National Park Service
U.S. Department of the Interior

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

Approved:

Superintendent

4/20/2012
Date

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 FEDERAL HALL NATIONAL MEMORIAL. 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 NM is open as scheduled and posted at the building and/or through press releases and the park public website (www.nps.gov/feha).
- The building and interior grounds are open to the public between the hours of 9:00 a.m. to 5:00 p.m Monday through Friday. During the peak summer season the building may open seven days a week.
- The park superintendent may close park facilities due to severe weather or emergencies on an as needed basis.
- The park is closed on the following designated federal holidays: Thanksgiving Day and Christmas Day, unless special programs are planned for the public.

Public Use Limits:

- No signs or placards shall be permitted in the park area except hand held made of cardboard, posterboard, 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 signs or placards shall be attached, placed upon, or leaned against the building, steps, fences or any hand railings.
- No parcel, container, package, bundle or other property shall be placed or stored on or along any park fence, hand railing, temporary structure or barrier.
- Personal property larger than 22" by 14" by 9" is prohibited in the park area. This restriction is based on the generally accepted airline carry-on standards.

Due to the steepness, width (14 inches) and hard, solid surface of the Wall Street 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.

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 and heightened security urban setting.

Closures:

The building is closed between 5:00 p.m. and 9:00 a.m. except by permit.

The park is designated as closed to the following activities and permits 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 in the park begin at 8pm–9am
- Skating, Skateboards and similar devices as described in 36 CFR 2.20
- Aircraft
- Snowmobiles
- Residing on Federal Lands
- Memoralization
- Advertisements
- Use of Motor Vehicles
- Construction of Buildings
- All portions of the park will be closed when it is necessary to protect the public from unsafe conditions or to protect the park resources from irreversible damage. Signs will be posted to announce such temporary closures.

The closures are established to protect the health and safety of park visitors; and protect the park's cultural resources and values.

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

(b) Permit application

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, except for First Amendment requests.

(e) Permit terms and conditions

Additional use and monitoring fees may be charged in accordance with established policy and procedures.

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

- §1.5(d) The following activities related to Public Use Limits:
  - Leaving property unattended for any period of time requires a permit.

    Leaving property unattended in the park area threatens visitor safety and the orderly management of the park. Property left unattended may be impounded for inspection.

- §2.12 Audio Disturbances:
  - (a)(1) Operating motorized equipment or machinery such as an electric generating plant, motor vehicle, motorized toy, or an audio device, such as a radio, television set, tape deck or musical instrument, in a manner: (i) That exceeds a noise level of 60 decibels measured on the A-weighted scale at 50 feet; or, if below that level, nevertheless; (ii) makes noise which is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, purpose for which the area was established, impact on park users, and other factors that would govern the conduct of a reasonably prudent person under the circumstances.
  - (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
- §2.37 Soliciting or demanding gifts, money, goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.52 or §2.52).
- §2.50 (a) Conduct sports event, pageant, and regatta. Public spectator attraction, entertainment, ceremony and similar events.
- §2.51 Public assemblies, meetings, gatherings, demonstrations, parades and or other public expressions of views involving more than 25 persons.
- §2.52 Sale or distribution of printed matter by more than 25 persons.
- §2.61(a) Residing on federal lands
- §2.62 Memorialization:
  - (a) Erection of monuments (Requires approval from Regional Director)
  - (b) Scattering ashes from human cremation
- §4.11(a) Exceeding of established vehicle load, weight and size limits.
- §5.1 Advertisements - (Display, posting or distribution.)
- §5.2(b) Sale of intoxicants on Federal land and in buildings.
- §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:
  - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
  - (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.
- §5.7 Construction of structures etc. buildings, facilities, structure, etc.
- §5.10(a) Operation of eating, drinking, or lodging establishments in park areas.

III. 36 CFR – GENERAL REGULATIONS

36 CFR §2.1 – PRESERVATION OF CULTURAL RESOURCES

(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statute is prohibited.

36 CFR §2.4 -- WEAPONS

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

- 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 parks to participate in official and regulated historic weapons living history programs.

- 18 U.S.C. § 930 prohibits the possession of a firearm in a "Federal facility." NPS is bound by the statutory definition of this term--a "building or part thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties."

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 an intent to commit a crime are punishable by a fine and imprisonment up to five years.

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 prohibited.

- FEHA is a "trash free" park
- Visitors are responsible for their own trash management, collection and removal from the site.
- Disposal of refuse in park restrooms is prohibited.

36 CFR §2.15 – PETS

(a)(1) The following structures and/or areas are closed to the possession of pets:

- Pets are not allowed in any part of the public building or office except for service animals.
- When a pet is authorized, they must be equipped with collars, identification and vaccination tags and under control on a leash which shall not exceed six feet in length.

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

- Pet excrement must be removed immediately from the exterior and interior of the park.

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 within the park building, offices, and government vehicles.

36 CFR §2.22 – PROPERTY

(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.

