

SUBCHAPTER 13B - PARKS AND RECREATION AREAS

SECTION .0100 - GENERAL PROVISIONS

07 NCAC 13B .0101 DEFINITIONS OF TERMS

As used in this Subchapter, the following terms shall mean:

- (1) "Bridle Trail" means any trail maintained by the Division on Division Property for persons riding on horseback;
- (2) "Division Property" or "State Parks" means any state park, recreation areas, natural areas, state lakes, or other property leased or managed by the Division;
- (3) "E-bike" means a two- or three-wheeled cycle with operable pedals and an electric motor of less than 750 watts (1 h.p.). Devices with electric motors of 750 watts (1 h.p.) or more of power and not included in the Definition set forth in this Item shall be managed as motor vehicles under Chapter 20 of the North Carolina General Statutes. E-bike shall be further classified pursuant to the following definitions:
 - (a) "Class 1 e-bike" shall mean an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour;
 - (b) "Class 2 e-bike" shall mean an electric bicycle equipped with a motor that may be used to propel the bicycle, even when the rider is not pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; and
 - (c) "Class 3 e-bike" shall mean an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.
- (4) "Hiking Trail" means any trail maintained for pedestrians by the Division on Division Property;
- (5) "Mountain Bike Trail" or "Single-Track Trail" means any trail maintained for mountain biking by the Division on Division Property;
- (6) "Multi-Use Trail" means any trail that is designated for more than one type of use;
- (7) "Public nudity" means a person's intentional failure to cover with an opaque covering the person's genitals, pubic area, anal area, or female breasts below a point from the top of the areola while in a public place;
- (8) "Swimming Area" means any beach or water area designated by the Division through posted signage as a swimming and bathing area;
- (9) "Unnecessary Stopping" means a vehicle coming to a stop at a point other than any of the following:
 - (a) in a parking place;
 - (b) in conformity with traffic regulations; or
 - (c) because of a defect in the vehicle.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. September 1, 1988; January 1, 1983; April 4, 1979;
Transferred from 15A NCAC 12B .0101 Eff. April 1, 2017;
Readopted Eff. March 1, 2022.

07 NCAC 13B .0102 CONSTRUCTION

History Note: Authority G.S. 113-35;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Repealed Eff. October 1, 1984;
Transferred from 15A NCAC 12B .0102 Eff. April 1, 2017.

07 NCAC 13B .0103 TERRITORIAL SCOPE

This Chapter shall apply to all state parks, parkways, state lakes, natural areas, sites, and other recreational areas administered by this Division.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. October 1, 1984; January 1, 1983; April 4, 1979;
Transferred from 15A NCAC 12B .0103 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

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;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .0104 Eff. April 1, 2017;
Readopted Eff. March 1, 2022.

07 NCAC 13B .0105 ENFORCEMENT

History Note: Authority G.S. 113-35;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Repealed Eff. October 1, 1984;
Transferred from 15A NCAC 12B .0105 Eff. April 1, 2017.

07 NCAC 13B .0106 NORTH CAROLINA PARKS: HOURS OF OPERATION AND FEES

- (a) Information concerning hours of operation, admission fees and other related activity fees for North Carolina Parks may be found at: <https://www.ncparks.gov/hours-fees-and-permits>.
- (b) Admission fees and other related activity fees are subject to dynamic pricing and may change from time to time.

History Note Authority G.S. 143B-135.16;
Eff. April 7, 2017.

SECTION .0200 - PRESERVATION OF THE PARK

07 NCAC 13B .0201 NATURAL AND CULTURAL RESOURCE PROTECTION

- (a) A person shall not remove, possess, or disturb any plant, fungus, mineral, living or dead wild animal, or the products thereof, or any archeological or cultural resource or artifact in any park area except as otherwise provided in this Section.
- (b) Harassing, or intentionally disturbing wildlife and their nesting, breeding or other activities is prohibited.
- (c) The placement or distribution of agricultural products, natural or processed foods, or any other item for the purpose of attracting or feeding any wildlife is prohibited.
- (d) A person shall not collect any natural or cultural resources or artifacts from any park area except as authorized by a research activity permit. A research activity permit for collections shall be issued only to a representative of a scientific educational institution, non-profit agency or a State or Federal agency for the purpose of research, baseline inventories, monitoring, impact analysis, group study, or museum display when the superintendent determines that the collection is necessary to the stated scientific or resource management goals of the institution or agency and that all applicable Federal and State permits have been acquired and that the intended use of the specimens and their final disposal is in accordance with applicable law. Application for research activity permits shall be made as provided by Rule .0104 of this Subchapter. A research activity permit for personal or commercial purposes is prohibited.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; January 1, 1983;
Transferred from 15A NCAC 12B .0201 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

07 NCAC 13B .0202 BUILDINGS: SIGNS: STRUCTURES: ETC.

History Note: Authority G.S. 113-35;

Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Repealed Eff. October 1, 1984;
Transferred from 15A NCAC 12B .0202 Eff. April 1, 2017.

