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National Park Service
U.S. Department of the Interior

Hampton National Historic Site

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

Approved:

Tina Orcutt
Tina Orcutt, Superintendent Date: 5-6-12

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 Hampton 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 park may be closed at any time for emergency or security reasons in order to protect the welfare of staff and visitors.
- Entering the park outside of posted hours is prohibited.
- The park is closed to the public from 6:00 p.m. until 7:00 a.m. daily throughout the year.
- The park will be closed Thanksgiving Day, Christmas Day, and New Year's Day.
- All buildings within the park are closed to public use except for regularly scheduled and conducted activities or as allowed by a permit.
- Applications for Special Use permits can be obtained by calling the Permit Office at 410-962-4290 x205.

Public Use Limits:

- Eating, drinking, chewing gum, and the use of smokeless tobacco products are prohibited in

all buildings with the following exceptions:

- *established employee break rooms
- activities under permit issued by the Superintendent.
- The Orangery

- All trails are closed to motorized vehicles unless their operators have received appropriate authority from the Superintendent or his/her representative. This includes mopeds operating under power of a motor. Handicapped visitors are authorized to use motorized wheelchairs, segways, or vehicles in this area with authorization from the Superintendent or their designee.

- Parking areas are closed to all busses other than those arriving loaded, with Hampton NHS as a destination for their occupants.

- Parking areas are closed to all vehicles whose passengers will leave the site grounds for more than one hour.

- The buildings and grounds may be closed to entry by the general public carrying backpacks, daypacks, large handbags, packages, coolers, or other large containers. These items are subject to search and inspection for weapons or items hazardous to visitors or staff. These provisions addresses terrorist concerns following the attacks of September 11, 2001.

- To provide for public safety all persons and vehicles entering the park are subject to search for explosive or terrorist devices and illegal weapons.

Closures:

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

- Picnicking is allowed in the designated Picnic Area as designated on the attached map.

- Pets are allowed park wide except as noted in §2.15(a)(1).

- Public assemblies, meetings, gatherings, demonstrations, parades and other expression of views are allowed pursuant to §2.23(b) and §2.51(a).

- Prohibited activities include but are not limited to the following: racing, skating (including in-line skating), skateboarding, rock climbing, kite flying, model airplane flying,

- Organized games or team sports such as baseball, softball, football, soccer and rugby, variations of such games or derivations of such games using frisbees or similar devices are prohibited.

- Volleyball, badminton and similar net games or any derivations of such games are prohibited.

- Golf practice, horseshoes, lawn darts and other games that may damage park resources or present a public safety hazard are prohibited.

- Bicycles are permitted in designated areas.
- Competitive events are permitted with a special use permit
- Weddings of no more than 100 persons are permitted with a permit pursuant to §2.50(a) in the area west of the main road south of Hampton Lane north of the Lower Parking Lot or other areas as permitted by the Superintendent. Receptions are not permitted at Hampton NHS.

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

Unattended Motor Vehicle:
- Engines must be shut down when not underway.

Adopted from Maryland State Vehicle Code - § 21-1101. Unattended motor vehicle.

(a)(3) The following restrictions, limits, closures, designations, conditions, or visiting hour restrictions imposed under §§(a)(1) or (2) have been terminated:

- Park closed from 5:00pm to 9:00am has been changed to park closed from 6:00pm to 7:00am.

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:

- §1.5(d) The following activities related to Public Use Limits:
  - Temporary closure of the site and specific areas.
- §2.4(d) Possession of a weapon
- §2.5(a) Collecting specimens
- §2.10(a) Camping
  - Constructing a temporary structure, tent, trail, or trench.
- §2.12(a)(2) Operating a power saw or any motorized equipment (e.g. generator)
- §2.12(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
- §2.16(b) The use of horses or pack animals
- §2.17(a)(3) Delivery or retrieval of a person or object by parachute, helicopter, or other airborne means.
- §2.17(c)(1) Removal of downed aircraft
- §2.23 Recreation Fees
- §2.38(a) Use, possession, storage, or transportation of explosives
- §2.50(a) Special Events
- §2.51(a) Public Assemblies
- §2.52(c) Sale or distribution of printed matter
- §2.60(b) Grazing livestock or agricultural uses
- §2.61(a) Residing on Park Lands
- §2.62(b) Scattering human ashes
- §4.11(a) Operating a vehicle exceeding load, weight, size limits as per Maryland State Law

