

# NEMAHA NATURAL RESOURCES DISTRICT

## IV. DISTRICT PARK REGULATIONS

001 General regulations governing the administration and use of District park and recreation property.

Under the provisions of *Neb. Rev. Stat.* §§ 2-3290 through 2-32,101, the following rules and regulations are adopted and promulgated by the Nemaha Natural Resources District to govern the administration, use, maintenance, and protection of all land owned by the District or over which the District has a lease or an easement permitting the use thereof for public recreational purposes which the Board authorizes to be used for such purposes, hereinafter referred to as the “Park Area”, or “Park Areas.” These rules and regulations are effective July 26, 1984, and have been amended and restated as of December 9, 2010, and March 10, 2016.

These rules and regulations shall apply to all persons entering, using, residing in, visiting, or who are otherwise within the boundaries of any Park Area.

### DEFINITIONS

The following definitions shall apply to all regulations contained in this section.

- (a) District shall mean Nemaha Natural Resources District.
- (b) Manager shall mean the Manager of the District.
- (c) Law Enforcement Officer shall mean any duly constituted and credentialed officer, including but not limited to any Nebraska Game and Parks Commission conservation officer, local police officer, member of the Nebraska State Patrol, or sheriff or deputy sheriff.
- (d) Park Area or Park Areas shall mean all land owned by the District or over which the District has a lease or an easement permitting the use thereof for public recreational purposes which the Board authorizes to be used for such purposes.
- (e) Special Area Regulations are regulations adopted by the District Board of Directors for a particular recreational use at a specific location and are stated at the end of these rules and regulations.

## **001.01 ABANDONED PROPERTY**

001.01A Abandonment of any vehicle or other personal property is prohibited, and such property may be impounded at the direction of the Manager or by a law enforcement officer.

001.01B Leaving any vehicle or other personal property unattended for longer than 24 hours without prior permission of the Manager is prohibited, and any property so left may be impounded law enforcement officer. In the event unattended property interferes with the safe or orderly management of any Park Area, it may be impounded immediately at the direction of the Manager or by a law enforcement officer at the expense of the owner.

## **001.02 AIRCRAFT AND POWERLESS FLIGHT**

001.02A The operation or use of aircraft on lands or waters other than at landing areas designated in Special Area Regulations is prohibited. Where water surface is designated as a landing area, the operation and use of aircraft on the water within 500 feet of bathing beaches, boat docks, piers, ramps, or within one mile of any water control structure is prohibited.

001.02B Except in extreme emergencies involving the safety of human life or threat of serious property loss, the air delivery of any person or thing by parachute, helicopter, or other means without prior written permission of the District is prohibited.

001.02C The provisions of this section shall not be applicable to aircraft engaged on official business of the District or used in emergency rescue in accordance with the directions of the Manager or forced to land due to circumstances beyond the control of the operator.

001.02D The operation of aircraft shall be in accordance with current applicable regulations of the Federal Aviation Agency.

001.02E The launching or landing of sailplanes, gliders, balloons, body kites, hang gliders, and other devices designed to carry persons or objects through the air in powerless flight is prohibited without a written permit from the District specifying the conditions under which such launching or landing is to be conducted.

001.02F The launching, operation or landing of any radio-controlled hobby aircraft, drones or watercraft, gas or electric, which is incapable of carrying a person, is prohibited.

**001.03 AUDIO DEVICES**

001.03A The operation or use of any audio device including a radio, television set, musical instrument, or a device producing noise such as an electric generating plant, a motor vehicle, a motorized toy, or other equipment driven by a motor or engine in such a manner or at such a time so as to unreasonably annoy or endanger persons in campgrounds, picnic areas, or at other public places or gatherings is prohibited.

001.03B The operation or use of a public address system, whether fixed, portable, or vehicle mounted, on lands, waters, or highways, is prohibited except when such use or operation is in connection with a public gathering or special event for which a permit has been issued.

**001.04 BEGGING AND SOLICITING**

001.04A Begging is prohibited in any Park Area.

001.04B Hitchhiking or the soliciting of transportation is prohibited except in emergencies and cases of vehicle breakdown.

001.04C Commercial soliciting of any kind without a special use permit is prohibited; provided, however, that this section shall not apply to transactions with authorized concessionaires.

**001.05 CAMPING**

001.05A Camping is defined as the temporary lodging out-of-doors for outdoor recreational purposes and presupposes occupancy of a shelter designed for such purpose (i.e. sleeping bag, tent, trailer, or other recreational vehicle).

001.05B Camping and the use of trailers or other camping units is permitted only at designated locations. Within designated locations the pitching of tents or parking of trailers or other camping units is permitted only at designated sites. Camping at designated RV camping pads is limited to one camper/trailer per pad. Tent camping is prohibited on RV camping sites. Campers and vehicles are prohibited from parking on the grass.