07 NCAC 13B .0203 METAL DETECTORS PROHIBITED

Metal detectors are not allowed in any park area except to locate lost personal property when authorized by a Special Use Permit as provided by Rule .0104 of this Subchapter.

History Note: Authority G. S. 143B-135.16;
Eff. January 1, 1983;
Amended Eff. May 1, 2010;
Transferred from 15A NCAC 12B .0203 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

07 NCAC 13B .0204 ROCK CLIMBING

(a) Rock climbing, bouldering, or rappelling is prohibited except in areas designated by the Park Superintendent, in accordance with Rule .0104 of this Subchapter. A Special Use Permit, as provided by Rule .0104 of this Subchapter, is required for all climbing, rappelling, and bouldering that is not part of an organized group as described in Paragraph (d) of this Rule.

(b) The installation of permanent or fixed rock climbing anchors, such as pitons and expansion bolts, is prohibited in any climbing area unless the Park Superintendent has determined the installation may be made safely and without affecting park resources or facilities.

(c) The superintendent may designate a daily capacity limit for specific climbing routes and areas based on natural resource protection and public safety.

(d) Organized private, commercial, governmental, or non-profit groups shall obtain a Group Climbing Permit prior to the activity. Application for a Group Climbing Permit shall be made as provided by Rule .0104 of this Subchapter.

(e) Violation of the terms and conditions of a permit issued in accordance with this Section is prohibited and shall result in the revocation of the permit.

History Note: Authority G.S. 143B-135.16;
Eff. January 1, 1983;
Amended Eff. May 1, 2010; October 1, 1984;
Transferred from 15A NCAC 12B .0204 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;
Amended Eff. March 1, 2022.

SECTION .0300 - BATHING

07 NCAC 13B .0301 BATHING AND SWIMMING ACTIVITIES: WHERE PROHIBITED

A person shall not bathe, wade, surf, dive, scuba dive or swim in any waters in any park area except at such times and in such places as the Division designates.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .0301 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

07 NCAC 13B .0302 PUBLIC NUDITY

(a) Public nudity, including public nude bathing, is prohibited in any park area lands or waters. This Rule does not apply to the enclosed portions of bathhouses, restrooms, tents and recreational vehicles.

(b) Children under the age of five are exempt from this restriction.

History Note: Authority G.S. 14-190.9; 143B-135.16;
Eff. February 1, 1976;
Amended Eff. September 1, 1988; January 1, 1983;
Transferred from 15A NCAC 12B .0302 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

07 NCAC 13B .0303 PROTECTION OF SWIMMING AREAS

A person shall not carry or deposit any glass, crockery, or any metallic substance on any swimming area or beach.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Transferred from 15A NCAC 12B .0303 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

SECTION .0400 - REFUSE AND RUBBISH

07 NCAC 13B .0401 DISPOSAL OF REFUSE: GARBAGE: ETC.

- (a) No one shall dispose of household or business refuse, or garbage, in any park.
- (b) The disposal of vegetable matter, fruits, meat products or other food substances in other than a park refuse receptacle is prohibited.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .0401 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

07 NCAC 13B .0402 POLLUTION OF WATERS

Except for park employees, agents and contractors on duty, a person shall not bathe animals or wash vehicles or clothing.

History Note: Authority G.S. 143-21; 143B-135.16;
Eff. February 1, 1976;
Amended Eff. October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .0402 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

SECTION .0500 - TRAFFIC AND PARKING

07 NCAC 13B .0501 VEHICLES: WHERE PROHIBITED

- (a) A person shall not drive a vehicle including bicycles, wheeled or tracked powered devices, all terrain vehicles, motorcycles, mopeds or similar conveyances in any park within or upon a safety zone, walk, bridle trail, hiking trail, fire trail, service road or any part of any park area not designated or customarily used for such purpose. Operation of unlicensed for highway-use motor vehicles, motorcycles, golf carts, snow mobiles, utility vehicles, mini-bikes, all terrain vehicles, powered go-carts and powered stand-upon scooters is prohibited within any park.
- (b) A mobility-impaired person using a manual or motorized wheelchair is considered a pedestrian. This Rule is not intended to restrict the activities of such a person beyond the degree that the activities of a pedestrian are restricted by the same Rule, except where use of such wheelchairs constitutes a safety hazard or would damage fragile natural resources.