- §5.1 Displaying, posting, or distributing advertisements
- §5.3 Conducting business operations
  - Including conducting a tour for a fee
- §5.5(a) Commercial filming and photography
- 5.6(c) Operating a commercial vehicle
- §5.10(a) Operation of eating, drinking, or lodging establishments in certain park areas
- Part 11 Use of Arrowhead and Parkscape Symbols
- Part 14 Rights-Of-Way
- Part 17 Conveyance of Freehold and Leasehold Interests on NPS Lands
- Part 18 Leases and Exchanges of Historic Property

Additional activities may require a permit issued by the Superintendent. Individuals planning activities outside the norm of visitor use should check with the Superintendent's office. Application for the permit must be submitted within designated time limits prior to the requested date of use. Permit approval must be secured prior to the event.

§2.12 Audio Disturbances:

- (a)(2) Operating a chain saw in developed areas
- (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

§2.23(b) The following special recreation activities (per 36 CFR Part 71) include, but are not limited to:

- Parades, rallies, ceremonies, celebrations, pageants
- Walks, hikes, runs, marathons, unclassified sporting events (of short duration)
- and limited impact
- Weddings

The National Park Service will charge fees and recover costs for special use permits unless prohibited by law or Executive order, or when the proposed use is protected by the First Amendment or involves another right and not a privilege. Charges will reflect the fair market value of the use requested. Hampton NHS will retain funds recovered for the cost of managing a special park use. A permittee, while on park property, may not collect admission or any other money associated with a special event. All permittee monetary transactions must take place outside the park.

§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)

§2.38 Explosives:

- Use, possess, store, transport explosives, blasting agents
- Use or possess fireworks

§2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events

§2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views

§2.52(c) Sale or distribution of printer matter that is not solely commercial advertising

§2.62 Memorialization:

- Erection of monuments (Requires approval from NPS Director)
- Scattering ashes from human cremation

§4.10(c)(1) Track-laying motor vehicles, or other motor vehicles equipped with a similar traction device operation

§5.1 Advertisements - (Display, posting or distribution.)

§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.

§5.6(c) Use of commercial vehicles on park area roads

§5.10(a) Operation of eating, drinking, or lodging establishments in certain park areas

III. GENERAL REGULATIONS

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(a)(4) Dead wood on the ground may not be collected. Campfires are not allowed within the park.

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending or traversing the listed archeological or cultural resource, monuments or statues:

- 5) Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, is prohibited except in designated areas and under conditions established by the superintendent.

- 7) Possessing or using a mineral or metal detector, magnetometer, side scan sonar, other metal detecting device, or subbottom profiler is prohibited without written authorization from the superintendent.

(b) Hiking or pedestrian traffic is restricted to the trail or walkway as listed in Section 1.5 of this document.

- Leaving a trail or walkway to shortcut between portions of the same trail or walkway, or to shortcut to an adjacent trail or walkway in violation of designated restrictions is prohibited.

(c)(1), (c)(2) The following fruits, nuts, berries or unoccupied seashells may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or use or consumption restrictions:

- The gathering and removal of certain fruits, berries and nuts by hand for personal use and consumption is permitted in Hampton National Historic Site. One peck per person per day of edible nuts may be gathered. One peck per person of leaves and pinecones may be collected from the ground for educational purposes.

- No live flowers, live leaves, or other plant parts may be collected, except as allowed by permit issued by the Superintendent

- Tree climbing is prohibited.

36 CFR §2.2 - WILDLIFE PROTECTION

(d) The transporting of lawfully taken wildlife through the park is permitted under the following conditions and procedures:

- N/A

(e) The following areas are closed to the viewing of wildlife with the use of an artificial light:

- N/A

36 CFR §2.3 – FISHING

(a) The following State fishing laws and/or regulations, as noted, do not apply in the listed areas: Not Allowed

- Not Allowed

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:

- The individual is not otherwise prohibited by law from possessing the firearm: and
- The possession of the firearm is in compliance with federal and state law.

