National Park Service
U.S. Department of the Interior

General Grant
National Memorial

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

Approved:

Shirley McKay
Superintendent

3/25/2010
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 GENERAL GRANT 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 exterior grounds are open from 8:00 a.m. – 5:00 p.m.
- The NM is open as scheduled and posted at the building and/or through press releases and the Inside NPS website.
- The building and interior grounds are open to the public between the hours of 9:00 a.m. to 5:00 p.m. 7 DAYS PER 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: New Year's Day, Thanksgiving Day and Christmas Day.

Public Use Limits:

- N/A

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
- Aircraft
- Snowmobiles
- Residing on Federal Lands
- Memorialization
- 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 closure is established to protect the health and safety of park visitors, and is the minimum restriction necessary to achieve such protection.*

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

Passenger Carrying Buses: at the overlook or at122nd Street and Riverside Drive, Manhattan 10027

Engines must be shut down when not underway.
The idling of bus engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park. Due to the nature of the service provided by the shuttle busses, they are excluded from the requirement.

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

(b) Permit application

Permit applications must be filed with the Superintendent at least 14 days before the anticipated activity.
Permit applications must be accompanied by a non-refundable Application Fee.

(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:

- §2.4(d) Carry or possess a weapon,
- §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.
- §2.37 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 (a) Public assemblies, meetings, gatherings, demonstrations, parades and or other public expressions of views; 1st Amendment assembly is the South or North steps of General Grant NM.
- §2.52 Sale or distribution of printed matter that is not solely commercial advertising.
- §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.

36 CFR §2.1 – PRESERVATION OF, CULTURAL RESOURCES

(a)(5) The following conditions are in effect for walking, entering, ascending the listed cultural historic resource,

- N/A

36 CFR §2.4 – 18 U.S.C. § 930 – 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 allowed under the following conditions:

- Dumping of household, commercial or industrial refuse within park boundaries is prohibited.

- GEGR 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) 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, park offices, and government vehicles.

36 CFR §2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours in the following areas and under the following conditions:

- The front desk ranger station, if individuals have notified the rangers within 24 hours that items have been lost in the park, or left at the ranger station during check-in.

36 CFR §2.35 – ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

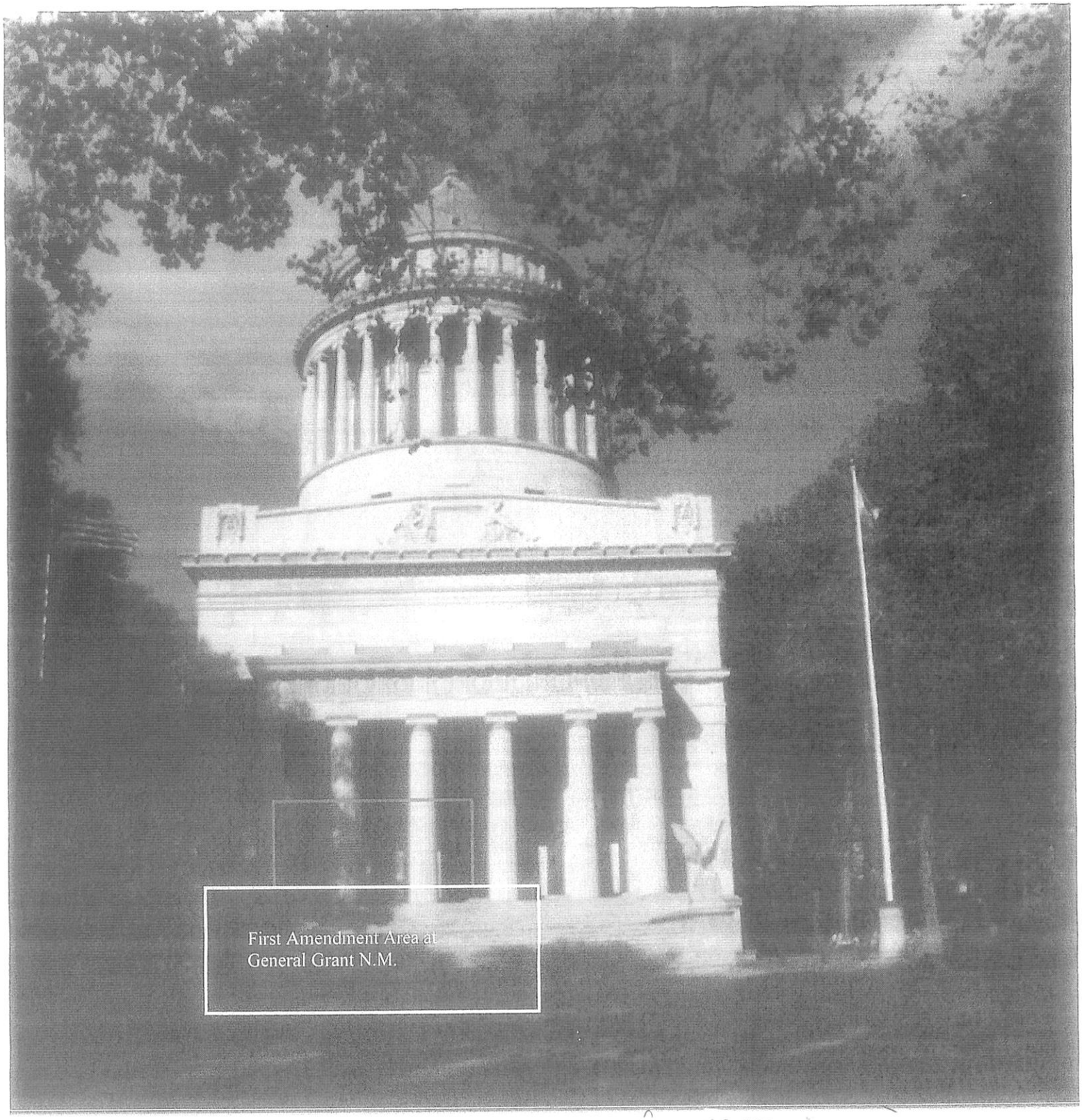
(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can, or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose 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 §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, historic pavers, walkways etc. are closed to bicycles.