museum "Tea Room" back area with Sunroof	10
Historic Room: Lions Room	13
Historic Room: Front Parlor	11
Historic Room: Library	12
Historic Room: Dining Room	10
Historic Room: 2 <sup>nd</sup> Floor Bedroom	10
Historic Room: 2 <sup>nd</sup> Floor Nursery	9
Elevator	2
<b>Outdoor Location</b>	<b>Maximum Occupancy</b>
Rooftop Garden	52

**COVID Protocols:** The number of visitors in the following indoor locations may not exceed the maximum occupancy identified for each location.

<b>Indoor Location</b>	<b>Maximum Occupancy</b>
4 <sup>th</sup> floor Auditorium	38
3 <sup>rd</sup> floor lobby area (outside bathrooms)	5
Museum Exhibits Hall Front area with Island	7
Museum "Tea Room" back area with Sunroof	3
Historic Room: Lions Room	3
Historic Room: Front Parlor	3

Historic Room: Library	3
Historic Room: Dining Room	3
Historic Room: 2 <sup>nd</sup> Floor Bedroom	2
Historic Room: 2 <sup>nd</sup> Floor Nursery	2
Elevator	1
<b>Outdoor Location</b>	<b>Maximum Occupancy</b>
Rooftop Garden	13

**COVID-19 Mask Usage**

When the COVID-19 Community Level is **LOW** or **MEDIUM** in the county or all the counties where the park is located based on data provided by the Centers for Disease Control and Prevention (CDC), individuals are not required to wear masks.

When the COVID-19 Community Level is **HIGH** in the county or all the counties where the park is located based on data provided by the CDC, all individuals over the age of two must wear masks, regardless of vaccination status, in all common areas and shared workspaces in buildings owned, leased, or otherwise controlled by the National Park Service, including, but not limited to, park visitor centers, restrooms, administrative offices, and gift shops

When the COVID-19 Community Level is **HIGH** in one or more, but not all, of the counties where the park is located based on data provided by the CDC, the superintendent will determine whether individuals are required to wear masks. The requirement, if any, will apply to all facilities within the park.

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of the COVID-19 Community Level, individuals may wear masks if they choose to do so. Where a state, local, tribal, or territorial government where the park is located imposes more protective mask-wearing requirements than those indicated by the COVID-19 Community Level, individuals must follow those more protective requirements within the park. More protective state, local, tribal, or territorial mask-wearing requirements are hereby adopted as federal requirements in all units of the National Park System located within that state, locality, area subject to a federally recognized Indian tribe’s regulatory jurisdiction, or territory, regardless of a particular park’s jurisdictional status.

*These closures are in effect to protect the health and safety of park visitors, to protect the Parks cultural resources and values, and to respect the Park’s surrounding environment. These closures are the minimum restrictions necessary to achieve such protection.*

**II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT**

**(f) The following is a compilation of those activities for which a permit from the superintendent is required:**



(b) Permit application

Permit applications for Special Park Use permits are available at the park website: [www.nps.gov/thrb](http://www.nps.gov/thrb). The Superintendent will act upon a permit request within 10 days of receiving a complete and fully executed application. Accordingly, permit applications must be received at least 10 days before the anticipated activity. Permit applications must be accompanied by a non-refundable application fee of \$50 except for First Amendments requests.

(e) Permit terms and conditions

Additional cost-recovery, use and monitoring fees may be charged in accordance with established policy and procedures.

- §2.12 Audio Disturbances:
  - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
  - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51
- §2.17 Aircraft & Air Delivery:
  - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
  - (c)(1) Removal of a downed aircraft
- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events
- §2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52)
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views
- §2.62 Memorialization:
  - Erection of monuments (Requires approval from Regional Director)
  - Scattering ashes from human cremation
- §4.11(a) Exceeding of established vehicle load, weight and size limits
- §5.1 Advertisements - (Display, posting or distribution.)
- §5.5 Operation of eating, drinking, or lodging establishments in park areas.
- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).
- §5.5 Commercial Photography/Filming:
  - Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
  - Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.