(c) No person shall drive a vehicle, bicycle or other conveyance on areas with fragile natural resources that would be damaged by the vehicle, bicycle or other conveyance, or where the use of the vehicle, bicycle or other conveyance would be unsafe.

(d) Notwithstanding Paragraph (a) of this Rule, operation of licensed vehicles on the unpaved areas of the Fort Fisher Recreation Area is prohibited unless the operator has obtained a vehicle beach use permit as provided by Rule .0104 of this Subchapter.

(e) Notwithstanding Paragraph (a) of this Rule, operation of motor vehicles upon the unpaved areas of Chestnut Mountain Road within Gorges State Park is prohibited unless the vehicle has four-wheel drive or all wheel drive capability.

*History Note: Authority G. S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; February 1, 2004; January 1, 1983;
Transferred from 15A NCAC 12B .0501 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

07 NCAC 13B .0502 PARKING

(a) An owner or driver shall not allow a vehicle to remain stationary anywhere in any park outside of designated parking spaces, in a "No Parking Zone", in front of a park gate, driveway or emergency vehicle access except for a reasonable time to receive or discharge passengers or load or unload supplies.

(b) An owner or driver shall not allow a vehicle to remain anywhere in any park unattended or abandoned for longer than 12 hours except by permit, as provided by Rule .0104 of this Subchapter.

(c) An owner or driver shall not leave a vehicle parked unattended or abandoned overnight except by permit, as provided by Rule .0104 of this Subchapter.

(d) The Division may remove or tow any vehicle that is in violation of this Rule at the owner's expense.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; January 1, 1983;
Transferred from 15A NCAC 12B .0502 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

07 NCAC 13B .0503 OBSTRUCTING TRAFFIC

A person shall not cause or permit a vehicle to obstruct traffic.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .0503 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

07 NCAC 13B .0504 SPEED LIMIT

*History Note: Authority G.S. 113-35;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Repealed Eff. October 1, 1984;
Transferred from 15A NCAC 12B .0504 Eff. April 1, 2017.*

07 NCAC 13B .0505 VIEW INTO VEHICLES

*History Note: Authority G.S. 113-35;
Eff. February 1, 1976;*

*Repealed Eff. January 1, 1983;
Transferred from 15A NCAC 12B .0505 Eff. April 1, 2017.*

07 NCAC 13B .0506 EXCESSIVE LOADS

*History Note: Authority G.S. 113-35;
Eff. February 1, 1976;
Legislative Objection Lodged Eff. December 17, 1982;
Amended Eff. January 1, 1983;
Curative Repealed Eff. January 20, 1983;
Transferred from 15A NCAC 12B .0506 Eff. April 1, 2017.*

07 NCAC 13B .0507 BICYCLES

- (a) Bicycles, including Class 1 and 2 e-bikes as defined in Rule .0101 of this Subchapter, may be used on park roads, paved or hardened trails, Multi-Use Trails, and Mountain Bike Trail or Single-Track Trails, if designated through posted signage for bicycle use. Class 3 e-bikes shall not be considered bicycles and shall be governed by Rule .0501 of this Subchapter.
- (b) Park Superintendents or their designees may limit, restrict, or impose conditions on bicycle use or close any park road, trail, or portion thereof to bicycle use based on considerations for public health and safety, natural and cultural resource protection, and event and program management.
- (c) E-bike motorized pedal assistance must be accompanied by manual pedaling from the operator when using any trails designated for bicycle use. Complete motorized propulsion of the E-bike without manual pedaling may only be used on park roads and other locations where use of motor vehicles by the public is allowed.