Leaving property unattended on park property is only allowed pursuant to a permit issued by the superintendent. See Part II. 36 CFR §1.6 -- Activities that Require A Permit, §1.5(d) of this document.

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.
- The possession of an open container or consumption of alcoholic beverages is also prohibited within 10 feet of walkways and parking lots.
- The possession or consumption of alcoholic beverages is also prohibited within 300 feet of visitor used facilities and buildings. These conditions are not applicable during authorized special events under permit with a liquor license.

36 CFR §2.51 – DEMONSTRATIONS

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

- 1st Amendment assembly area is southeast area of the Wall Street steps of Federal Hall NM. Maximum capacity with a permit in this location is limited to 75 people. See attached map.

Due to the steepness, width (14 inches) and hard, solid surface of the Wall Street 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. 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 and heightened security urban setting.

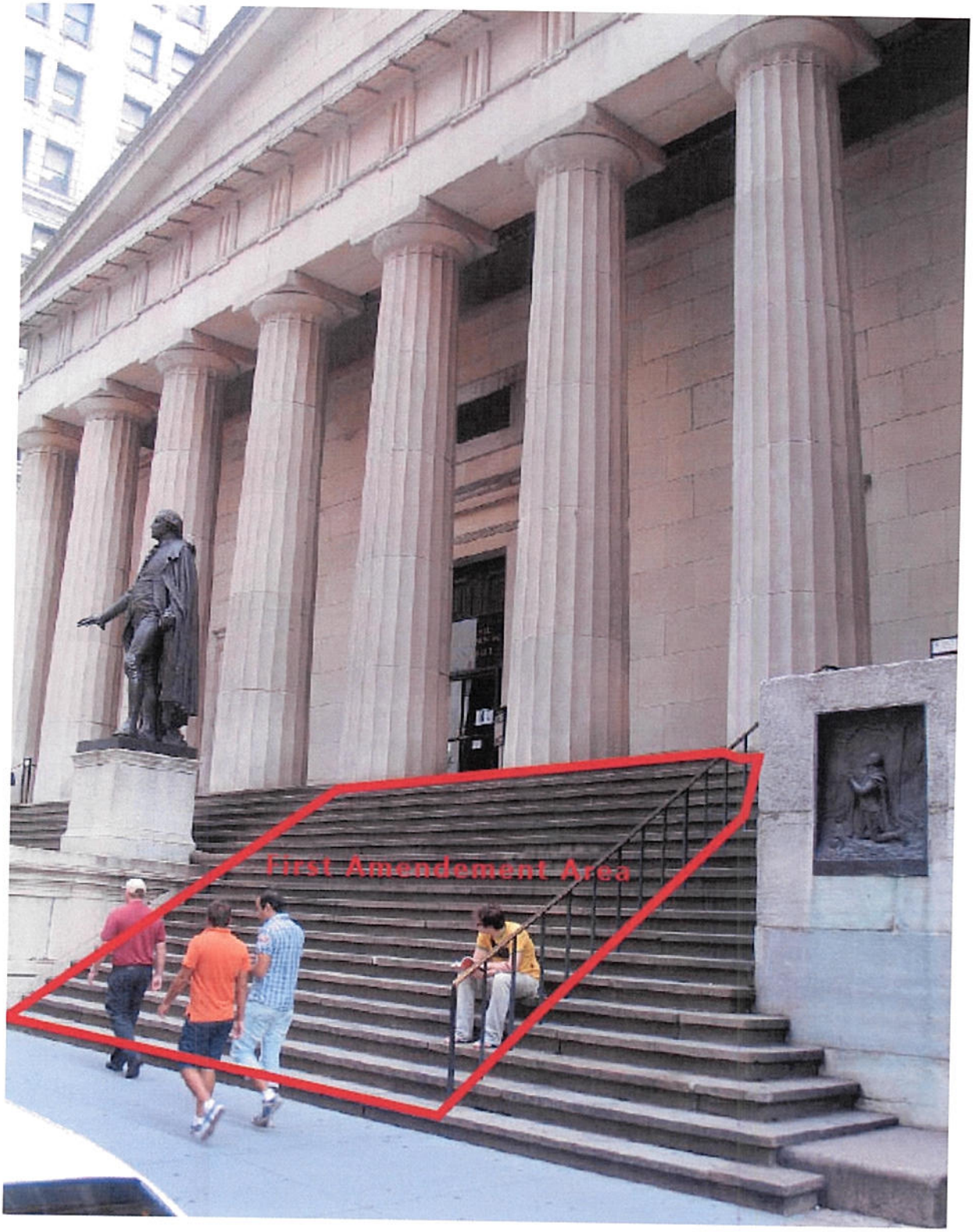
36 CFR §4.11 – VEHICLE LOAD, WEIGHT AND SIZE LIMITS

(a) The following load, weight and size limits, which are more restrictive than state law, apply historic pavers, steps, walkways etc., indicated under the terms and conditions, and/or under permit as noted:

- N/A

36 CFR §4.30 – BICYCLES

(a) Park Steps, landings etc., are closed to bicycles.


First Amendement Area