001.05C Camping is limited to a stay of not more than 14 consecutive days at any Park Area. A 14-day absence is required before returning to the same Park Area to camp again. District staff may require anyone camping to move or leave a camping pad or space if necessary prior to the end of a 14-day period.

001.05C1 Tent camping is limited to not more than 7 days at any camping site within any Park Area in order to preserve vegetation, provided, however, that tent camping may not exceed the 14-day maximum stay as defined in Section 001.05C.

001.05C2 An extension beyond the 14-day camping limitation may be obtained only between November 1 and April 1 at the discretion of and with written permission from the Manager. Payment of applicable camping fees is required in advance for the extended period requested, and no refunds will be made for early departure. Written permission may include special conditions or limitations required by the Manager.

001.05D All digging or leveling of ground at any Park Area is prohibited except with permission of the Manager.

001.05E Any camper unit may not exceed one hundred two inches in width and 40 feet in length as defined by *Neb. Rev. Stat. § 60-314*.

001.05F All camping equipment must be completely removed from the campsite and all trash and debris properly disposed of prior to departure.

001.05G Quiet shall be maintained in all campgrounds between the hours of 10:00 p.m. and 6:00 a.m., daily, seven days a week, year-round.

001.05H All approved camping spaces shall be occupied on a first-come, first-served basis, with no reservations. Holding campsites by leaving a vehicle or other property unattended (as defined in Section 001.01B) is prohibited, and such property is subject to impoundment at the direction of the Manager or by a law enforcement officer in accordance with Section 001.01. Any paid camping site that is unoccupied or that is occupied by an abandoned vehicle (as defined in Section 001.01B) for 24 hours or more may be declared vacated, and no refund of fees paid will be made.

001.05I A \$12 fee is required per night for campsites that provide electrical hookups. Fees must be paid within 30 minutes of arrival and deposited in the collection box provided. A late fee of \$5 will be assessed for all campsite fees not paid on time. The removable receipt must be displayed on the post provided at the campsite as proof of payment. All campsite fees are valid until noon the following day for each day paid. Campsites that provide electrical hookups are intended for use by RVs needing to use electricity. Use of these sites by RVs not using electricity, tents or other vehicles is prohibited, even if fees for the campsite have been paid. This includes parked vehicles, trailers and boats. Any RV may use these sites without paying the fee during times when a seasonal shutdown is in affect and the electricity has been turned off. Violators are subject to impoundment as outlined in Section (001.01B).

001.05J Where indicated by appropriate sign at the entrance to a designated camping area, permission to enter or occupy such area is granted to campers between the hours of 10:00 p.m. and 6:00 a.m. No other persons shall have permission to enter or occupy such areas unless specifically authorized by the Manager.

## **001.06 CLOSURES**

001.06A The District may establish a reasonable schedule of visiting hours for all or portions of any Park Area and close to public use all or any portion of any Park Area when necessary for the protection of an area or the safety and welfare of persons or property by the posting of an appropriate sign indicating the extent and scope of such closure.

001.06B The District may establish seasonal schedules for any or all Parks during which time all or a portion of a Park may be closed or some services/facilities such as electricity, water, restrooms and trash receptacles are not available.

## **001.07 DOGS, CATS, OTHER PETS & LIVESTOCK**

001.07A Dogs, cats, and other pets are prohibited unless they are crated, caged, or on a leash or otherwise under physical restraint at all times. Leashes may not exceed six feet in length. Owners or handlers of pets may be requested to remove such pets from any Park Area if they become a nuisance.

001.07B Pets are prohibited on designated swimming beaches unless such pets are guide or companion dogs to blind or disabled persons.

001.07C Dogs, cats, or other pets running at large and observed by a Law Enforcement Officer in the act of attacking, injuring, or threatening humans or wildlife may be captured, restrained, or disposed of in the interest of public health and safety or welfare or for the protection of or preservation of property.

001.07D In Park Areas where hunting is allowed, the use of hunting dogs is allowed provided that the dogs' owners or handlers accompany and have control of such dogs and are responsible for the actions of such dogs.

001.07E Grazing or ranging domestic animals or poultry is prohibited without prior written authorization by the District.

001.07F Horseback riding and the use of pack animals is permitted only on roadways and on designated areas.

001.07G Riding or hitching horses or other saddle or pack animals is prohibited in campgrounds or picnic areas or within the immediate vicinity of trail shelters, eating, sleeping, or other areas or public gatherings, except where trails and facilities are provided for such use.

001.07H Riders shall slow their horses to a slow trot or walk when passing persons on foot or bicycle.

001.07I Pedestrians on trails shall remain quiet when horses or pack animals are passing.

