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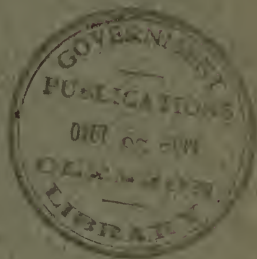
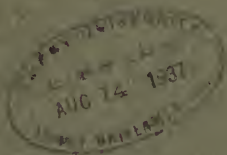
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DIGEST OF LAWS
RELATING TO
STATE PARKS

VOLUME II
MISSOURI - NORTH CAROLINA



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

Compiled By

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MISSOURI

I. STATE PARKS.

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| Jurisdiction. | State parks are under the supervision and control of the State Game and Fish Department (Acts of 1919). | | | | |
| Commissioner; appointment; term. | The Department is administered by a Commissioner, appointed by the Governor, by and with the advice and consent of the Senate, for four years. | | | | |
| Divisions. | Administrative Divisions have been established as follows: <table><tr><td>Protection Division</td><td>Park Division</td></tr><tr><td>Hatchery Division</td><td>Publicity Division</td></tr></table> | Protection Division | Park Division | Hatchery Division | Publicity Division |
| Protection Division | Park Division | | | | |
| Hatchery Division | Publicity Division | | | | |
| As to parks. | The powers and duties of the Commissioner as relating to State parks are as follows (Acts of 1919, as amended): | | | | |
| Purchase lands. | By and with the consent of the Governor and Attorney General, to contract for and purchase real estate for public recreation grounds; | | | | |
| State Park Fund. Purchase and care of State parks. | To set apart to the credit of the State Park Fund not less than 25% of all fees and other moneys collected in the enforcement of the fish and game laws for purchasing, improving and maintaining suitable real estate for public parks for the recreation of the people of the State; | | | | |
| Gifts. | To receive donations from individuals and the public for the use and benefit of said fund; | | | | |
| Eminent domain. | With the Governor and Attorney General, enforce the right of eminent domain to condemn lands for State park purposes; | | | | |
| Name the parks. | To name the parks, except where there is a recognized name, in which case the latter is to be used; | | | | |
| Roads. | To construct, improve and maintain roads through the parks; | | | | |
| Camping. | To set apart areas for free camping sites; | | | | |
| Build lakes. | To build lakes, dams and improve the streams for the propagation and preservation of fish and to provide for recreation; | | | | |

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| Protect game. | To improve any of the parks in any way or manner necessary for the protection and propagation of game; |
| Food for game and fish. | To purchase out of the fish and game fund food to feed the fish and game in the parks; |
| Raise food. | To lease or let any of the lands connected with or located within the parks, on such terms as he may deem best, for the purpose of raising food for game; |
| Purchase game stock. | To purchase game stock and plant the same in the parks for the purpose of propagation; |
| Game keepers. | To employ game keepers and such assistants as may be necessary for the protection of the game within the parks; |
| Sell products. | To cut, remove and sell timber, trees, stone, and earth from the parks where it is to their interests so to do; |
| Rules and regulations. | With the Governor and Attorney General, promulgate rules and regulations governing the use of the parks. |
| Hunting prohibited. | The hunting or the taking of game and fish upon a game refuge located on a State park is prohibited unless authorized by the Commissioner. |
| Fire prohibited. | Setting fire to any timber, grass or leaves on State parks or leased lands, or at any place where it is liable to spread to such parks, is prohibited. |
| U. S. may acquire lands for recreation. | Acts of 1935 authorize the United States to acquire by purchase or grant lands within the State for the purpose of establishing and maintaining game and bird preserves, reforestation, agricultural, and recreational uses. |

II. PUBLIC HUNTING GROUNDS.

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| Establishment. | The Commissioner may establish and maintain auxiliary game refuges for the protection and propagation of game, and is directed to establish and maintain in connection therewith public hunting grounds on lands or waters suitable for that purpose (Laws of 1919, 1927); |
| Areas which may be used. | Suitable lands or waters owned or controlled by individuals, corporations, associations, municipalities, or by the State may be used for such purpose, subject to the permission of the proper authorities owning or controlling the same; |
| By lease; term, cancellation. | Such refuge and hunting rights are to be conveyed in the form of a lease for not less than ten years, subject to cancellation upon 60 days' notice by the Commissioner if in his judgment the use of such lands or waters is no longer needed or desired. Should the owner desire to sell |

such property, and the sale cannot be consummated subject to such lease, the Commissioner may also cancel the lease within 60 days after requested to do so and if satisfied the principal object of such sale is not to convert to private use the refuge and hunting rights made more valuable through the use of such property as an auxiliary game refuge;

Refuges to be
marked.

The Commissioner is directed to set aside and mark a portion of the leased lands as a game refuge, the balance to be open to public hunting under existing laws and regulations;

Lands subject to
taxation.

All lands so leased or otherwise placed in control of the State are to be subject to all taxes as are other lands within such political subdivision;

Hunting on game
refuges prohibited.


No persons shall, for the purpose of hunting or taking game or fish from any but the flowing waters of the State, enter upon an auxiliary game refuge located upon leased lands or waters, unless authorized to do so by the Commissioner.

III. CONSTITUTIONAL AMENDMENT.

An amendment to the State Constitution was approved by the electors in November 1936 (submitted by initiative petition) providing that the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and all wildlife resources of the State, including hatcheries, sanctuaries, refuges, reservations and all other property owned, used, or required for said purposes, and the acquisition and establishment of the same, and the administration of the laws pertaining thereto, is to be vested in a Conservation Commission.

Conservation
Commission; members;
appointment.

The Commission is to be composed of four members to be appointed by the Governor. Not more than two may belong to the same political party, and are required to have a knowledge of and interest in wildlife conservation. Initial appointments are to be for two years, two for four years, and one for six years, or until their successors are appointed and have qualified. Upon expiration of terms successors are to be appointed for six years. Vacancies are to be filled by the Governor for the unexpired term within thirty days from the date of vacancy; otherwise the remaining commissioners are to fill the vacancy for the unexpired term. Members are to receive no salary or other compensation for their services but are to receive their necessary traveling and other expenses incurred while actually engaged in the discharge of their official duties.