(2)(ii) Weapons, traps, or nets may be used for target practice as provided for in Section 7.

- N/A

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) The sites and areas listed below have been designated for camping activities as noted. A permit system has been established for certain campgrounds or camping activities, and conditions for camping and camping activities are in effect as noted:

- N/A

(b)(3) Camping within 25 feet of a fire hydrant or main road, or within 100 feet of a flowing stream, river or body of water is authorized only in the following areas, under the conditions noted:

- Not Allowed

(d) Conditions for the storage of food are in effect, as noted, for the following areas:

- N/A

36 CFR §2.11 – PICNICKING

Conditions for Picnicking:

- Picnicking is allowed in the designated Picnic Area as designated in the attached map.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas and/or receptacles, and under the conditions noted:

Designated Areas:

- Cooking fires are allowed only in the Picnic Area with a permit or in other areas designated by the Superintendent. They must be confined to a barbecue grill, gas stove, or other container designed for such use. Ground fires are prohibited.
- The Picnic Area is designated on the attached map.
- Campfires will be permitted with appropriate authority granted by the Superintendent.

(a)(2) The following restrictions are in effect for the use of stoves or lanterns:

- Same as cooking fires

(b) Fires must be extinguished according to the following conditions:

- N/A

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:

- N/A

(b) Conditions for the disposal, containerization, or carryout of human body waste have been established as follows:

- All waste must be disposed of in designated human waste facilities.

36 CFR §2.15 – PETS

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

- Pets are not permitted in buildings, the cemetery, or the fenced yard of the lower house. Pets may be walked in other parts of the park while kept on a leash that does not exceed six feet in length.

(a)(3) Pets may be left unattended and tied to an object in the following areas, under the conditions noted:

- Not Allowed

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

- Owners/handlers shall place pet excrement in an appropriate refuse container.

(b) The use of dogs in support of hunting must be in accordance with Federal and State laws and the following conditions:

- Not Allowed

(e) Pets may be kept by park residents under the following conditions

- Pets may be kept by residents of government quarters in accordance with park pet policy.

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) The following animals are designated as pack animals for purposes of transporting equipment:

- N/A

(b) The use of horses or pack animals is allowed on the following trails, routes or areas:

- N/A

(d) Free-trailing or loose-herding is allowed on the following trails/routes, subject to the conditions noted:

- N/A

(g) Other conditions concerning the use of horses or pack animals:

- N/A

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(a)(1) Areas designated for operating or using aircraft are provided for in section 7.

- N/A

(a)(2) The operation or use of aircraft under power on water within 500 feet of designated swimming beaches, boat docks, piers, or ramps is permitted in the following areas, under the conditions noted:

- N/A

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

- N/A

36 CFR §2.18 – SNOWMOBILES

(c) Snowmobiles may be operated only on routes designated in section 7.

- N/A

36 CFR §2.19 – WINTER ACTIVITIES

(a) The following park roads and/or parking areas open to motor vehicle traffic may be used for skiing, snowshoeing, ice skating, innertubing, tobogganing, and similar winter activities under the conditions noted:

- Not Allowed

(b) The towing of persons on skis, sled or other similar device by motor vehicle or snowmobile is allowed in the following areas and/or routes:

- N/A

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices are allowed only in the following areas:

- Not Allowed

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 in all park buildings.

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:

- With the permission of the Superintendent property may be left unattended for more than 24 hours.

36 CFR §2.23 – RECREATION FEES

(b) Recreation fees, and/or a permit, in accordance with 36 CFR part 71, are established for the following entrance fee areas, and/or for the use of the following specialized sites, facilities, equipment or services, or for participation in the following group activity, recreation events or specialized recreation uses:

Entrance Fee Areas:

- There are no recreation fees for Hampton NHS.

Daily Site Use Fee Areas:

- Hampton NHS has no daily use fees apart from those which fall under the Special Use Permit

Special Recreation Permit Fee (Such as but not limited to, group activities, recreation events, and the use of motorized recreation vehicles):

- Special Use Permit Application Fee - $50
- Land use for parades, rallies, ceremonies, celebrations, pageants

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 areas of Hampton National Historic Site, are closed to the consumption of alcoholic beverages or the possession of an open container of an alcoholic beverage with the following exceptions
  - Picnic Area
  - Park residences and curtilage
  - Activities conducted under a permit from the Superintendent

36 CFR §2.38 – EXPLOSIVES

(b) Fireworks and firecrackers may be possessed and/or used in the following areas, under the conditions noted:

- Allowed only with activities conducted under a permit from the Superintendent.