*History Note: Authority G.S. 143B-135.16;
Eff. March 1, 2022.*

SECTION .0600 - BOATING AND CAMPING

07 NCAC 13B .0601 BOATING

- (a) Only park employees, their agents, and contractors on duty may use boats, rafts, surf boards, personal watercraft, canoes or any other vessel in designated swimming areas.
- (b) The Division may limit boat motor horsepower or motor type or prohibit the use of gasoline powered motors on designated lakes completely contained within parks and recreation areas based on natural resource protection, public safety, user conflicts, park operations, facility overcrowding and the availability of designated launching facilities.
- (c) Private boats, rafts, canoes, personal watercraft or other vessels may be launched or retrieved only at public boat ramps or designated launch sites.
- (d) The mooring of boats, personal watercraft or other vessels to a dock, wharf, pier, or boat launching facility in such a manner as to prevent, impede or inconvenience the use by another person of any dock, wharf, pier or launch or create a hazard to other watercraft is prohibited and may be moved by park staff at the owners expense.
- (e) Except where facilities are provided, it is unlawful to use any boating access area for purposes other than the launching of boats and parking vehicles and boat trailers. All other uses including swimming, skiing, camping, building fires, loitering, operating concessions or other activities not directly involved with launching of boats are prohibited, except where authorized by a special activity permit as provided by Rule .0104 of this Subchapter.

*History Note: Authority G.S. 113-264; 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .0601 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

07 NCAC 13B .0602 CAMPING

- (a) A person shall not camp on Division property except:
 - (1) in a designated camping area identified by posted signage; and
 - (2) with a valid camping reservation.

- (b) Reservations for camping shall only be accepted in accordance with the provisions of 07 NCAC 13B .1205, Reservations.
- (c) Payment of the camping fee, in full, is required when the reservation is made.
- (d) The maximum period of overnight camping on any Division property is 14 days within any 30 day period beginning with the first night of stay. Multiple camping areas on an individual Division property are considered as a single camping facility for determining the maximum period of overnight camping within any 30 day period. The maximum nights shall be extended by the Park Superintendent, upon written request with reasons supporting the extension, if the Park Superintendent determines equitable public access, visitor services, and staffing levels will not be affected.
- (e) Any set up camp left unattended for more than 12 hours may result in the revocation of the camping reservation and all campers residing thereon being evicted from the campsite, based on considerations for public health and safety, natural and cultural resource protection, and campsite management. Camping equipment, tents, trailers, recreation vehicles and articles on a campsite left unattended for more than 12 hours are subject to removal at the owner's expense.
- (f) At least one adult, 18 or older, shall accompany each camper group.
- (g) No campfires shall be left unattended.
- (h) Tents shall only be used on a tent pad or platform, in areas permitted under a Special Activity Permit pursuant to Rule .0104 of this Subchapter, or in areas otherwise identified by posted signage.
- (i) Connecting to a utility system without payment of required fees is prohibited.
- (j) A Division representative may designate portions of a Division property where food products, garbage, cosmetics, cleaning supplies, and equipment used to cook or store food products are required to be kept in a Division supplied food locker, a vehicle, recreational vehicle, or suspended at least 10 feet above the ground and four feet horizontally from a post, tree trunk, or other object. Food, garbage, and cooking equipment shall not be stored except as specified in these designated areas. This Paragraph does not apply to food products, garbage, and cooking equipment being transported, consumed, or being prepared for consumption.
- (k) Designated camping areas shall be for use by registered campers with a camping reservation for that site and their guests only.
- (l) Violation of the terms and conditions of a camping reservation issued in accordance with this Section is prohibited and shall result in the suspension or revocation of the reservation.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; February 15, 1981;
Transferred from 15A NCAC 12B .0602 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;
Amended Eff. March 1, 2022.*

07 NCAC 13B .0603 PICNICKING

*History Note: Authority G.S. 113-35;
Eff. January 1, 1983;
Repealed Eff. October 1, 1984;
Transferred from 15A NCAC 12B .0603 Eff. April 1, 2017.*

SECTION .0700 - SPORTS AND GAMES

07 NCAC 13B .0701 SPORTS AND GAMES: WHEN PERMITTED

- (a) Organized athletic contests, sports, and games are allowed by special activity permit, as provided by Rule .0104 of this Subchapter.
- (b) The use of skate boards, roller blades, roller skates, scooters, other electronically powered devices, and similar transportation methods are prohibited where such use would create a safety hazard or cause damage to Division Property or natural or cultural resources.

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

Amended Eff. May 1, 2010; February 1, 1983;
Transferred from 15A NCAC 12B .0701 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;
Amended Eff. March 1, 2022.