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| Power to acquire property. | The Commission is empowered to acquire by purchase, gift, eminent domain or otherwise, all property necessary useful or convenient for its use or the exercise of any of its powers. |
| Director of Conservation. | A Director of Conservation is to be appointed by the Commission who, with the approval of the Commission, is to appoint such assistants and other employees as the Commission may deem necessary. The Commission is to determine the qualifications of the Director, all assistants and employees, and fix all salaries; except that no Commissioner may be eligible for such appointment or employment. |
| Use of funds. | The fees, moneys or funds arising from the operation and transactions of the Commission, and from the application and the administration of the laws and regulations pertaining to the bird, fish, game, forestry and wildlife resources of the State, and from the sale of property used for such purposes, are to be expended and used by the Commission for the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and wildlife resources of the State, including the purchase or other acquisition of property for such purposes, and for the administration of the laws pertaining thereto, and for no other purpose. |
| General Assembly may enact laws. | The General Assembly may enact any laws in aid of but not inconsistent with the above provisions, and all existing laws inconsistent therewith are no longer to remain in force and effect. |
| Effective date. | The amendment is declared to be self-enforcing and is to become effective July 1, 1937. |

IV. STATE PLANNING.

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| Board; authority. | Acts of 1935 created a State Planning Board, with authority to make and adopt plans for the purpose of bringing about coordinated development of the State in accordance with the present and future economic and social needs; |
| Purpose. | Such plans to be developed in a manner which will conserve the natural resources of the State and which will best advance the health, convenience, prosperity and welfare of the people of the State; |
| Scope. | Such plans may include studies and recommendations relative to scenic routes, parks, forests, wildlife refuges, social and educational problems, conservation of natural resources, and other public problems which in the opinion of the Board are of State wide concern. |

V. RULES AND REGULATIONS - MISSOURI'S STATE PARKS.

The public is invited to avail themselves of the privileges of the State Parks, but is asked to comply with the following Rules and Regulations adopted therefor. Persons failing to comply with the rules and regulations governing the State Parks cease to be visitors and become trespassers.

1. Hunting with gun, dog, or traps is prohibited at all times in State Parks, and no person shall catch, kill or take birds, game or animals in any manner, whether in open or closed season. The possession of a firearm within a State Park shall be considered prima facie evidence of a violation of this rule.
2. No person shall cut, bend, bruise or otherwise deface or injure any trees or shrubbery, whether large or small, within the boundaries of a State Park, nor shall they cut, deface or injure any building or other property within the Park.
3. Camping on State Parks shall be twenty-five cents for each twenty-four hours, or fraction thereof. Visitors shall dispose of all litter in receptacles provided, and shall leave the premises in as clean a condition as they found it. Fires may be built on spots designated by the keeper and must be extinguished by the parties building them before they leave the park.
4. Unless otherwise provided, in the State Parks wherein fishing is permitted, no person shall fish except by means of pole or rod and line baited with natural or artificial bait. The placing of salmon eggs in the water or the use of salmon eggs for fishing is prohibited at all times, neither is it permissible to bait waters in any state parks with hamburger or any other food for the purpose of congregating fish at a certain point to later be caught in a legal way. Fishing is prohibited by all means other than with artificial fly equipment in such areas as posted and set aside for this purpose.
5. In the State Parks wherein fishing is permitted, no person shall fish except during the hours as provided and adopted for that particular State Park.
6. No person shall take in any one day more than ten pounds of fish from State Park waters, and no person shall take more than the creel limit as provided by law. No two or more persons shall use the same string or creel for keeping fish taken from State Park waters, but each person shall keep his or her catch on a separate string or creel.
7. Papers, tin cans, or refuse of any kind, rocks or other articles, must not, under any condition, be thrown into springs, spring branches, streams or on the banks of springs or streams located within State Parks. Contaminating or polluting any springs or streams located within State Parks is prohibited.
8. Stock and poultry shall not be permitted to range upon State Park property. Unleashed dogs are not permitted upon park property at any time.
9. The posting or distributing of all kinds of hand bills or placing of advertising signs within the boundaries of the State Park is prohibited except by concessionnaires as allowed by their permit or under the jurisdiction of the Commissioner.

10. The Game and Fish Commissioner is authorized to adopt local rules applicable to any particular park, which may be posted within the park. Information as to such rules may be obtainable from park-keeper or concessionnaires.

11. The Game and Fish Commissioner, or any of his deputies, are authorized and obligated to enforce the rules and regulations of State Parks.

12. Any person violating any of the rules and regulations adopted herein, or under authority hereof, governing the State Parks of Missouri, and which are necessary to the proper conduct of the State Parks, shall be deemed trespassers and shall be prosecuted.

Adopted this 18th day of November, 1935, pursuant to authority granted by Section 8220, R.S., Mo., 1929.

M O N T A N A

I. STATE PARKS.

Acquire land.

The State Board of Land Commissioners may acquire and accept title in the name of the State by grant, dedication, gift, devise, donation or demise, to land suitable for public camping and public recreational use (Acts of 1929);

Use of State lands.

May also set aside any suitable tract or tracts of State land for such purposes;

Note: It is the opinion of the Attorney General that the foregoing provision is in conflict with the Constitutional provisions relating to the Department of State Lands and Investments. (Sec. II, State Forests.)

State Park Director; duties.

The State Forester is designated as State Park Director, and is charged with the duty of supervising all state parks created; also to make such regulations as are necessary for public convenience, and the protection, use and preservation of the parks and public and private property thereon and therein;

Penalties.

Any person who injures or damages in any unusual way any State or private property thereon or therein, or violates any of the regulations made by the Director, to be adjudged guilty of a misdemeanor and punished by either fine or imprisonment.

Counties may convey land for parks.

The County Commissioners of any county are authorized to convey to the State or to the United States any tract of county owned land not exceeding 1280 acres, to be maintained by the State or Federal Government as a public park or recreational grounds. The lands are to be deeded to the State or Federal Government without charge, but upon condition that the same be devoted and maintained by the State or Federal Government for the purpose specified, and in the event the land be not used for such purposes for a period of five years in succession, the title thereto is to revert to the county making such grant. (Acts of 1935).

II. STATE FORESTS.

Administration.

The State Board of Land Commissioners, consisting of the Governor, Superintendent of Public Instruction, Secretary of State, and Attorney General, as provided by the Constitution, is the governing board of the Department of State Lands and



Investments, and as such is vested with general authority, discretion, control, management and disposition of all State lands, and the funds arising from the leasing, use, sale and disposition of such lands or otherwise coming under its administration (Acts of 1927);

Guiding rule and principle.

In the exercise of these powers, the guiding rule and principle to be that these lands and funds are held in trust for the support of education, and for the attainment of other worthy objects helpful to the well-being of the people of the State; it being the duty of the Board so to administer this trust as to secure the largest measure of legitimate and reasonable advantage to the State.

Forester.

A State Forester is appointed by the Governor, by and with the consent of the Senate, to have general charge of all State forests; and, under the direction of the Board,

Supervision and improvement.

To execute all matters pertaining to forestry, direct their improvement and protection, and enforce the laws pertaining thereto;

Posting.

To furnish notices calling attention to the danger from forest fires, to be posted along streams and lakes frequented by tourists, hunters, and fishermen, and at established camping sites.

Sale of lands.

Lands classified as timber lands are not subject to sale, but timber thereon may be sold and disposed of;

Exemption from sale of shore lands.
Summer resorts.

