

## DIVISION OF PARKS AND RECREATION

STAFF DIRECTIVE 89-23

TO: Chief of Operations  
District Superintendents  
Park Superintendents

FROM: Philip K. McKnelly, Ph.D., Acting Director *PM*

SUBJECT: Special Activity Permit

The purpose of this Directive is to set Division policy and general procedures to be followed by all Division of Parks and Recreation personnel in issuing permits for special activities or special uses on areas managed by the Division.

The enclosed form entitled SPECIAL ACTIVITY PERMIT and the instructions for the permitting of special activities involving the public use facilities on areas administered by the North Carolina Division of Parks and Recreation, are to be implemented immediately.

PKM/MSD/cmh

Enclosures



**INSTRUCTIONS FOR THE PERMITTING OF SPECIAL ACTIVITIES INVOLVING PUBLIC USE FACILITIES ON AREAS ADMINISTERED BY THE NORTH CAROLINA DIVISION OF PARKS AND RECREATION.**

1. PURPOSE - To set forth the policy and general procedures to be followed by all Division of Parks and Recreation personnel in issuing permits for special activities on areas managed by the Division.
2. AUTHORITY - North Carolina Administrative Code, Title 15, Chapter 12, Parks and Recreation area rules Section 12B.1100 Commercial Enterprises: Advertising: Meetings: Exhibitions: Etc. and Section 12B.0104 Permits.
3. SPECIAL ACTIVITY DEFINED - A special recreational activity is defined as any event which is conducted by a person, organization, group, or agency of government, and which because of its size or character preempts a portion of the total recreational land and/or water areas normally available for recreational use. Such events may or may not involve incidental concessions or fees and may include, but are not limited to, tournaments, races, shows, sports events, parades, festivals, concerts, dramatic presentations, pageants, arts and crafts, exhibits, demonstrations, meetings, services, speeches, ceremonies, displays, or commercial activities.
4. PROCEDURES - The person or a responsible official of the organization, group, or agency proposing to hold a special activity on any lands or waters managed by the Division of Parks and Recreation shall first notify the Park Superintendent responsible for the proposed activity site. It is the responsibility of the Park Superintendent to determine whether the proposed activity is a special activity as defined in paragraph 3. If he determines that the proposed activity should be classified as a special activity, a permit will be required.
5. ISSUANCE OF PERMITS - The Park Superintendent is authorized to issue permits for special activities of minor significance, where impacts on the resource and visiting public are minor, the duration of the activity is short, of local significance only and does not allow for concessions or fees. The Park Superintendent can deny a permit for any activity deemed by him to be inappropriate, unsafe, illegal, inconsistent with management policy or having the obvious potential to cause disturbance among park visitors or resource damage. Applicant can appeal denial through the appropriate District Superintendent to the Chief of Operations.

Permit applications for major events of regional significance, activities which may adversely affect park areas, or areas outside the park, involving large crowds, of long duration, involving concessions or fees, activities with the potential for controversy or overuse of park resources are to be submitted to the Chief of Operations through the appropriate District Superintendent.

Permit numbers will be assigned by the Chief of Operations and the second copy of all permits issued will be sent to the Chief of Operations through the District Superintendent. First copy retained in park office. Original issued to the permittee.



It is the responsibility of the Park Superintendent to select a definite site for use as an assembly area and for the conduct of other operations required by the activity including parking of vehicles and crowd control.

All special activity permits issued will be accompanied by a current copy of the "Park and Recreation Area Rules" (NCAC T15:CH12B). Activity Sponsors will be made aware of the pertinent provisions.

Special events sponsored by or co-sponsored by the Division of Parks and Recreation or by units of the Division of Parks and Recreation will not require a Special Activity Permit.

6. CHARGES FOR PERMITS - All Special Activity Permits will require a \$25.00 administrative fee, to be deposited in Receipt Account 0785.

Additional appropriate fees for damage, clean up, security, rent, or other will be determined by the Division Official approving the permit.

If an event is determined to hold potential for significant damage to public property the sponsor will be required to post a security bond sufficient in size to guarantee recovery of damages by the State. A Special Activities Permit will not be issued under these conditions until the sponsor has posted an adequate security bond with the Division or has taken out a Certificate of Deposit with a local bank acceptable to the Department of Health, Environment and Natural Resources. The security bond or certificate of deposit will be held until the activity site has been determined by the Division to be in an acceptable condition. No cash or certified checks will be accepted as security.

7. REFUND - Cancellation of use, and request for refund must be made in writing no later than 14 days prior to intended use. A five dollar (\$5.00) refund fee will be deducted from the amount to be refunded.
8. REVOCATION OF PERMITS - The Chief of Operations, the Park Superintendent or their designated representatives shall have authority to revoke any permit granted under a Special Activity Permit and to require removal of any persons and equipment upon failure of the permittee to comply with the terms and/or conditions of the permit. In the case of revocation no refunds will be made.
9. PERMIT APPLICATIONS - To allow time for review and processing, applications for a permit for a special activity will be made in writing and should be received at least 30 days prior to the initiation of the scheduled activity.