07 NCAC 13B .0702 HORSES

- (a) A person shall not use, ride, or drive a horse except along a bridle trail or within an equestrian facility. Horses shall be prohibited from swimming areas, cabin areas, picnic areas, and other day-use areas.
- (b) A person shall not load or unload a horse on Division property except in posted bridle parking areas.
- (c) Horses shall not be unattended at any time on any Division property unless the horse is secured in a horse trailer, in a stall, or otherwise securely hitched so as to prevent the animal to wander.
- (d) Any horse causing a nuisance on any Division property shall be removed by the owner from the property upon the request by a Division official.
- (e) Between the hours of 9 p.m. and 7 a.m., all horses must be secured in a horse trailer, in a stall, or otherwise securely hitched so as to prevent the animal to wander.
- (f) Paragraphs (a), (b), (c) and (f) of this Rule shall not apply to service animals that meet the criteria specified in the Americans with Disabilities Act (42 U.S.C. 12101 et seq) or G.S. 168-4.2. This Rule shall not apply to animals used by the Division, its agents, or contractors for operations or educational programming.

History Note: Authority G.S. 143B-135-16;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Transferred from 15A NCAC 12B .0702 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;
Amended Eff. March 1, 2022.

SECTION .0800 - HUNTING AND FISHING

07 NCAC 13B .0801 HUNTING

A person within any park shall not hunt, pursue, trap, shoot, injure, kill or molest any bird or animal, and shall not have any wild bird or animal in his possession.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Transferred from 15A NCAC 12B .0801 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

07 NCAC 13B .0802 FISHING

- (a) A person shall not fish in any swimming area, from any boat ramp, or in any area designated by signage as a non-fishing area. Any person fishing within a State Park shall comply with all applicable rules in 15A NCAC 03 and 15A NCAC 10C.
- (b) Live specimens to be used for fishing bait shall not be collected within any State park.

History Note: Authority G.S. 143B-135.16(c)(2);
Eff. February 1, 1976;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .0802 Eff. April 1, 2017;
Amended Eff. August 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.

SECTION .0900 - FIREARMS: EXPLOSIVES: FIRES: ETC.

07 NCAC 13B .0901 FIREARMS: WEAPONS: EXPLOSIVES

(a) No person except the following shall carry or possess firearms, air guns, air soft guns, paint ball guns, archery equipment, sling shots, or other apparatus capable of firing a lethal projectile of any kind on any Division property:

- (1) Authorized park employees, their agents, or contractors;
- (2) Law enforcement officials with jurisdictional authority, including park rangers;
- (3) Family members residing with Division employees in a residence within a park;
- (4) Individuals participating in Division-led archery programming, only in respect to the archery equipment used as part of the program;
- (5) Individuals with a valid concealed handgun permit issued by one of the United States that adheres to the requirements of G.S. 14-415.11; and
- (6) Other persons as defined in G.S. 14-269(b) and G.S. 14-415.27.

Subparagraph (a)(1), (3), and (5) of this Rule shall not apply on property owned by the U.S. Army Corps of Engineers and leased by the Division including Falls Lake State Recreation Area, Jordan Lake State Recreation Area, and Kerr Lake State Recreation Area.

(b) The possession or use of cap pistols is prohibited. The possession or use of dynamite or other powerful explosives as defined in G.S. 14-284.1 is prohibited.

(c) The possession or use of pyrotechnics is prohibited except for pyrotechnics exhibited, used, or discharged in connection with a public exhibition; authorized in writing by the board of commissioners of the county in which the pyrotechnics are to be exhibited, used or discharged; supervised by experts in the field of pyrotechnics; and approved by the Director of the Division of Parks and Recreation, or as part of a special use permit in accordance with Rule .0104 of this Subchapter. Persons wishing to possess or use pyrotechnics in connection with a public exhibition, such as a public celebration, shall file an application for a special use permit with the park superintendent. All applicants shall enter an indemnification agreement with the Department and obtain general liability and property damage insurance, with limits as determined by the Secretary or designee, which are necessary to cover possible liability for damage to property and bodily injury or damage to persons which may result from, or be caused by, the public exhibition of pyrotechnics or any act(s) or omission(s) on the part of the applicant(s) or the applicant's agents, servants, employees, or subcontractors presenting the public exhibition.