There is also reserved from sale all State lands bordering on navigable meandered lakes as the Board may deem valuable for summer resorts, and from all State lands bordering on navigable streams a strip of land including all the land lying between low-water and high-water mark, and which in addition is to extend in width landward from the line of high-water mark of such lake or stream full width of the forty acre tract or government lot abutting the line of high water mark; Provided, that if the width of the abutting lot at its narrowest point is less than 100 feet, then the strip reserved is to extend to and include the next adjoining forty acre tract or government lot. The land reserved to be subject to the granting of easements;

Proviso.

Plotting for public use.

The Board may in its discretion cause any part of the lands bordering on such lakes and navigable streams reserved from sale to be platted into lots not less than 125 feet in width the width to be measured in the general direction of the water front; but in all such plots the strip of 100 feet in width along the water front is to be reserved for the use and enjoyment of the public.

III. PUBLIC HUNTING AND FISHING GROUNDS.

Acquire lands.

By Acts of 1935, the State Fish and Game Commission is authorized to acquire by purchase, condemnation, lease agreement, gift or devise, lands or waters, suitable for public hunting, fishing or trapping areas to provide places where the public may hunt, trap or fish in accordance with provisions of law or the regulations of the Commission; also,

Exchange.

To extend and consolidate by exchange lands or waters suitable for such purposes.

IV. STATE PLANNING.

A State Planning Board was created by Acts of 1935.

Duties.

It is the duty of the Board to make and adopt a comprehensive plan for the physical development of the State. The board must make an annual report to the Governor, and must report and make recommendations to the Governor, the legislature, any State agency, or any political subdivision of the State, regarding any matters relating to the State plan or to any phase of the State planning program;

Promote public interest.

Has power to promote public interest in the problem of State planning, and to that end may publish and distribute copies of any plan or report. It may confer and cooperate with Federal officials and with the Planning authorities of neighboring States or regions for the purposes of coordinating Montana's plans with the plans and policies of other State, regional, and national-planning agencies;

Cooperation.

Is authorized to encourage the formation and activity of municipal, county, district, and other local planning bodies within the State, and render to them all possible assistance.

NEBRASKA

I. STATE PARKS AND RECREATION GROUNDS.

Jurisdiction.

State Parks and Recreation grounds are under the jurisdiction of the Game, Forestation and Parks Commission (Acts of 1929, 1935).

Members, appointment, terms.

The Commission is composed of five members appointed by the Governor, with the consent of a majority of the Legislature for five year terms (rotated). Not more than three may be of the same political party; not more than two may reside in the same Congressional District.

Each member is allowed necessary expenses and a per diem of \$10 for days actually away from home on business of the Commission not exceeding thirty in any one year.

Director.

The Commission appoints a Secretary as its Director and Chief Conservation Officer, and who appoints such personnel as is deemed necessary to enforce the laws and for the administration of the areas.

Divisions.

Divisions have been established as follows:

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| Administrative | Fish Hatcheries |
| Inspection | Lakes and Recreation Grounds |
| Conservation and Salvage | State Parks |
| Propagation | |

Powers and duties of the Commission are as follows:

Acquire areas.

With the consent of the Governor, may by purchase, when funds on hand or appropriated therefor are sufficient, or by gift, devise or otherwise, acquire sites outside organized municipalities for State forests, additional State parks, hatcheries, nurseries, recreation grounds, game farms and public shooting grounds;

Accept gifts.

With like consent, may take, receive and hold, either in the name of the State or in trust for the State, exempt from taxation, any grant or devise of lands and any gift or bequest of money or other personal property made in furtherance of the purposes contemplated by the Act. Such funds are to be invested in a State Park and Game Refuge Fund, to be used and expended under the direction of the Commission;

State Park and Game Refuge Fund.

Survey.

To survey all lands and areas which are suitable for State parks, forests, game refuges or other similar purposes, and to locate and designate any or all of such lands or areas, and to take such action as may tend to preserve or conserve the same;

- Rules and regulations. In its discretion, may permit the use of State parks and recreation grounds by the public under such regulations as it may prescribe;
- Concessions. In like manner, may grant concessions upon such rentals or fees and for such terms not exceeding three years as it may deem advisable;
- Annual reports. File annual reports with the Governor showing conditions obtaining with reference to game and fish, State forestation and State parks, with recommendations for the forestation of waste lands and other lands of little value; and such reports in even numbered years to contain an itemized budget of all proposed expenditures for the ensuing biennium, which must include all obligations incurred by the State for maintenance of recreation grounds and State parks.
- Exchange of lands. Whenever the Board of Educational Lands and Funds, and the Game, Fish and Park Commission deem a tract of educational land of more value for public recreational purposes, they may arrange for the exchange of any such State educational lands for other lands of equal value (Acts of 1935).
- Meandered lakes. Meandered lakes, the shore line of which were meandered by government survey, are declared to be the property of the State for the benefit of the public, and the revenues therefrom and resources therein are subject to the statutes governing game and fish and the regulations of the Game, Fish and Parks Commission relative thereto. (Acts of 1929).
- Use of name of State Park prohibited. It is unlawful for any person, firm or corporation carrying on any business within the State for profit, to adopt or use as the name of said business the name of any State Park. Nor may any person, firm or corporation selling any commodity or service of any kind within the State adopt or use as a trade name or as a trade mark for such commodity or service the name of any State park, (Acts of 1927).
- Game for Parks. The Commission is to furnish wild game to the public parks of the State whenever they have same on hand which is available for distribution, (Acts of 1927).
- Protection of lakes. No person may drain, lower or in any manner reduce or divert the water supply of any natural or perennial lake, if the area exceeds 20 acres at low water stage, or if the lake is of such depth and character as to have more economic importance for fish culture, hunting or other purpose, than the bed would have for agricultural purposes, (Acts of 1919, 1922).
- Funds for park purposes. Of the amounts received in each of the years 1936 and 1937 from the sale of hunting and fishing licenses, and funds derived from State park concessions, 10% is authorized to be used and expended for park purposes.