36 CFR §2.50 – SPECIAL EVENTS

(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events

- Allowed only with activities conducted under a permit from the Superintendent

36 CFR §2.51 – PUBLIC ASSEMBLIES

(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views

- These activities are allowed in the park and deliberately in an area that is in prominent view of the visiting public in the West Field and north of the Mansion as designated on the attached map. Groups larger than twenty-five participants must apply for a special use permit. All groups with an approved special use permit take precedent over groups without a special use permit regardless of size. Interfering with visitor access throughout the site is prohibited without a permit.

36 CFR §2.52 – SALE OF DISTRIBUTION OF PRINTED MATTER

(c) Sale or distribution of printer matter that is not solely commercial advertising

- These activities are allowed in prominent view of the visiting public in the West Field as designated in the attached map provided a permit has been issued by the Superintendent.

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains, or in the following designated areas without a permit, in accordance with the following terms and condition:

- A permit is required for the scattering of ashes from cremated human remains at Hampton NHS.
- The remains to be scattered must have been cremated and pulverized.
- The scattering of remains by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility, or body of water.
- No scattering of remains from the air is to be performed.

36 CFR §4.2 – State Law Applicable

(a) Unless specifically addressed by regulations in this chapter, traffic and the use of vehicles within a park area are governed by State law. State law is now or may later be in effect is adopted and made a part of the regulations in this part.

(b) Violating a provision of State law is prohibited.

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Park roads, open for travel by motor vehicle are those indicated below, and/or as indicated in the following publication or document (attached hereto):

- The Main Road and the Farm Road are open to the general public via automobile during the park's normal operating hours.

(b) Routes and areas for off-road vehicle use are provided for in section 7.

- N/A

(c)(1) Track-laying motor vehicles, or other motor vehicles equipped with a similar traction device may be operated on the following routes under the terms and conditions noted:

- N/A

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 to the roads indicated under the terms and conditions, and/or under permit as noted:

- N/A

36 CFR §4.21 – SPEED LIMITS

(b) The following speed limits are established for the routes/roads indicated:

- The speed limit in the park is 15 mph.

36 CFR §4.30 – BICYCLES

(a) Park roads and parking areas that are closed to bicycle use are listed in section 1.5 of this document.

- Temporary closures as designated by the Superintendent.

The following additional routes, in developed areas or special use zones, have been designated for bicycle use:

- Bicycles are permitted on the Main Road, Farm Road, and Stable Lane within the park. Cemetery Road, gravel paths, grassy areas, gardens, meadows, et cetera are closed to bicycles. Bicycles may be operated in a careful and prudent manner in opposition to the one-way direction of traffic on one-way park roads.

(b) Bicycle use is allowed in undeveloped areas as provided for in section 7.

- N/A

(d)(3) Riding a bicycle abreast of another rider is allowed on the following routes:

- Not allowed in park.

36 CFR §4.31 – HITCHHIKING

Hitchhiking is permitted in the following areas under the conditions noted:

- Not Allowed

36 CFR PART §5.1 - ADEVERTISEMENT

- Advertisements - Display, posting or distribution of printed material is prohibited without a permit.

§5.3 – BUSINESS OPERATIONS

- 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, is prohibited without a permit.
- (b) Still photography of vehicles or other articles of commerce or models for the purpose of commercial advertising without a permit is prohibited.

36 CFR PART §5.6 - COMMERCIAL VEHICLES

- (b) The use of government roads within park areas by commercial vehicles when such use is in no way connected with the operation of the park is prohibited except that in emergencies the Superintendent may grant permission to use park roads.
- (c) The Superintendent shall issue permits for commercial vehicles used on park area roads when such use is necessary for access to private lands situated within or adjacent to the park area, to which access is otherwise not available.

36 CFR §7. HAMPTON NATIONAL HISTORIC SITE SPECIAL REGULATIONS

- N/A