

07 NCAC 13B .0104 PERMITS

(a) Applications for permits may be made by contacting individual Park and Recreation Area offices or Deputy Director of Operations, North Carolina Division of Parks and Recreation, 1615 Mail Service Center, Raleigh NC 27699-1615.

(b) The following uses of Division property shall require a Special Use Permit authorized by the Division:

- (1) metal detector use;
- (2) rock climbing, rappelling and bouldering for individual climbers. A Group Climbing Permit, as outlined in Paragraph (f) of this Rule, shall be required for all organized group rock climbing, rappelling, and bouldering;
- (3) licensed vehicle operations on the unpaved areas of Fort Fisher State Recreation Area;
- (4) overnight parking;
- (5) aviation activities using unmanned aerial vehicles (UAV) or drones;
- (6) pyrotechnics; and
- (7) other activities or uses not otherwise expressly allowed by these Rules.

(c) Special Use Permits may be obtained at the park level from the Park Superintendent or designee on the day of the activity. An application for a Special Use Permit shall include the following information:

- (1) the name, address, and phone number of the applicant;
- (2) the name of the organization (if any);
- (3) the name, address, and phone number of a contact person;
- (4) the date, time, duration, nature, and location of the proposed activity or use;
- (5) the estimated number of persons expected to participate; and
- (6) the equipment and facilities to be used.

(d) The following activities occurring on Division property shall require a Special Activity Permit authorized by the Division:

- (1) athletic contests;
- (2) events;
- (3) aviation activities using any aviation apparatus other than unmanned aerial vehicles (UAV) or drones;
- (4) pack animals and goats;
- (5) commercial enterprises;
- (6) commercial photography;
- (7) advertising;
- (8) public assemblies and demonstrations;
- (9) entry to restricted areas; and
- (10) other activities or uses not otherwise expressly allowed by these Rules.

Notwithstanding the requirements of this Rule, uses of intoxicating liquors and controlled substances or beverages are governed by 07 NCAC 13B .1003.

(e) An application for a Special Activity Permit shall be made at least 14 days in advance of the activity or use and shall include the following information:

- (1) the name, address, and phone number of the applicant;
- (2) the name of the organization (if any);
- (3) the name, address, and phone number of a contact person;
- (4) the date, time, duration, nature, and location of the proposed activity or use;
- (5) the estimated number of persons expected to participate; and
- (6) the equipment and facilities to be used.

(f) A Research Activity Permit authorized by the Division shall be required for any academic, historic, scientific, or other research, study, or project occurring on Division Property. This shall include studies which involve the collection, removal, or disturbance of any natural or cultural resource of any state park unit and projects that require placing monitoring equipment on any Division property. An application for a Research Activity Permit shall include the following information:

- (1) the name, address, e-mail address, phone number, and resume or curriculum vitae of the principal investigator and project director;
- (2) the name of the organization (if any);
- (3) the name, address, and phone number of a contact person;
- (4) the date, time, duration, nature, and location(s) of the proposed activity or use;
- (5) the title and description of the proposed activities to be performed;

- (6) the estimated number of persons expected to participate;
 - (7) the equipment and facilities requested to be used; and
 - (8) copies of any permits or licenses required by federal or state law.
- (g) A Group Climbing Permit authorized by the Division shall be required for all rock climbing, rappelling, or bouldering by organized private, commercial, governmental, or non-profit groups occurring on Division property. An application for a Group Climbing Permit shall include the following information:
- (1) the name, address, e-mail address, and phone number of the organizer;
 - (2) the name of the organization (if any);
 - (3) the date, time, duration, nature, and location(s) of the proposed activity;
 - (4) the estimated number of persons expected to participate;
 - (5) proof of general liability insurance; and
 - (6) the equipment and facilities requested to be used.
- (h) The Park Superintendent or their designee shall issue a Special Use Permit, Special Activity Permit, or Group Climbing Permit; and the Division's Director or designee shall issue a Research Activity Permit, on receipt of a completed application unless:
- (1) A prior application for a permit for the same activity or use has been made and had been or will be granted; and the activities or uses authorized by that permit do not allow multiple occupancy of that particular location;
 - (2) The activity or use will threaten the health, safety, and welfare of persons using the Park;
 - (3) The activity or use is of such a nature or duration that it cannot be conducted or performed in the particular location applied for, considering such things as safety of the applicant or other Park visitors; damage to Park resources or facilities; impairment of the atmosphere of peace and tranquility in specially protected natural or historic areas; interference with interpretative programs, visitor services or other program activities, or the administrative activities of the Park; or impairment of public use facilities or services of Park concessionaires or contractors;
 - (4) The activity or use would constitute a violation of applicable law or regulation; or
 - (5) The activity would create conditions that are not consistent with or are detrimental to the protection and use of the Park for the purposes for which it is operated.
- (i) The permit may contain such additional conditions or restrictions as are consistent with protection and use of the Park for the purposes for which it is operated, including limitations on the time, location, number of participants, use and facilities, and number and types of equipment used. Locations requested for permitted activities which may not be appropriate include:
- (1) archaeological and interpretive program areas;
 - (2) historic structures;
 - (3) boat ramps;
 - (4) trails;
 - (5) sensitive or fragile natural areas;
 - (6) campgrounds;
 - (7) designated swimming beaches;
 - (8) scenic overlooks; and
 - (9) the habitats of threatened or endangered species.
- (j) If a permit is denied, the applicant shall be so informed with the reason(s) for the denial set forth.
- (k) Participants in activities or uses covered under this Rule shall:
- (1) be subject to the rules of this Subchapter and the terms of any applicable permits issued pursuant to this Rule, including adherence to locations specified for their activity or use while partaking in such event or activity;
 - (2) be subject to fees for parking, admission, or use;
 - (3) not place printed material on Park signs, infrastructure, natural resources, or vehicles;
 - (5) not obstruct or impede pedestrians or vehicles;
 - (6) not harass Park visitors with physical contact or persistent demands; and
 - (7) not threaten the health, safety, and welfare of persons using the Park.
- (l) Violation of the terms and conditions of a permit issued in accordance with this Rule is prohibited and shall result in revocation of the permit by the Park Superintendent or designee.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;*

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