II. CONSERVATION AND SURVEY.

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| Division of State University. Surveys. | Acts of 1921 Legislature created a conservation and survey division of the University of Nebraska, to include, among other things, State surveys as to soil, geological, water and water power, and forests; |
| Studies. | Study the climate, physical features, geology and mineral resources of the State; |
| Investigations. | Investigate and report upon conservation problems of the State; |
| Forest and park resources; Forester. | Appoint a member of the division State Forester to assist in developing the forest resources and parks of the State; |
| Information. | Compile and record or publish information with reference to the State's resources, industries and development; |
| Police power. | Is given police power and authority for the purpose of carrying into effect and performing the foregoing defined duties; |
| Cooperation with U.S. | May enter into such agreements with Federal departments as may be necessary to carry on cooperative surveys and investigations in the State; agreements to be subject to the approval of the University Regents. |

III. TEN YEAR OUTDOOR PROGRAM.

A ten-year Program was adopted by the Game, Forestation and Parks Commission in 1933 as follows:

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| Purpose. | The objective of the 10-year program shall be a business and scientific plan of management of all outdoor resources of the State of Nebraska. The plan in particular is designed to develop an abundance of wild life in Nebraska, so that hunting, angling and other recreation shall become sufficiently attractive to meet the needs of an ever-increasing demand for hunting, fishing and other recreation and to keep in Nebraska the thousands of dollars now being spent annually in other states by Nebraska citizens. |
| General Policies. | <p>The Plan shall at all times be bound by the following as its fundamental policies and rigidly adhered to:</p> <p>(a) Business Aspects: All phases of activity to the smallest detail shall be weighed carefully to ascertain if it is sound in principle and can be put into force economically. All activities shall be properly placed under budget control, and all budgets shall be fixed in advance by the Commission. Systematic control of expense shall be obtained by</p> |

fixing responsibility of employees and providing a working method of control for all activities.

(b) Scientific Aspect: All phases of activity involving propagation, food, suitability of water or cover, desirability of species, etc., shall be considered and weighed scientifically. Where new activities are undertaken, scientific investigation should first be made to ascertain if scientifically correct in its premises. Scientific surveys should be undertaken and reports made for the guidance of committees and employees.

Goal of the Plan.

The ultimate goal of the Plan shall be to meet the needs of the over-increasing number of hunters and anglers and to build up Nebraska's outdoors. In order to successfully arrive at this goal, the following activities shall be put into effect:

1. A ten-year plan of annual increase in such game birds as the Commission decides to stock;
2. A ten-year plan of annual increase of game fish, with the ultimate objective for the liberation of larger fish.
3. A ten-year plan of providing suitable hunting fishing and recreation facilities, with the end that these shall be accessible to all the people of the state without trespass charge.
4. A plan of scientific study of all conditions affecting wild life, with particular stress placed upon cover, food and disease.
5. A plan of utilizing certain lands that can be flooded, thus taking the same out of agricultural production and placing them into production of fish and game of which there is a distinct shortage.
6. A plan of utilizing waste and marginal land for re-forestation on a cooperative basis between the Federal government state and the land owner.
7. A plan for the better control of pollution, irrigation canals and ditches. power dams and river floods.
8. A plan for a state-wide system of game sanctuaries and refuges.
9. A plan for predatory animal and bird control, with especial attention to the crow situation.
10. A broader and more comprehensive plan of conservation education.



11. A plan for better cooperation and coordinated action with sportsmen's and civic organizations and agencies interested in the protection and conservation of wild life.

12. A plan for better law enforcement with particular attention to the possibilities of getting a higher type of law enforcement officer and better services from such employees.

Organization.

The Commission as a whole should decide upon general policies and fix budgets for all activities. Both policies and budgets should be considered as far in advance as possible in order to give sufficient time of execution. Since budgets must be based on revenue earned through the sale of permits, this phase of activity should be given considerable study. Consideration should at all times be given to proposed plans and activities to make certain that the proposed plan or activity will not involve ramifications that would eventually exceed anticipated revenue.

Committees.

The Commission should, after deciding upon general policies and fixing budgets, provide the following committees and allot activities as follows:

Administrative and Revenue Committee.

Administrative and Revenue Committee. Personnel: Two Commissioners and Secretary.

(a) To work out details of the general policies laid down by the Commission.

(b) To plan for the general administration of the Plan, especially the placing of responsibility and the carrying out of detailed phases of activity.

(c) The fixing of budgets and the study of ways and means to increase the revenue.

Educational and Publication Committee.

Educational and Publication Committee: Personnel: Two Commissioners and Secretary.

Duties.

(a) To formulate plans for education along conservation lines.

(b) To foster and promote greater cooperative effort among sportsmen's organizations, schools and civic agencies.

(c) To plan and arrange the details of the various publications of the Commission.

Hatcheries, etc. Committee.

Hatcheries, Nurseries, Fish Conservation and Distribution Committee: Personnel: Two Commissioners and Secretary.

Duties.

(a) To plan a ten-year program of fish and game bird production, with especial attention to the future need in the way of hatcheries, nurseries, brooding grounds, etc.

(b) Arrange for a better system of distribution of game and fish with especial attention given to suitability of cover and water, the hardiness, desirability and future need of species.

(c) A plan of stocking larger fish.

(d) Reduction in costs of distribution.

Game Reserves, etc.
Committee.

Game Reserves, Sanctuaries, Inviolate Areas Committee:
Personnel: Two Commissioners and Secretary.

Duties.

(a) To formulate a ten-year plan for the setting aside of areas suitable and needed in the conservation of game and fish.

(b) To cooperate with Federal government in the establishing and administration of federal refuges and sanctuaries.

(c) To administer reserves, sanctuaries and inviolate areas under control of the Commission.

(d) To encourage and foster the setting aside of propagation areas by local sportsmen's organizations and civic groups.

Lakes and Recreation
Grounds Committee.

Lakes and Recreation Grounds Committee: Personnel: Two
Commissioners and Secretary.

Duties.

(a) To supervise and manage recreation grounds.

(b) To plan for development of lakes and recreation grounds acquired by the Commission.

(c) To initiate and put into effect a campaign against indiscriminate draining of lakes and marshes and to encourage the construction of private lakes.

Forestation Committee.
Forestation Committee: Personnel: Two Commissioners and
Secretary.

Duties.

(a) To plant trees on holdings of the Commission.

(b) To take part in an annual state-wide educational campaign to encourage the planting of trees on private land.

(c) To cooperate with the Federal Government and other state agencies in the utilizing of waste and marginal agricultural land for forestation.

State Parks
Committee.

State Parks Committee. Personnel: Two Commissioners and
Secretary.

Duties.

(a) To supervise the State Parks.

(b) To develop and improve state parks.

Plan of Action

Increase of Hunting.

(1)

In order to bring hunting to the greatest number of people and to provide good bars for those taking to the field, a ten-year stocking program, to be financed over that period, shall be put into effect.

The stocking of game birds will be done in accordance with such scientific data as may be procured. The Commission will use game reserves and sanctuaries as its basic breeding areas, and birds will be stocked in parts of the state found to be most suitable until a foundation stock has become well established. Following this, all parts of the state will be stocked.

The Commission will determine what upland game birds are to be stocked during the next ten years, after first making an investigation of success had in other states and making a survey in Nebraska as to suitable cover, food, protection, etc.

Open seasons, bag limits, etc., on both waterfowl and upland game birds will be recommended to the Legislature and fixed by resolution on the basis of supply of birds available and prevailing conditions.