History Note: Authority G.S. 14-269; 14-410; 14-415; 14-415.11; 14-415.24; 14-415.27; 143B-135.16; 143B-135.43; Eff. February 1, 1976; Amended Eff. October 1, 1984; January 1, 1983; Temporary Amendment Eff. July 2, 1997; Temporary Amendment Expired September 29, 1998; Amended Eff. January 1, 2014; April 1, 1999; Transferred from 15A NCAC 12B .0901 Eff. April 1, 2017; Readopted Eff. March 1, 2022.

07 NCAC 13B .0902 EXPLOSIVES

History Note: Authority G.S. 113-35; Eff. February 1, 1976; Amended Eff. January 1, 1983; Repealed Eff. October 1, 1984; Transferred from 15A NCAC 12B .0902 Eff. April 1, 2017.

07 NCAC 13B .0903 FIRES: LIGHTED CIGARETTES: ETC.

All fires excluding personal smoking materials are prohibited except in designated areas. Park employees, their agents, and contractors may prohibit fires in designated areas and smoking when a fire hazard makes such action necessary. A competent person 16 years old or older must continuously tend any fire from the time it is kindled until it is extinguished.

History Note: Authority G.S. 143B-135.16; Eff. February 1, 1976; Amended Eff. October 1, 1984; January 1, 1983;

*Transferred from 15A NCAC 12B .0903 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

07 NCAC 13B .0904 SMOKING

*History Note: Authority G.S. 113-35;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Repealed Eff. October 1, 1984;
Transferred from 15A NCAC 12B .0904 Eff. April 1, 2017.*

07 NCAC 13B .0905 SMOKING

Smoking is prohibited in all buildings on Division property. Smoking is prohibited in outdoor areas of Division property except in parking lots, reserved campsites, and where smoking is designated through posted signage. The Division may forbid smoking in any part of any Division property when there is a risk of fire hazard.

*History Note: Authority G.S. 143B-135.16;
Eff. March 1, 2022.*

SECTION .1000 - DISORDERLY CONDUCT: PUBLIC NUISANCE: ETC.

07 NCAC 13B .1001 NOISE REGULATION

(a) The production or emission in state parks or recreation areas by any person of noises, speech, music or other sounds that a reasonable person would believe is annoying, disturbing or frightening is prohibited.

(b) The operation of motorized equipment or machinery such as a generator, motor vehicle, motorized toy, or an audio device such as a radio, television set, tape deck or musical instrument, or other item that makes noise that a reasonable person would believe is annoying, disturbing or frightening between the hours of 10:00PM and 7:00AM is prohibited.

*History Note: Authority G.S. 113-34; 113-264(a); 143B-135.16;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Legislative Objection Lodged Eff. May 11, 1983;
Curative Amended Eff. May 12, 1983;
Amended Eff. May 1, 2010;
Transferred from 15A NCAC 12B .1001 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

07 NCAC 13B .1002 GAMBLING

*History Note: Authority G.S. 113-35;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Legislative Objection Lodged Eff. March 22, 1983;
Curative Repealed Eff. April 20, 1983;
Transferred from 15A NCAC 12B .1002 Eff. April 1, 2017.*

07 NCAC 13B .1003 ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a) A person shall not possess, consume, sell, serve, or attempt to sell or serve any malt beverage, fortified wine, unfortified wine, or spirituous liquor as defined in G.S. 18B-101, within any state park, natural area, or recreation area, except:

- (1) as permitted under a long-term operating agreement;
- (2) in areas designated in accordance with Paragraph (g) of this Rule; or

- (3) after obtaining a Special Activity Permit approved by the Director of the Division or his or her designee in accordance with this Rule.

A person shall not possess, consume, sell, serve, or attempt to sell or serve any other alcoholic beverage, as defined by G.S. 18B-101, or controlled substance, as defined by G.S. 90-87(5) within any state park, natural area, or recreation area.

(b) A person shall not be or become intoxicated, as defined by G.S. 14-443(2), while within any state park, natural area, or recreation area, including during events approved under a Special Activity Permit.

(c) Requests for a Special Activity Permit authorizing the possession, consumption, sale or service of any malt beverage, fortified wine, unfortified wine, or spirituous liquor as defined in G.S. 18B-101, shall be made in writing to the Director of the Division or his or her designee, not less than 14 days prior to the date(s) of the intended use.