**The following restrictions and/or conditions are in effect for the specific uses or activities noted:**

**III. GENERAL REGULATIONS**

**(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statute is prohibited, except in the following areas and/or under the following conditions:**

- Visitors must enter and exit the site by marked doors or at the direction of the staff

### **36 CFR §2.4 – WEAPONS, TRAPS, AND NETS**

**(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:**

- Pursuant to 16 U.S.C. §§1a-7b (P.L. 111-24Section 512), park visitors may carry firearms in National parks, other than buildings if they are in compliance with federal, state, and local laws.
- Weapons cannot be used in the park except by authorized federal, state, or local law enforcement officers in the performance of their official duties. Pursuant to (e), Authorized Federal, State and local law enforcement officers
- Historic weapons may be carried, possessed or used by appropriate staff members and/or volunteer individuals or groups who are invited and sponsored by the Park to participate in official and regulated historic weapons living history programs.

*Federal law prohibits the possession of a firearm or other dangerous weapon in this Federal facility unless specifically authorized. 18 USC 930(a) possession violations are subject to fine and/or imprisonment up to one year, while 18 USC 930(b) possession violations with intent to commit a crime are punishable by a fine and imprisonment up to five years. Federal facilities are defined as "buildings or parts thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties." Federal facilities are marked with signs at public entrances. and include the following buildings: all Structures inside Theodore Roosevelt Birthplace National Historic Site.*

### **36 CFR §2.5 – RESEARCH SPECIMENS**

**(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.**

### **36 CFR §2.10 – CAMPING and FOOD STORAGE**

**(a) Camping is allowed in the following designated sites or areas and is subject to the following established conditions:**

- Camping is prohibited throughout the park

### **36 CFR §2.12 – AUDIO DISTURBANCES**

**(a)(2) Operating a power saw in developed areas is prohibited, except pursuant to the terms and conditions of a permit.**

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

### **36 CFR §2.14 – SANITATION and REFUSE**

**(a)(2) The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property is allowed under the following conditions:**

- Theodore Roosevelt Birthplace National Historic Site is a "trash free" park
- Visitors are responsible for their own trash management, collection, and removal from the park.

Disposal of refuse in park restrooms is prohibited.

### **36 CFR §2.15 – PETS**

**(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following structures and/or areas is prohibited:**

- Pets are not allowed in any part of the public building or office except for service animals
- CFR 28 part 36: A public accommodation shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.
- A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of disability to the use of a harness, leash, or other tether would interfere with the service animals safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control) e.g., voice control, signals or other effective means.

**(a)(3) Leaving a pet unattended and tied to an object is prohibited, except in the following areas and/or under the following conditions:**

**(a)(5) Pet excrement must be disposed of in accordance with the following conditions:**

- Pet excrement must be removed immediately from anywhere in the park

### **36 CFR §2.17 – AIRCRAFT and AIR DELIVERY**

**(a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means is prohibited, except in emergencies involving public safety or serious property loss or pursuant to the terms and conditions of a permit.**

**(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent.**

### **36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES**

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

### **36 CFR §2.21 – SMOKING**

**(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking as noted:**

- Smoking is prohibited anywhere within the park building, offices, and government vehicles.

*These restrictions are based on a determination that smoking must be prohibited in these structures to protect park resources, reduce the risk of fire. and protect the health of park visitors and staff*

### **36 CFR §2.22 – PROPERTY**

**(a)(2) Leaving property unattended for longer than 24 hours is prohibited, except in the following locations or under the following conditions:**

(b)(1) Property determined to be left unattended for any period of time may be impounded. All property must remain under the direct control of its owner at all times.

(b)(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. Such property will be impounded for inspection. Inspection may be destructive.