Every possible way of eliminating guesswork and political influence will be utilized by the Commission in its stocking program. Land not suitable for certain species will be determined and such areas not stocked.

Accurate records will be kept of annual stocking and annual investigations will be made to determine the extent to which the plan is succeeding or failing.

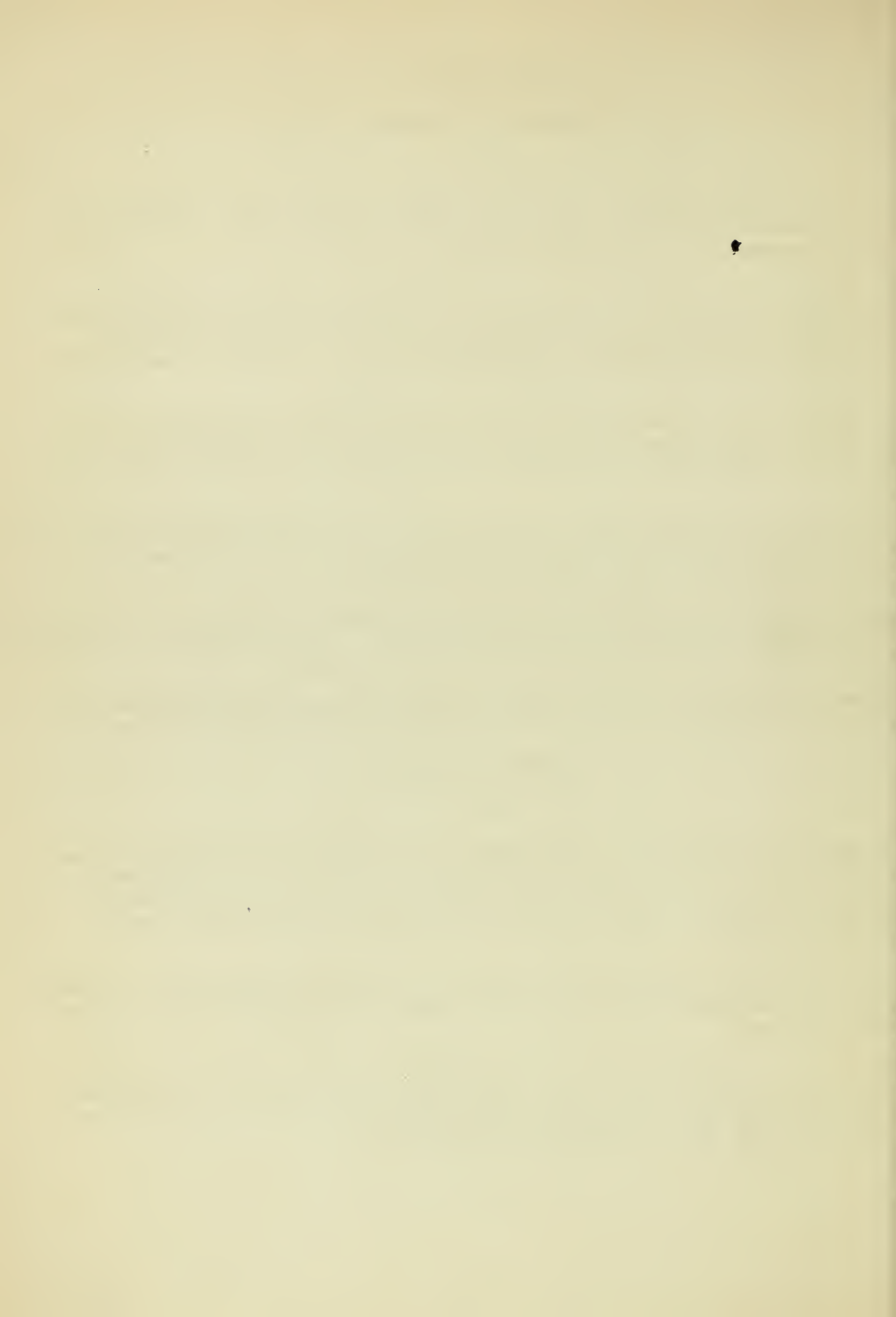
Increase of Fishing

(2)

The stocking of game fish will be carried out on a ten-year production program. All of the waters of the State will be surveyed. This survey will determine the suitability of species, food conditions and fish already stocked, and all the future plantings of fish will be based on scientific data that a survey will bring to light.

Every effort will be made by the Commission to increase production and an attempt will be made to raise larger fish so that fingerlings and adults may be stocked rather than fry.

A better plan of salvage work will be undertaken, holding ponds for salvaged fish will be secured in such parts of the State as may be needed, and fish salvaged during extremely warm weather or during the winter will be placed in such holding ponds in order to secure better distribution.



Efforts will be made by the Commission to cut down the cost per thousand of fish produced and to produce the fish in parts of the State where needed in order to lessen the transportation cost.

Open season, bag limits, etc., will be recommended to the Legislature and fixed by Resolution of the Commission on the basis of fish available.

State-owned lakes or those under the jurisdiction of the Commission will be first in the plan of stocking. Privately owned lakes open to the public will be secondary in the scheme of planting.

Scientific investigation of disease, food and relation of species will be continued by the Commission in the several parts of the State and such data as may be secured will be compiled for future use.

Accurate records will be kept of all planting of fish each year and annual investigations will be made to determine the success of the program.

Recreation Facilities

(3)

In order to provide places for the public to fish as well as recreation facilities, the Commission will continue its program of the purchase and development of recreation grounds.

In all cases recreation grounds will have some water for fishing and it shall be the purpose of the Commission to have at least one-half of the purchased acreage under water.

Recreation grounds will be established in the future on the following:

- (a) Funds available for such purpose.
- (b) Need of recreation grounds in section of the State.
- (c) Suitability of proposed project.

Recreation grounds will not be purchased until the Commission's engineer has made a preliminary survey as to the feasibility of the proposed project. Upon receipt of such a survey the Commission shall determine if funds are available for the purchase of such proposed recreation grounds if it is needed in that section of the State and if the project is feasible. After such is determined a committee of not less than three members of the Commission will be appointed to visit the proposed project to determine initial cost and development cost and report back to the Commission for further consideration.

It shall be the policy of the Commission to dispense with caretakers on recreation grounds, but to have them administered by district game wardens and the Commission's engineer and the Commission's forester. The district game wardens will make periodical trips to each recreation grounds in his district, reporting to the Secretary of the Commission frequently as to prevailing conditions. Any repair work or construction will be handled by

the engineer, who will go to the various projects as directed by the Commission. Planting of trees, moving of we ds, etc., will be done under the supervision of the Commission's forester, who will go to the recreation grounds at the direction of the Commission to carry on such work.