## **001.08 EXPLOSIVES AND FIREWORKS**

001.08A The use or possession of explosives is prohibited except upon written permission of the District.

001.08B The use or possession of fireworks is permitted only in areas or portions of areas designated for such use by appropriate District posting of signs. The use or possession of such fireworks in other than designated areas is prohibited. Possession and use of fireworks shall conform to applicable laws of the State of Nebraska.

001.08C Organized fireworks displays open to the general public without charge and sponsored by a responsible agency or organization may be permitted by written authorization by the District and the State Fire Marshall.

## **001.09 FIRES**

001.09A The kindling of any fire is only permitted in designated camping and picnic areas and only when the fire is confined in a fireplace provided for the use of visitors, or in grills, or in other locations specified by the Manager, or in stoves or lanterns using gasoline, propane, butane gas, or similar fuels.

001.09B Any fire shall be kindled in such manner that no trees, shrub, grass, or other combustible matter is or will be set on fire.

001.09C When no longer needed, any fire shall be completely extinguished. Leaving any fire unattended is prohibited.

001.09D Throwing or dropping a lighted cigarette, cigar, pipe heel, match, or other burning materials in any Park Area is prohibited.

001.09E The kindling of any fire on Park Areas may be prohibited by the Manager by posting signs when the fire hazard makes such action necessary.

001.09F The Manager, during such period of time as he may prescribe, may prohibit smoking on any park lands including roads and trails by the posting of appropriate signs.

001.09G The kindling of any fire or the use of any type of cooking device is expressly prohibited on any designated swimming beach.

## **001.10 FISHING, HUNTING, TRAPPING**

001.10A Fishing is permitted on Park Areas subject to Nebraska, District or any other local fishing regulations.

001.10B Any Park Area or portions of such area may be closed to all or any form or method of fishing by the posting of appropriate signs.

001.10C Fishing within 20 yards of any public boat ramp, boat dock, mooring area, or swimming beach is prohibited.

001.10D Fishing from motor vehicle road bridges is prohibited.

001.10E Hunting or the use of firearms, bow and arrow, paint ball guns, or other projectile devices is prohibited on Park Areas with the following exceptions:

001.10E1 Hunting is allowed on specifically designated and signed areas only if such activity is conducted in accordance with General Nebraska Hunting Regulations and applicable Special Area Regulations.

001.10E2 Firearms used by law enforcement officers in performance of their duties.

001.10E3 Firearms or other projectile devices authorized for use by the public on designated ranges.

001.10F Trapping by special permit only is authorized on Park Areas and within 100 yards of public-use facilities and activity areas. A special permit may be issued only if the Manager determines that sufficient depredation has occurred to warrant the removal of surplus furbearing animals. Such special permits shall be granted to applicants selected by a drawing.

## **001.11 INTOXICATION: POSSESSION OF ALCOHOL**

001.11A Possession of alcoholic beverages on any Park Area is prohibited, with the following exceptions:

001.11A1 Possession or consumption on leased premises used pursuant to a lease agreement authorizing such possession or consumption and in conformance with appropriate state and local license or use provisions.

001.11B Except as provided in Section 001.11A1 above, the possession of a bottle, can, or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken, or the contents of which has been partially removed is prohibited, provided, this section does not apply to:

001.11B1 An open container stored in the trunk of a motor vehicle or, in the case of a motor vehicle without a trunk, an open container stored in some other portion of the vehicle designed for the storage of luggage and not normally occupied by or accessible to the operator or passengers, or

001.11B2 An open container stored in the living quarters of a motor home or camper.

001.11C Any person who is present in any Park Area and under the influence of alcohol to a degree that may endanger such person or another person or property or may cause unreasonable interference with another person's enjoyment of a park area is prohibited.

## **001.12 PERMITS, MOTOR VEHICLE ENTRY**

Except as hereinafter provided, it shall be unlawful for any motor vehicle to enter any Park Area designated as a permit area without properly displaying a valid motor vehicle entry permit.

### 001.12A Definitions

Permit: Shall mean District motor vehicle entry permit.

Permit Area: Those areas designated by the District for which entry permits shall be required.

Motor Vehicle: Shall mean every self-propelled land vehicle, not operated upon rails, except mopeds, self-propelled chairs used by persons who are disabled, and electric personal assistive mobility devices.

Group: Any organized function that will involve no more than 25 vehicles using a Park area.

### 001.12B Operation

Designated permit areas or portions thereof requiring a valid motor vehicle entry permit shall be defined as follows unless otherwise posted: Kirkman's Cove Recreation Area, Iron Horse Trail Lake Recreation Area, and Wirth Brothers Lake Recreation Area.

Annual and Duplicate Annual Permits shall be permanently affixed to the inside, lower right-hand corner of the windshield of motor vehicles with windshields. In the case of motor vehicles without windshields, it shall be the responsibility of the operator to permanently affix the permit to the vehicle so as to be readily visible to inspection by any District official or law enforcement officer.

