



National Park Service  
U.S. Department of the Interior

Saint Paul's Church  
National Historic Site

897 South Columbus Ave  
Mount Vernon NY 10550

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

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Approved:

*Shirley McKinney* 7/16/2014  
Shirley McKinney, Superintendent 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 SAINT PAUL'S CHURCH 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.

**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/sapa](http://www.nps.gov/sapa)
- The building and interior grounds are open to the public between the hours of 9:00 a.m. and 5:00 a.m. Monday – Friday with the exception of: the first Thursday of each month the site is open from 1:00 pm to 9:00 pm and the second Saturday of each month from 12:00 pm to 4:00 pm
- The park is closed on the following designated federal holiday(s): 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.*

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 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.
- Park quiet hours are established as 8:00 p.m. – 9:00 a.m.

*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. (See Map)*

**Closures:**

The site is closed between 5:00 p.m. and 9:00 a.m. except for the first Thursday of each month (site is closed between 9:00 p.m. and 9:00 a.m.) and the second Saturday of each month (site closed between 4:00 p.m. through 9:00 a.m. Monday, 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
- 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 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**

Activities requiring a permit are listed above under **Public Use Limits** and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit.

**(b) Permit application**

Permit applications for Special Park Use permits are available at the park website: [www.nps.gov/sapa](http://www.nps.gov/sapa). 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.

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

- §2.12 Audio Disturbances:
  - (a)(3) Operation of any type of portable motor or engine, or device powered by motor or engine in undeveloped 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 for over 25 people. 1<sup>st</sup> Amendment assembly area is shown as an attachment on the Green.
- §2.52 Sale or distribution of printed matter that is not solely commercial advertising.
- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events
- §2.52(c) Sale or distribution of printer matter that is not solely commercial advertising
- §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.
- §5.10(a) Operation of eating, drinking, or lodging establishments in park areas.

### III. 36 CFR – GENERAL REGULATIONS

#### 36 CFR §1.5 CLOSURE ON LAUNCHING, LANDING, OR OPERATING UNMANNED AIRCRAFT

Devices 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 is prohibited except under a special use permit that specifically authorizes launching, landing, or operating unmanned aircraft that is approved by the Associate Director, Visitor and Resource Protection (ADVRP) .

The term unmanned aircraft includes all devices that meet this definition (e.g., model airplanes, quadcopters, and drones) that are used for any purpose, including for recreation or commerce.

#### 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.**

- (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,

impacts the park users, and other factors that would govern the conduct of a reasonable prudent person under the circumstances is prohibited.

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

Pursuant to 36 CRR § 2.4(a) (1), possessing, carrying, or using a trap or net is prohibited. Pursuant to 18 U.S.C. § 930, firearms are prohibited in federal facilities. 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: The Church and Museum buildings at 897 South Columbus Ave, Mount Vernon NY 10550

- Pursuant to 16 U.S.C. §§ 1a – 7b (P.L. 111-24 Section 512), park visitors may carry firearms in National parks 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*

### **36 CFR § 2.5 RESEARCH ITEMS & SPECIMENS**

Taking artifacts, 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.

#### **§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 ,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;

### **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.**

- SAPA 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.
- 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 use harness, leash, or other tether, or 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)(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 §2.20 – SKATING, SKATEBOARDS AND SIMILAR DEVICES**

**Using roller skates, skateboards, roller skis and similar devices is prohibited.**

**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 buildings, 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.

**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 for special events under permit.
- 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

**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**

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

- 1<sup>st</sup> Amendment assembly area is shown as an attachment on the Green. Maximum capacity with a permit in this location is limited to 75 people. 25 or less people do not require a permit

See map below  
First Amendment Area



**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.

**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:
  - o N/A

**36 CFR §4.30 – BICYCLES**

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

**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 §5.6 – 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.

**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.