The Commission will determine a fair price to pay for each acre of water or land on recreation grounds and in the future purchase of such projects try to arrive at such a price in the purchase thereof.

It shall be the aim and the desire of the Commission to carry on its ten-year program in the purchase, maintenance and development of recreation grounds to the end that these shall be available to all the people of the State.

Scientific Study

(4)

The Commission will over a ten-year period carry on various phases of scientific investigation to the end that it will have available data concerning all wild life found in the State of Nebraska. Investigations will particularly deal with the cover available for certain species of birds and fish, food and disease. All scientific data procured will be compiled and made available to all members of the Commission and such employees as it may specify.

Scientific work carried on by other states and by the Federal Government will be made available for the Commission and its employees and such data will be considered jointly with the scientific investigations made in Nebraska.

Utilization of Waste Land

(5)

There is in Nebraska hundreds of acres of land of doubtful value for the purpose of agriculture. It shall be the purpose of the Commission to make a survey of such lands with a view of taking the same out of agricultural production and where possible flooding such areas in order to provide cover for waterfowl, shore birds, and fish. Studies should be carried on to determine possibilities of utilizing such areas on a co-operative basis by the State and owners of such land.

Cooperative efforts should be given by the Commission to other governmental agencies in the establishing of reservoirs along the Platte river basin and in the sandhill lake sections of the State.

Marginal Land for Reforestation

(6)

The Commission will make a study during its ten-year program of the possibilities of using waste and marginal agricultural land for reforestation purposes.

It will keep in touch with the Federal Government at all times cooperating with that agency in such reforestation work as may be undertaken in Nebraska.

An educational campaign will be carried on to the end that such waste and marginal agricultural land will be planted to trees by the owners thereof and a reserve of timber established for future use. Particular attention will be given to islands in the Platte river basin and waste land along smaller streams where trees would thrive and be of value not only for timber and fuel but for cover for wild life.

Control of Pollution Canals, Ditches and Dams

(7)

The Commission will initiate an investigation to determine to what extent fish life is being damaged by pollution of streams, unscreened irrigation canals and ditches and power dams which do not maintain fishways.

Upon the determining of the need, if any, of these factors, efforts will be made to get such control of the same as may remedy the damage being done.

Control of irrigation ditches in western states will be investigated, reports made available to the Commission and the fishway situation in Minnesota, Wisconsin and Michigan will be investigated and made available for the Commission.

Game Refuges and Sanctuaries

(8)

The Commission will lay out a ten-year program which will seek to provide adequate game refuges and sanctuaries throughout the State of Nebraska. These sanctuaries will be considered for use for both migratory waterfowl and upland game birds. Such refuges will be secured either by lease or purchase upon the following basis:

- (a) Suitability in the way of cover and protection.
- (b) Compactness and size of the proposed reserve.
- (c) Need of a reserve in part of State where same is located.

The Commission will cooperate with the Federal Government in the enlarging and maintenance of the Crescent Lake refuge and will work to the end of securing several more such reserves, particularly in Chridan, Cherry, Brown, Rock or Holt counties.

The Commission will cooperate with the forestry service in a fuller utilization of the Halsey and Bessey Divisions of the National Forest as game sanctuaries.

The Commission will work to the end of securing more areas in the Platte River basin which are inviolate to the hunting of migratory waterfowl and will continue its policy of making state recreation grounds game sanctuaries.

Predatory Animal and Bird Control

(9)

The Commission will issue a plan for the better control of predatory animals and birds in the State of Nebraska. Particular attention will be given to the control of the crow, which is increasing at an alarming rate, particularly in the northern section of the State.

Conservation and Education

(10)

Education is the best means to stop violations of game laws and for that reason the Commission should work out an educational program covering the ten year period with a view to securing a broader and more comprehensive observance and understanding of the needs of conservation.

This educational program should be divided into two parts:

- (a) That dealing with the adult population of the state.
- (b) That dealing with the school children.

Efforts should be made by the Commission to secure the interest and cooperation of boys by organizing a protective society among boys which would seek to make each of its members a protector of wild life. Such an organization would not only have a very wholesome effect on the family life of the communities throughout the State, but would have the tendency to make the citizens of tomorrow vitally interested in conservation.

Cooperation of Sportsmen's and Civic Organizations.

(11)

There are a large number of civic and several sportsmen's organizations, which can be readily interested in the building up of Nebraska outdoors.

The Commission should work out a program to place before such bodies with a view to getting them interested in conservation as a general program, but particularly in some local project, such as a game sanctuary, reforestation project, etc. Conferences and meetings of such organizations should be conducted by the Commission and uniform programs worked out which could be adopted by such bodies.

The support of such organizations in carrying on a campaign in the sale of hunting and fishing permits should be sought.



Better Law Enforcement

(12)

The Commission will make a survey of the entire game law enforcement situation throughout Nebraska and adopt a policy which will have for its purpose:

- (a) Securing of high type of law enforcement officers.
- (b) Better service from such officers.
- (c) Reduced cost of operation.
- (d) Better cooperation with local law enforcement officers and citizens.

The Commission should seek at all times to keep the law enforcement division completely divorced from political influences. Wardens in the service should be given examinations from time to time to ascertain their knowledge of conditions and to determine proper rating as to their value to the Commission.

IV. RATES AND REGULATIONS - CABINS AND CAMPING

Tourists and visitors are permitted to camp or use cabins in state parks at Chadron and Victoria Springs. No camping is permitted or cabins available at Arber Lodge or Stolley Park. Hotel rooms and camping space are available at Pibel Lodge Recreation Grounds. Camping space is available at other recreation grounds.

Cabin rental is by the day or the week. One week is the longest period for which rental can be made. Camping must be at designated sites and on recreation grounds is limited to forty-eight consecutive hours.

Chadron State Park

Cabins - \$1.00 to \$3.00 per day. Tents - 50 cents per day. Camping - Free. Horses - By the day or hour. Bathing - 10 cents entrance fee; 10 cents for towels; 25 cents for suits. Restaurant - Regular prices, a la carte. Store - groceries, soft drinks, etc., at regular prices. Play grounds - Free.

Pibel Lake State Lodge

Rooms - \$1.00 per day; \$1.50 per day for two persons. Boats - 25 cents an hour; \$1.00 per day. Meals - 50 cents; lunches a la carte; special weekly rates. Cabins for rent at reasonable rates.

Victoria Springs State Park

Cabins - \$1.00 to \$1.50 per day. Camping - Free. Bathing - 10 cents entrance fee; 10 cents for towels; 25 cents for suits. Boats - Regular rates. Playgrounds free.

Arbor Lodge State Park

This park opens April 1st and remains open until the first of December. Until the middle of June, visitors may inspect the Mansion only from 1:40 P.M. until 5:00 P.M. After the middle of June visitors are admitted in the morning as well. The park furnishes excellent picnicking sites.