Temporary Permits shall be valid only for the area where purchased. It shall be the responsibility of the operator to date and complete the pay envelope, tear off the receipt which shall be the temporary permit, and deposit payment therefore into the drop box provided. The self-service temporary permit shall be displayed in a location so as to be readily visible to inspection by a District official or law enforcement officer. Temporary permits are non-transferrable.



Permits shall be available to the public in four forms:

Annual, temporary, duplicate annual, and group. The annual permit may be purchased by any person and shall be valid through December 31 of the year for which issued. The fee shall be \$10 if purchased before April 1; \$12 if purchased between April 1 and December 31. The temporary permit may be purchased by any person and shall be valid for 48 hours beginning at 12:00 noon on the day of purchase. The fee of a temporary permit shall be \$5.

The registered owner of two or more motor vehicles may purchase one duplicate annual permit for each annual permit purchased. The duplicate annual permit shall be used on the purchaser's vehicle. The fee is \$6 regardless of the date of purchase. The duplicate annual permit is valid through December 31 of the year for which issued.

Groups may be eligible for a group permit at a cost of \$25 upon prior written authorization of the District. Requests must be made in writing on a Group Permit Application at least 14 days in advance of the group event. At least one member of the group must possess a valid, annual park permit. Information on the Group Permit application must include the Group's name, name and contact information for the event organizer, type/name of the event, location in the Park where the event will take place, estimated number of vehicles anticipated and dates and time when the event will occur. If it is determined that activity shown on the application is unique and/or has the potential to impact the operation of the park, it will be considered as Special Occasion Permit and be governed by the rules and conditions outlined in Section 001.13. Group permits are valid only for the time and date(s) of the event, not to exceed two days and are limited to the area in the Park where the event will take place. The event organizer must have a copy of the approved Group Permit at the site during the event and is responsible for identifying and keeping track of all vehicles participating in the event. Refunds of group permit fees may be given only when cancellation is received at least four days prior to the event date.

Duplicate annual permits and group permits may be obtained only from the District's office in Tecumseh. Annual permits may be purchased at the District's office in Tecumseh or by U.S. mail. Application forms are available on the District's website or upon request from the District office in Tecumseh. Annual permits may also be requested by completing the appropriate section on the temporary permit envelope available at Park Areas. Annual permits will be mailed to the applicant within two weeks of request, and the temporary permit receipt may be used in place of the annual permit until the annual permit is received. A permit holder who sells his or her vehicle to which a valid annual or duplicate annual permit has been attached may purchase a duplicate annual permit upon surrendering the original permit or a substantial portion thereof.

001.12C Vehicles Requiring a Permit

Permits shall be required for all motor vehicles entering designated permit areas at anytime of the year, with the following exceptions:

001.12C1 Motor vehicles bearing government license plates: defined as those motor vehicles owned or operated by the federal government, state, counties, municipalities, or school districts for which distinctive license plates have been issued.

001.12D Replacement Permits

A replacement annual or duplicate annual permit may be obtained at no cost in exchange for any valid annual or duplicate annual permit damaged while being affixed to a motor vehicle or shown to be defective. The owner of a permit damaged as the result of a broken windshield requiring replacement may likewise obtain a replacement permit at no cost. The replacement permit must be affixed to the same vehicle for which it was originally purchased. A replacement permit is valid through December 31 of the year for which issued. Free replacement permits may not be obtained for any other reason. To qualify for a replacement permit, the owner of a damaged or defective permit shall surrender all of such permit or a substantial portion thereof. In instances involving a broken windshield, a receipt or other proof of purchase of a replacement windshield shall also be presented for verification. Replacement permits may be obtained only from the District's office in Tecumseh.

001.12E Revocation of Permit

Permits may be revoked at any time by the District or any authorized law enforcement officer due to violation of the rules and regulations of any Park Area. Fees will not be refunded. Neither the revocation of the permit nor forfeiture of the fees shall in any manner relieve such person(s) from liability and/or conviction of any violation of any provision of Park Area regulations.

**001.13 PERMITS, SPECIAL OCCASION**

001.13A Events anticipating more than 25 vehicles, sports events, pageants, reenactments, regattas, entertainment, fishing tournaments (must follow current Nebraska Game & Parks Rules & Regulations), and the like characterized as public spectator attractions or participant activities, are prohibited unless written permission therefor has been given by the District. Such permits shall be issued only after a finding that the issuance of such permit will not be inconsistent with the purposes for which the area is established and maintained and will cause the minimum possible interference with use of the Park Area by the general public. The permit may contain such reasonable conditions and restrictions as to duration and area occupied as are necessary for the protection of the Park Area and public use thereof.