(d) The written request shall state:

- (1) the period of time and the area for which the use is requested;
- (2) the number of persons expected to be in attendance;
- (3) the type of activity and the type and amounts of malt beverage, fortified wine, unfortified wine, or spirituous liquor involved;
- (4) documentation of any and all permitting required by the North Carolina Alcoholic Beverage Control Commission; and
- (5) the name and address of the individual, organization or group seeking permission to use any portion of any state park, natural area, or recreational area for the possession, consumption, sale, or service of any malt beverage, fortified wine, unfortified wine, or spirituous liquor; and, for organizations and groups requesting permission, the name and address of the requestor or its authorized representative, such as the president or chief executive officer of the organization or group.

(e) The Special Activity Permit shall specify the hours of permitted use, type of malt beverage, fortified wine, unfortified wine, or spirituous liquor, the total amounts to be brought into the state park, natural area, or recreation area, the maximum number of attendees, the area where alcohol is permitted in accordance with Paragraph (g) of this Rule, and any additional conditions specified by the Director or his or her designee which are consistent with the purposes and management of the State Park System, as defined in G.S. 143B-135.42.

(f) If the Director of the Division or his or her designee concludes that the requested use will not hinder or impede any established use of the state park, natural area, or recreation area where the use is requested, is compliant with Paragraph (g) of this Rule, and is consistent with the protection of the natural resources, facilities, and public enjoyment of the State Park System, he or she shall grant permission to use the state park, natural area, or recreation area specified in the request submitted in accordance with this Rule. If the Director or his or her designee shall determine otherwise, he or she shall deny the request.

(g) The Director of the Division or his or her designee shall designate areas where possession, consumption sale or service of malt beverages, fortified wine, unfortified wine, or spirituous liquor, as defined in G.S. 18B-101, is allowed. Such areas may be limited so as not to interfere, or cause user conflicts with other organizations, groups or individuals also visiting the state park, natural area, or recreation area.

(h) Violation of the terms and conditions of a Special Activity Permit issued in accordance with this Rule is prohibited and shall result in revocation of the permit by the Director of the Division or his or her designee.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. January 1, 1983; June 1, 1981;
Legislative Objection Lodged Eff. March 22, 1983;
Amended Eff. May 1, 2010;
Transferred from 15A NCAC 12B .1003 Eff. April 1, 2017;
Readopted Eff. September 1, 2020.*

07 NCAC 13B .1004 ANIMALS AT LARGE

(a) A person shall not cause or permit any animal owned by him or her, in his or her custody, or under his or her control, except an animal restrained by a leash or other restraint not exceeding six feet in length, to enter any park area. Use of an electronic leash or collar is not permitted in lieu of a physical leash or restraint. Each animal found at large may be seized and disposed of as provided by law covering disposal of stray animals on public property.

(b) Animals shall not be allowed in swimming areas, bathhouses, restaurants, visitor centers, park offices, community buildings, or cabin areas unless an area or facility is designated as pet friendly through posted signage.

- (c) Animals shall not be unattended at any time within any park area.
- (d) Between 9:00 p.m. and 7:00 a.m., animals shall be confined to owner's enclosed vehicle or tent, except horses, as set forth in Rule .0702 of this Subchapter.
- (e) Any animal causing a nuisance within a park area shall be removed by the owner from the park area upon the request by a Division official.
- (f) Pack animals and goats are not allowed in any park except by Special Activity Permit, as provided by Rule .0104 of this Subchapter.
- (g) Paragraphs (a), (b), and (d) of this Rule shall not apply to service animals that meet the criteria specified in the Americans with Disabilities Act (42 U.S.C. 12101 et seq) or G.S. 168-4.2. This Rule shall not apply to animals owned by Division staff who reside on Division property or to animals used by the Division for educational programming. Horses on Division property shall be governed by Rule .0702 of this Subchapter.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; January 1, 1983;
Transferred from 15A NCAC 12B .1004 Eff. April 1, 2017;
Readopted Eff. March 1, 2022.

SECTION .1100 - COMMERCIAL ENTERPRISES: ADVERTISING: MEETINGS: EXHIBITIONS: ETC.

07 NCAC 13B .1101 COMMERCIAL ENTERPRISES

Only park employees, contractors, or their agents may engage in business or conduct commercial activity in a park, unless authorized by a permit as provided by Rule .0104 of this Subchapter.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .1101 Eff. April 1, 2017;
Readopted Eff. March 1, 2022.

07 NCAC 13B .1102 COMMERCIAL PHOTOGRAPHY, FILMING AND RECORDING

A person shall not photograph, film, or make other recordings within any park for commercial purposes unless the person has a Special Activity Permit. Applications for permits may be made as provided by Rule .0104 of this Subchapter.