### **36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES**

**(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:**

- All government buildings are closed to the consumption of alcoholic beverages except by permit for special events.
- Consuming alcohol or possessing open containers of alcohol is also prohibited within 10 feet of pedestrian walkways, landscape and within 300 feet of visitor used facilities and buildings.
- These conditions are not applicable during authorized special events under permit

*These closures are implemented following the determination made by the superintendent that allowing alcohol consumption and open container possession in these areas would be inappropriate. The Park's walkways, parking lots, and buildings should not be used as areas to consume or possess alcohol, rather they are for park visitors seeking to walk about and enter the Park area.*

### **36 CFR §2.37 – NONCOMMERCIAL SOLICITING**

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

### **36 CFR §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 that has been issued under §2.50, §2.51, or §2.52.**

**(b) Fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a permit that has been issued under §2.50, §2.51, or §2.52.**

### **36 CFR §2.50 – SPECIAL EVENTS**

***(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided 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.***

### **36 CFR §2.51 -- DEMONSTRATIONS**

***(b) Demonstrations of more than 25 people are allowed within park areas designated as available under paragraph (c)(2) when the superintendent has issued a permit for the activity.***

- No park areas are designated for this activity of 25 people or more
- Park quiet hours 8:00 pm through 9:00 am

c)(2) The following locations are designated as available for demonstrations:

- Front steps of 28 East 20<sup>th</sup> Street (the National Historic Site)
- See map below.
- The capacity of the area designated as available for demonstrations can safely accommodate 25 persons.
- Only hand held signs/placards made of cardboard, poster board, plastic or cloth and not larger than 3 feet in width, 4 feet in length, and 1/4 inch in thickness are allowed in the park. No supports are allowed for signs or placards.
- Personal property larger than 22 inches by 14 inches by 9 nine inches is prohibited in the demonstration area. This restriction is based on the generally accepted airline carry-on standards.

*There is no park area large enough to safely accommodate a demonstration of more than 25 people. Therefore, no park area is designated as available for a demonstration of more than 25 people and a permit will not be issued for such an activity. This is necessary to protect the health and safety of park visitors: to protect the Park's cultural resources and values: to not interfere with interpretive, visitor services, or other programs or administrative activities of the Park; and to respect the Park's surrounding environment. These are the minimum restrictions necessary to achieve such protection.*

**(c)(2) The following locations are designated as available for demonstrations:**

- See map below, the First Amendment Area is located inside the yellow rectangle.



*These conditions have been established to allow park visitors to exercise their First Amendment rights while also protecting the safety of visitors and demonstrators. These conditions are designed to ensure that the park area can be safely travelled without obstructions to walkways that could result in injury and to facilitate the proper management of the park area which is located in a congested, heavily trafficked, urban setting. These conditions are necessary to achieve the Park's objectives of protecting the safety of visitors.*

### **36 CFR §2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER**

*(b) The sale or distribution of printed matter by more than 25 persons is allowed within park areas designated as available under §2.51(c)(2) (see above) when the superintendent has issued a permit.*

### **36 CFR §2.61 – RESIDING ON FEDERAL LANDS**

*(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.*

### **36 CFR §2.62 – MEMORIALIZATION**

*(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.*

*(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit, or in the following areas and according to the following conditions:*

#### **36 CFR §4.30 – BICYCLES**

*(a) a) The use of a bicycle is prohibited from landscape, steps and pedestrian walkways as listed in §1.5 of this document.*

*(b) The use of E-Bikes is prohibited from landscape, steps and pedestrian walkways as listed in §1.5 of this document.*

### **36 CFR §5.1 – ADVERTISEMENTS**

*Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.*

### **36 CFR §5.3 – BUSINESS OPERATIONS**

*Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.*

### **36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY**

*(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.*

*(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.*

### **36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES**

*Such activities are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.*

### **36 CFR §5.6 COMMERCIAL VEHICLES**

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited and requires permission or a permit from the Superintendent.