001.13B Public meetings, assemblies, gatherings, demonstrations, parades, religious services, and other expressions of views are prohibited unless written permission therefor has been given by the District in accordance with District policy.

001.13C The filming of still or motion pictures of lands and facilities owned or controlled by the District for commercial purposes is prohibited unless written permission therefore has been given by the District.

001.13D Applications for a Special Occasion Permit shall be received by the District not later than sixty (60) days prior to the requested special activity and shall set forth the following: the name of the applicant or organization holding the event, name and contact information for the person organizing the event, the date, time, duration, nature, and place of the proposed activity, an estimate of the number of persons expected to attend, number of vehicles expected and a statement of equipment and facilities to be used in connection therewith. Special Occasion Permit Applications may be subject to review and approval by the District's Board of Directors.

001.13E A minimum fee of \$50 will be charged for Special Occasion Permits. Events that anticipate more than 50 vehicles, more than 100 people, will last more than 12 hours, create significant impact to the operation of the Park or require additional District staff time will be assessed a fee of \$150 plus a standard damage deposit of \$150. The standard damage deposit will be refunded if the applicant completes all the conditions outlined in the permit. . The District can require additional fees, deposits or surety bonds as a condition of permit issuance if the District feels it is necessary to protect the condition of the park or cover expenses, including staff time incurred by the District as a result of the permitted activity. Refunds of Special Occasion Permit fees will be given only if the notice of cancellation is provided to the District one week prior to the event.

001.13F The approved permit will include any and all conditions required for holding the event in the Park area including any requirements for Park entry Permits. It is the responsibility of the event organizer to assure all conditions outlined in the permit are met including, but not limited to, traffic control, parking, keeping track of vehicles, documenting event participants, sanitation requirements and any post event cleanup. The permit may also require that the applicant pay additional fees to cover the cost to the District for providing staff time or other resources to assist with the event. Failure to meet the conditions may result in the loss of all or a portion of the applicant's cash deposit as outlined in Section 001.13E

#### **001.14 PRESERVATION OF PUBLIC PROPERTY**

001.14A The possession, destruction, injury, defacement, removal, or disturbance in any manner of any building, sign, equipment, monument, statue, marker, or other structure or of any animal or plant matter and direct or indirect products thereof including but not limited to petrified wood, flower, cane or other fruit, egg, nest or nesting site, or any soil, rock or mineral formation, artifact, relic, historic or prehistoric feature, or of any other public property of any kind without prior permission of the Manager is prohibited.

001.14B The gathering or possession for personal consumption or use of only such fruits and berries as the Manager may designate is permitted. All such fruits and berries shall be picked by hand. The gathering or collecting of such fruits and berries for the purpose of sale is prohibited.

001.14C The possession or use of portable, handheld mineral or metal detecting devices is permitted, provided, however, that no digging or disturbing vegetation is allowed. All historical, archeological, or paleontological items found are to be left undisturbed and their location reported to the District.

001.14D The destroying, digging, removing, or possession of any tree, shrub, or plant is prohibited provided, however, that the collection and possession of dead wood found on the ground for use as fuel in campground or picnic areas is allowed except as posted by appropriate signs.

001.14E Dead timber which has been cut down and stockpiled for removal from a Park Area by District personnel may be further cut and removed from the area by the public, with the permission of the Manager. The removal of such dead timber for the purpose of sale is prohibited.

001.14F Entering, climbing upon, or tampering with District-owned motor vehicles and motorized or power equipment is prohibited.

#### **001.15 PROPERTY, AUTHORIZED INSTALLATION**

001.15A Except as otherwise provided in this section, no structure shall be permanently or temporarily installed including but not limited to ice fishing shelters or blinds.

001.15B Persons who wish to place an ice fishing shelter for non-commercial purposes on or over designated water areas shall, each year, obtain a permit from the District. Application forms may be obtained by writing to the Nemaha Natural Resources District, 62161 Hwy 136, Tecumseh, Nebraska 68450.

001.15C Ice fishing shelters may be placed and used under proper permit on District Recreation Area lakes through February 10 of each year unless otherwise posted as closed.

001.15D The cost of such a permit shall be \$5.00 each. Ice fishing shelters must display a permit on the outside door with the name and address of the owner. In addition, the permit number shall also be written or affixed to the door in letters no less than 6" in height.

001.15E The door to any ice fishing shelter shall be constructed so that it can be opened from the outside at all times when in use, and shelters may be locked when

not in use. The District may remove, burn, or otherwise destroy or dispose of such structures found on the ice after February 10 each year. The contents of any such structures left on the ice may be seized by the District and held for a period of 30 days.

001.15F The above regulations do not apply to temporary, portable shelters that are erected and removed from frozen surfaces daily.