History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .1102 Eff. April 1, 2017;
Readopted Eff. March 1, 2022.

07 NCAC 13B .1103 COMMERCIAL VEHICLES

History Note: Authority G.S. 113-35;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Repealed Eff. October 1, 1984;
Transferred from 15A NCAC 12B .1103 Eff. April 1, 2017.

07 NCAC 13B .1104 ADVERTISING

No one except authorized park employees, their agents, or contractors may erect or post within any park a notice or advertisement without first obtaining a permit. Applications for permits may be made as provided by Rule .0104 of this Subchapter.

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

*Amended Eff. October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .1104 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

07 NCAC 13B .1105 PUBLIC ASSEMBLIES AND MEETINGS; SPECIAL ACTIVITY PERMIT

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .1105 Eff. April 1, 2017;
Repealed Eff. March 1, 2022.*

07 NCAC 13B .1106 ALMS AND CONTRIBUTIONS

A person shall not solicit alms or contributions for any purpose within any park.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Transferred from 15A NCAC 12B .1106 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

SECTION .1200 - MISCELLANEOUS

07 NCAC 13B .1201 CLOSING AND OPENING HOURS; RESTRICTED AREAS

(a) No person is allowed on any Division property between posted closing and opening hours except under a Special Activity Permit or camping reservation, as provided by Rule .0104 and .0602, respectively, of this Subchapter.

(b) The Division may prohibit or restrict public activity within designated environmentally sensitive areas, areas exceeding capacity levels, construction areas, storm damaged areas, and other similar locations for natural resource protection and public safety.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983; April 4, 1979;
Transferred from 15A NCAC 12B .1201 Eff. April 1, 2017;
Amended Eff. March 1, 2022.*

07 NCAC 13B .1202 MINORS

A parent, guardian or custodian, of any minor shall not permit him to do any act prohibited by and division regulations.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. January 1, 1983;
Transferred from 15A NCAC 12B .1202 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

07 NCAC 13B .1203 FEES AND CHARGES

*History Note: Authority G.S. 113-35;
Eff. February 1, 1976;
Amended Eff. January 1, 1983; June 1, 1981; April 4, 1979; July 1, 1978;
Repealed Eff. October 1, 1984;*

Transferred from 15A NCAC 12B .1203 Eff. April 1, 2017.

07 NCAC 13B .1204 AVIATION

Except under authorization of a Special Activity or Special Use Permit, as outlined in Rule .0104 of this Subchapter, a person shall not voluntarily bring, land, or cause to descend or alight, ascend, or take off within or upon any Division property, any airplane, flying machine, unmanned aerial vehicle (UAV) or drones, balloon, parachute, glider, hang glider, or other apparatus for aviation. In this Rule, "voluntarily" shall mean anything other than a forced landing.

Requests for permits shall be made in the manner prescribed by Rule .0104 of this Subchapter.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. October 1, 1984; January 1, 1983;
Transferred from 15A NCAC 12B .1204 Eff. April 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;
Amended Eff. March 1, 2022.*

07 NCAC 13B .1205 RESERVATIONS

(a) Reservations for camping, cabins, shelters, community buildings, and other reservable facilities shall be made using the Division's central reservation system, pursuant to any contract terms or conditions as set forth in the system at the time of reservation. Reservations are non-transferable and the individual who made the reservation must be present during the reservation period. Reservation confirmation or issued permits must be displayed or produced upon request by Division staff.

(b) Reservations for park facilities on Division property shall be accepted up to a maximum of 11 months in advance of the requested arrival date.

(c) Payment for a reservation must be made at the time the reservation is made.

*History Note: Authority G.S. 143B-135.16;
Eff. February 1, 1976;
Amended Eff. May 1, 2010; October 1, 1984; January 1, 1983; February 15, 1981;
Transferred from 15A NCAC 12B .1205 Eff. April 1, 2017;
Readopted Eff. March 1, 2022.*

07 NCAC 13B .1206 FEES AND CHARGES

*History Note: Authority G.S. 113-35(b);
Eff. April 1, 1997;
Amended Eff. July 1, 2010; May 1, 2010; February 1, 2004;
Repealed Eff. April 1, 2016 pursuant to S.L 2015-241, s. 14.11.(b);
Transferred from 15A NCAC 12B .1206 Eff. April 1, 2017.*