Stolley State Park

Open daily and Sunday, this park has lovely flower gardens and wonderful picnicking grounds, available during the day and evening. The park also contains playgrounds for children.

N E V A D A

I. STATE PARKS.

Jurisdiction.

State parks are under the jurisdiction of the State Park Commission (Acts of 1935).

Members; appointment; terms.

The Commission is composed of five members, appointed by the Governor for terms of five years (rotated). Members serve without compensation but receive expenses incident to official duties. The State Highway Engineer is designated as ex-officio Superintendent of State Parks, under the direction of the Commission.

Powers and duties.

The Commission, by and with the suggestions and assistance of the Superintendent, is authorized and directed to have the charge, care and supervision of all parks; also to make and enforce all proper rules and regulations respecting any park.

Rules and regulations.

Prohibitions.

The cutting or removal of any timber or other forest growth, destruction thereof by fire or other means, except where such cutting or removal is deemed absolutely necessary for the administration and protection of any park or recreational area; the destruction or removal of any buildings, parts of buildings, other structures, tables, stoves, or any appurtenances thereto, also any historical relics, or natural specimens such as petrified trees, petroglyphs, and other relics or materials, is expressly prohibited.

Marking scenic places.

Acts of 1935 directed the State Highway Department to cause to be put up and maintained informative signs, distinctive in color and design, pointing out, calling attention to, and descriptive of nearby points, location and distance to objects of natural, scenic, geographical, geological, paleogeographical, and historical interest to the traveler within or passing through the State.

II. RECREATION GROUNDS, GAME REFUGES, PUBLIC SHOOTING GROUNDS.

Establishment .

Under the provisions of the Fish and Game Laws (Acts of 1929) the Governor is directed to select, designate and set aside by proclamation suitable areas of the public domain, not exceeding twenty-five in number, to be known as State recreation grounds and game refuges, or public shooting grounds;

Administration.

Such areas are to be administered by the State Fish and Game Commissioners, who are directed to establish and put into effect a practicable method of propagating wild fowl, game birds and game animals, to the end that the same may be used in stocking such areas;

Improvements.

Are empowered to make expenditures out of any appropriations created therefor as they may deem necessary in improving such grounds.

III. STATE PLANNING.

Board; duties.

Acts of 1935 created a State Board of Relief, Work Planning and Pension Control, whose duties, among other things, is to act as a State planning board in making inventories and surveys of State resources, and in outlining land, water and work projects and policies.

NEW HAMPSHIRE

I. STATE PARKS AND STATE FOREST RESERVATIONS.

- Jurisdiction.** State parks are under the jurisdiction of the Forestry and Recreation Commission (Acts of 1929 as amended 1935).
- Members; appointment; terms.** The Commission is composed of three members, appointed by the Governor, with the advice of the Council, for terms of three years (rotated). Members serve without compensation but are reimbursed expenses incident to official duties. A Forester is appointed by the Commission as its administrative officer.
- Council.** Note: The State constitution provides for a Council of five persons, to advise the Governor in the executive part of the government.
- Authority.** The Commission is empowered as follows:
- Purchase of lands.** To purchase, with the consent of the Governor and Council, suitable tracts of land for use for public reservations.
- Note: The words "public reservation", and "State forest or reservation" as used in the laws relative to public forest lands, include the use of such forests and reservations for public recreational and park purposes.
- Condemnation.** If the Commission cannot agree with the owners of the land as to price, they may condemn the same;
- Dedication of areas.** On the payment of the value as finally determined, title vests in the State, and the land is to be forever held for the purposes of a public reservation, and at all times be open to the use of the public (Acts of 1933);
- Gifts of land.** May also receive land by gift in such manner that no cost of purchase will accrue against the State (Acts of 1931).
- Trust funds.** The State Treasurer is authorized to receive money donated for the purpose of purchasing, maintaining and improving State forests or reservations and buildings thereon, or any other forestry project; the money so received to be converted into a continuous fund from which payments are to be made in accordance with the stipulations of the donor.
- Concessions.** On terms approved by the Commissioners, the Forester may

make contracts for the leasing of privileges and concessions on State forests and reservations. All such contracts are also subject to the approval of the Governor and Council (Acts of 1935);

Forest Improvement Fund.

Revenue derived from rentals and the sale of any products from State forests and forestry reservations are to be credited to the "Forest Improvement Fund" for the purchase and improvement of the forests and reservations (Id).

Reimbursement for CCC labor.

If upon a sale of State lands or products of such lands the State Forester determines that the State has derived a direct cash profit as the result of work done on the land sold or on land the products of which are sold, done or to be done by the Federal Emergency Conservation Corps, one-half of the profit derived, or such lesser amount as may be sufficient is to be used to reimburse the United States for monies expended by it for the work so done, but not exceeding in the aggregate \$3 per acre (Acts of 1935).

II. LAND USE BOARD.

Members; appointment; terms.

Acts of 1935 established a Land Use Board, consisting of five members, no more than three of whom may belong to the same political party. Appointments are made by the Governor, with the advice and consent of the Council. Terms are for one, two, three, four and five years, respectively, in the order of their appointment, and for five years thereafter. Members are required to serve without compensation. The Governor, with the advice and consent of the Council, appoints one member as Chairman and a second member as Secretary;

Acquisition of lands by U. S. authorized.

Subject to its provisions, the Act consents to the acquisition of lands by the United States for any public purpose authorized by the laws of the United States;

Approval of acquisition.

No land may be acquired until and unless the acquisition be recommended by the Board and has been approved by the Governor and Council; sites for post-offices, custom houses or other public buildings excepted;

Exceptions.

Notice to towns and cities.

At least fourteen days before the Board may take action upon any proposed acquisition covering land in any town or city, it must first advise the town or city in regard to the proposed acquisition. At the request of the appropriate officials, the Board must grant a public hearing. No land may be acquired until the acquisition be approved by a majority vote of the voters present and voting at a regular or special town meeting in towns, or by a majority vote of the board of mayor and alderman in cities.

Referendum.