001.15G Hole size made for ice fishing shall not exceed 10 inches in diameter.

001.15H No person shall enter upon any Park Area or portion of any such area which is temporarily closed to general public access and which is posted with appropriate signs.

001.15I Digging or seining for any purpose on or in any Park Area is prohibited.

001.15J No publicly owned personal property may be removed from any Park Area or be moved from its general location without specific permission from the District or its authorized agents or employees.

001.15K The Manager is specifically authorized to remove structures and facilities that are in violation of these rules and regulations.

001.15L Failure by the permittee to remove his ice shelter by the dates specified and in the manner stipulated in these regulations shall be cause to revoke such permit and to restrict the permittee for future consideration of such permits.

## **001.16 SANITATION**

001.16A All garbage, papers, cans, bottles, waste materials, and rubbish of any kind must be deposited in places or containers designated for the disposal thereof or removed from the Park Area.

001.16B Draining or dumping refuse or wastes from any trailer or other vehicle except in places or receptacles provided for such use is prohibited.

001.16C Cleaning food, fish, or fowl or washing clothing, vehicles, campers, or articles of household use at campground hydrants is prohibited.

001.16D Polluting or contaminating in any manner any watershed, water supplies, or water used for drinking purposes is prohibited.

001.16E Fish entrails or other inedible parts of fish may be disposed of by placing in a trash receptacle provided. Placing into fresh waters or onto public land is prohibited.

001.16F Depositing any body waste in or on any portion of any comfort station or other public structure except into fixtures provided for that purpose is prohibited. Placing any bottle, can, cloth, rag, metal, wood, or stone substances in any of the plumbing fixtures of such structure or station is prohibited.

001.16G Urinating or defecating other than at the places provided therefor is prohibited.

001.16H Using District refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought into Park Areas as such from private property is prohibited.

### **001.17 SCUBA DIVING**

001.17A Scuba Diving is defined as swimming with the aid of self-contained underwater breathing apparatus (air tanks) but does not include snorkeling.

001.17B Scuba Diving is prohibited within 200 feet of the limits of designated swimming, boat mooring, and boat docking or launching areas.

001.17C The International Divers Flag must be displayed whenever engaged in Scuba diving. The Scuba diver must stay within 150 feet of his flag.

001.17D Scuba diving is permitted in all waters located on Park Areas, unless otherwise designated by Special Area Regulations and/or posted signs.

### **001.18 SKATING, SKATEBOARDS**

001.17A The use of roller skates, in-line roller blades, hover boards and skateboards is prohibited except in locations designated by the District by the posting of appropriate signs.

### **001.19 SNOWMOBILES**

001.18A The operation of any snowmobile by any person within any Park Area is prohibited.

### **001.20 SWIMMING AND WADING**

001.20A Swimming and wading are permitted in designated Park Areas only.

001.20B Flotation devices approved by the United States Coast Guard may be used within designated swimming areas. All other flotation devices are prohibited.

The use of surfboards and similar devices and the throwing of Frisbees, balls, and other similar devices within designated swimming areas is prohibited.

001.20C Swimming from vessels underway is prohibited.

001.20D Swimming or wading within 20 yards of a boat ramp, boat dock, or mooring facility is prohibited.

001.20E Swimming areas may be closed due to deteriorating water quality conditions. Appropriate signage will be posted at such areas.

001.20F Possession of glass food or beverage containers on beach areas is prohibited.

## **001.21 TRAFFIC**

001.21A It shall be unlawful for any person to park, tow, or otherwise operate any motor vehicle, trailer, or cabin trailer within any Park Area which does not bear valid license plates and is not registered in accordance with applicable state laws. All such vehicles not properly licensed and registered shall be in violation and may be impounded by the Manager or any law enforcement officer.

001.21B It shall be unlawful for any person not possessing a valid motor vehicle operator's license to operate a motor vehicle of any type within the confines of any Park Area.

001.21C It shall be unlawful for any person to park, tow, or otherwise operate any motor vehicle, trailer, or cabin trailer on other than those areas or portions of areas, roadways, campgrounds, beaches, and parking areas as may be designated by the District for such operation. Parking on access roads is prohibited.

001.21D All traffic laws and District park regulations governing operation of motor vehicles on roadways of any Park Area shall further apply to motor vehicle operation on those off-road portions of such area, including but not limited to campgrounds, beaches, and parking areas, as may be designated by the District for motor vehicle operation.

001.21E The maximum speed of any motor vehicle shall be 15 mph.

001.21F The operation of ATVs, Utility Terrain Vehicles (UTVs), three wheelers, four wheelers, and other non-licensed, motorized vehicles is prohibited in all Park Areas, with the following exceptions:

001.21F1 District maintenance vehicles and District vehicles in an emergency situation are allowed.

001.21F2 Motorized devices operated by disabled persons in possession of a valid, written permit issued by the District are allowed. Such devices may include golf carts, electric personal assistive mobility devices with a

maximum speed of 20 miles per hour, or motorized disability access vehicles fueled by gasoline which are not capable of a speed greater than 30 miles per hour. To qualify, applicant must provide proof of disability (state issued handicapped parking permit or physician's certification of disability). Permits expire either one year from issuance or at the same time as the state issued handicapped parking permit, whichever occurs first. Permit holders must abide by rules and guidelines for operation as outlined on the permit.

001.21G Driving a motorized vehicle of any kind on a frozen water body within any Park Area is prohibited.

## **001.22 VENDING**

001.22A Vending, including mobile vending, of any goods, services, products, or commodities, is prohibited on Park Areas without the prior written authorization of the District.

001.22B Park Areas shall not be used as a headquarters or residence by any person or group engaged in commercial or professional activities without prior written authorization of the District.

001.22C The sale or distribution of any printed material is prohibited within Park Areas without a written permit issued in advance by the District.

001.22D Persons authorized to sell or distribute printed materials within any Park Area shall not obstruct or impede pedestrians or vehicles, harass park visitors with physical contact or persistent demands, misrepresent the purposes of affiliations of those engaged in the sale or distribution or misrepresent whether the printed material is available without cost or donation.

## **001.23 BOATING AND WATER SKIING**

001.23A Boating is allowed in all Park Areas subject to restrictions as posted in each area or as specified in State boating regulations or as specified in Special Area Regulations.

001.23B The towing of persons on water skis, surfboards, and similar devices by vessels is allowed only in Park Areas posted as open to such activities provided such activity is conducted in a safe and reasonable manner.

001.23C Personal watercraft (a.k.a. Jet Skis) and other similar watercraft are prohibited in all Park Areas. Personal Watercraft shall be defined as any inboard vessel less than 16 feet in length that uses an internal combustion engine powering a jet pump as its primary source of motive propulsion designed to be operated by a person sitting, standing or kneeling on the vessel.



## **001.24 WATER SPORTS - GENERAL**

001.24A Areas in which water related recreational activities are allowed may be zoned to separate or define activities. Such zoning may prescribe the area in which the public may engage in any such activities, or may limit the hours during which the public may engage in any such activities. Such zoning shall be clearly

indicated by such signs, markers, buoys, or other appropriate devices in widespread and common use for such purposes.

001.24B The number of participants engaging in any or the above-mentioned water related recreation activities on any Park Area the Manager of the District when conditions warrant such limitations in the interests of public health, safety, or welfare.

001.24C The Manager of the District is specifically authorized and empowered to declare emergencies and to require the participants in any or all of the water related activities mentioned in the foregoing on any such areas, to cease such activity and to temporarily vacate the water area or a portion of the water area, in the event of a water accident, severe weather, or similar emergency. No person shall have permission to engage in any such activity in any such area or portion thereof during such declared emergency.

001.24D Appropriate fees may be established and collected by the District for participation in any or all of the various water related activities mentioned in the foregoing at any Park Area.

In such event, the fee shall be made known to the public by signs or such other means as appropriate and participation in any such activity shall be conditional upon payment of the fee.

001.24E Boats shall not be left unattended in or near waters in any Park Area except at designated mooring, anchoring, or beaching locations.

001.24F Docks installed adjacent to boat ramps shall be used only for the following purposes: Launching and recovery of boats and embarking and disembarking passengers. The mooring of boats at such docks for any other reason or for a period of time greater than that reasonable to accomplish the permitted activities is prohibited.

## **001.25 WINTER SPORTS**

001.25A Skiing, sledding, tobogganing, snowshoeing, skating, and similar winter sports are permitted except upon roads and parking areas when such roads and parking areas are open to motor vehicle traffic and in other places where these activities are prohibited by appropriate regulations and/or posted signs.

001.25B The towing of persons on skis, sleds, or other sliding devices by a motor vehicle or snowmobile is prohibited.

## **001.26 STANDARDS**

001.26A The standards established in these regulations are in furtherance of the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and provide for the enhancement of the recreation values of the Park Areas.

001.26B Use and development of property will be in conformance with applicable federal, state, and local laws, regulations, and ordinances.

001.26C The development, improvement, and use of the property in Park Areas shall not materially detract from the scenic, natural historic, pastoral, and fish and wildlife values of such areas.

001.26D Any development, improvement, or use of property in Park Areas shall provide for the adequate disposal of solid and liquid waste originating on or resulting from the use of the property.

001.26E All new utilities will be underground, where feasible.

001.26F No structures or other improvements will be constructed in or encroaching upon streambeds, banks, and flood plains of live or intermittent streams. Streambeds, banks, and flood plains will not be disturbed, except as may be necessary to construct, operate, and maintain irrigation, fisheries, utilities, roads, and similar facilities or improvements. Any such necessary encroachment will avoid impeding water flow, sedimentation of streams, or entrance of deleterious materials into streams.

## **001.27 EXCEPTIONS TO REGULATIONS**

001.27A Nothing contained herein shall be construed as prohibiting the District or its duly appointed agents or employees from the conduct of their assigned duties in the administration, maintenance, and development of Park Areas.

001.27B In the event of natural disaster, state or national emergency, civil disorder, accident, or other situation where in the conduct of activities otherwise permitted under these regulations may constitute a hazard to the public health, safety, or welfare, or inhibit rescue, recovery, post-disaster, or development operations, the Manager is specifically empowered and directed to take such measures at their disposal to preserve the public health, safety, and welfare and to expedite rescue, recovery, and operations, to include the temporary suspension of any or all activities contemplated in these regulations or any Park Area or portion of any such area and the temporary closure and/or evacuation of any such area.

## **001.28 SPECIAL AREA REGULATIONS**

### *IRON HORSE TRAIL LAKE:*

001.28A Hunting is allowed within the designated area below the dam from October 1 to March 1 annually.

001.28A.1 Only shotguns and archery are allowed as legal methods of hunting.

001.28A.2. All hunting, including waterfowl, is prohibited outside the designated area.

001.28A.3 Persons hunting the designated area must park in the area designated for that purpose and may possess a shotgun or bow. Possession of a shotgun, bow or any other firearm outside of this area is considered a violation of Section 001.10E of these rules.

001.28B Boating shall be limited to 5 mph, no wake. Personal watercraft are not permitted.

001.28C In addition to standard state fishing rules and regulations the following regulations are in place:

- the use and possession of live bait fish is prohibited
- Largemouth Bass - the harvesting of Largemouth Bass shorter than 21 inches in length is prohibited.
- Walleye, Sauger and Saugeye - the daily bag limit of four may include one from 15 to 18 inches, and three over 18 inches or four over 18 inches with no more than one over 22 inches.

### *PRAIRIE OWL & WIRTH BROTHERS LAKE:*

001.28C Boating shall be limited to 5 mph, no-wake. Personal watercraft (aka Jet Skis) and similar devices are not permitted.

001.28D The towing of persons on water skis, surfboards, and similar devices by boats or other watercraft is prohibited.

### *KIRKMAN'S COVE:*

001.28E Power boating is limited to a maximum of 35 mph on the lower 2/3 of Kirkman's Cove from the dam to the buoy markers.

*IRON HORSE TRAIL LAKE, KIRKMAN'S COVE, WIRTH BROTHERS LAKE*

001.28F. All licensed, motorized vehicles must display a valid park entry permit issued by the District while within Park Areas.

*001.28G STEAMBOAT TRACE TRAIL*

001.28G1. Definitions

Conservation corridor shall mean land which the District owns, leases, or has an easement on and which forms a passage way through private property, along water courses, streets, or roads or inactive railroad lines and which the District has designated by separate action of the Board to be used by the public for recreational purposes.

001.28G.2. Camping

Camping is prohibited on District conservation corridors.

001.28G.3. Closures

All persons shall observe and abide by officially posted signs designating closed areas and visiting hours.

001.28G.4. Fires, Fireworks

Any fire is prohibited on District conservation corridors and including but not limited to any open fire, gasoline or propane stove, charcoal grill, or similar device. The use of fireworks of any kind on District conservation corridors is prohibited.

001.28G.5. Pets, Livestock, and Other Animals

Horseback riding and the use of pack animals is prohibited on the conservation corridor.

001.28G.6. Swimming and Wading

Swimming is prohibited in all waters located on District conservation corridors. Wading for the purpose of fishing is permitted on District conservation corridors at the sole risk of the participant, except that wading shall be prohibited on those areas that are posted with appropriate signs or where prohibited by special area regulations.

001.28G.7. Winter Sports

Any snowmobile is prohibited on all District conservation corridors.

001.28G.8. Easements, Licenses, and Permits Granted by the District

The District may from time to time grant easements, licenses, or permits over portions of District conservation corridors for various and sundry uses. Some of these uses, by way of illustration only, may be for utilities, water lines, pipelines, and ingress/egress by adjoining landowners. Any conflict between the public and the grantee of an easement, license, or permit over the use of recreational lands shall be

immediately brought to the attention of the Manager, who shall have the authority to resolve the conflict.

001.28G.9 Possession of weapons, to include but not be limited to rifles, shotguns, pistols, bow/arrows, and other projectiles is prohibited on the Steamboat Trace trail, right-of-ways, and trailheads. Possession of alcoholic beverages on the Steamboat Trace is also prohibited.

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