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| approval by Governor and Council. | The Governor and Council, upon recommendation of the Board, are authorized on behalf of the State; |
| accept deeds of land. | To accept deeds from the United States to any such lands, upon such terms and conditions as they may consider proper; |
| accept land for administration. | To accept leases or enter into other agreements with the United States, or any duly authorized agency thereof, for the administration and maintenance of any such lands, with or without improvements, and upon such terms and conditions as they may consider proper. |
| disposition of income. | Net income derived from any lands designated for administration is to be disposed of in the same manner as other income received from State forests and forestry reservations; all income from other such lands is to be covered into the general funds of the State; |
| limitations as to lands acquired. | Lands which may be acquired are limited to such as by reason of quality, location or condition are better adapted to public conservation, forestry, recreation, experimental and demonstration purposes than for continued private ownership and development; and |
| limitations as to area. | Is limited in total acquisition to two per cent of the total land area of the State; and is further limited in each town or city to an amount of land, the assessed valuation of which on April 1 of the preceding year was five per cent of the total assessed valuation on such date to all the real estate in such town or city; |
| Exceptions. | The above limitations do not limit the authority of the United States to acquire lands for the White Mountain National Forest within the boundaries established by proclamation of the President of the United States (October 26, 1929); nor do they apply to acquisitions within the boundaries of the existing White Mountain National Forest Purchase Unit, or any new national forest purchase unit that may be recommended by the Board and approved by the Governor and Council; nor are such acquisitions to be included in computing such limitations. |
| Eminent domain. | No owner of lands which the United States proposes to acquire is required to sell by institution of proceedings for condemnation of such land; but when a land-owner has agreed to sell proceedings for condemnation may be instituted for the sole purpose of clearing title to the land; |
| Jurisdiction. | The State is to retain concurrent jurisdiction with the United States in and over all lands acquired with respect to the civil and criminal laws of the State. Exclusive juris- |

diction is to revert to the State when the lands cease to be owned by the United States.

III. HUNTING AND FISHING GROUNDS.

How acquired.

Acts of 1935 authorized the Fish and Game Commission to acquire by purchase, lease or gift, hunting and fishing rights to lands or waters, and rights of access thereto, suitable for fishing and hunting, and to maintain thereon public hunting and fishing grounds.

IV. STATE PLANNING.

Organization.

A State Planning and Development Commission was established by Acts of 1935.

Advisory Board.

The several responsible executives or executive boards of each State department and institution are designated an ex-officio advisory board, which is to meet from time to time with the Commission or any of its agencies for the purpose of advising and cooperating in the preparation and coordination of plans for developing the resources of the State.

Duties.

The Commission is charged with the duty of encouraging the development of industry, recreation, and agriculture; to devise suitable means to advertise the attractions and resource of the State; and, in general, seek to conserve and promote the public health, safety, convenience and general welfare;

Research and planning.

Is directed to prepare and keep up-to-date a plan for the orderly development of the resources of the State, and to submit a biennial report on the progress of this plan to the Governor and Council, and otherwise make available to them such information or research service as they may require in preparing legislation for advancing the welfare of the State;

Grants.

May accept in the name of the State special grants of money and/or services from the Federal or State governments or any of their agencies; also gifts to carry on its activities.

V. RULES AND REGULATIONS - STATE FOREST RESERVATIONS.

1. State Forest Reservations are open to the public for day use only, except where over-night camping is provided for. Persons are required to respect personal and property rights of others at all times. All persons desiring a camp site shall register with the caretaker, if one is provided.

2. Use of State land for private gain, solicitation or advertisement is prohibited.
3. No signs or billboards, except regulation signs, may be exhibited without approval of the Forestry and Recreation Commission.
4. Disorderly conduct, intoxication, obscene or indecent acts are strictly prohibited.
5. Peeling bark, mutilating trees, carrying off small trees or shrubs is prohibited.
6. The changing of clothing in parked cars and toilets is prohibited.
7. Where parking places are provided, the plan of parking must be observed. No person shall leave a car on any highway or roadway.
8. No person shall build a fire of any kind except in a place provided for the purpose. Picnic places must be maintained in a clean and sanitary condition. Waste barrels must be used where they are furnished.
9. All laws and regulations of the State will be enforced.

Where life-guards are provided, they are to supervise the public both on the beach and in the water and to render aid in emergency cases.

No clothing should be left in bath-house dressing rooms or on the beach. Clothing may be checked at bath houses for ten cents. The State is not responsible for loss or damage.

All dogs should be kept on leash. Fuel for camp fires will be furnished.

Persons are warned not to enter the water after undue exertion.

EVERY EFFORT SHOULD BE MADE TO KEEP THE RESERVATION CLEAN

Any person found guilty of violating any of the above rules and regulations shall be fined not more than \$25. Chapter 192, Section 5b of the Public Laws.

FORESTRY AND RECREATION COMMISSION



NEW JERSEY

I. STATE PARKS.

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| Jurisdiction. | State parks not otherwise by Statute placed under separate commissions, and all forest park reservations, are under the jurisdiction of the Department of Conservation and Development (Laws of 1915). |
| Board; appointment; terms. | The Department is governed by a Board of Conservation and Development, composed of eight members appointed by the Governor, by and with the advice and consent of the Senate, for four year terms (rotated). Not more than four members may be of the same political party; are to serve without pay, but receive expenses incident to official duties. |
| Director; Secretary. | The Board appoints a Director, and who is also ex-officio Secretary. It may also create subdepartments or divisions to take specific charge of the different lines of work, and to appoint heads or chiefs of same. |
| Divisions. | Administrative Divisions have been established as follows: <div style="margin-left: 100px;">Division of Forests and Parks Division of Geology</div> |
| Authority. | The Board is vested with full control and direction of all State conservation and development projects, and of all work in any way relating thereto, except such work as is conferred upon other boards. |
| Survey for park areas. | Under the provisions of an Act of 1927 (Chap. 205), the Board was directed to make a survey of the State to determine the areas or sites suitable and desirable to be acquired as State parks, giving due consideration to their scenic, historical, recreational and other special features; |
| Report recommendations. | Upon the completion of the survey, to report to the Legislature, publish its findings, and from time to time recommend to the Legislature the establishment of such State parks as in its judgment seems advisable. |
| Powers and duties. | By a subsequent Act (1929, Chap. 213), and for the purpose of acquiring, holding, protecting, managing and developing lands or other property for use as State parks, forest park reservations, or other State reservations; whether made for historic, for scenic, for watershed protection, or for any other purpose, the Board was further empowered; |

- Inspect areas.** To enter into and upon lands for the purpose of inspection, making surveys and maps thereof, and for such other purposes as is deemed necessary to acquisition, development, protection or management of lands or other properties for the State;
- Determine ownership.** To make investigations as to the ownership of any lands which it judges may be suitable or appropriate for acquisition for any of the purposes above indicated;
- Acquire lands.** To take title in fee or otherwise by purchase, gift, devise or eminent domain, to such lands or other property, and to any rights, interests and easements therein.
- Sell, lease or exchange.** Subject to the approval of the Governor, to lease, sell or exchange, for other land or property, any portion of the lands or properties acquired, or to sell or exchange any products of such lands when deemed to be for the best interests of the State;
- Improvements.** May install permanent improvements for the protection, development, use or maintenance of the property, or for the health and comfort of the public;
- Construct roads.** To lay out, construct and maintain roads and ways over such lands; or from points on such lands to other public roads outside of and adjacent thereto. For such purposes rights-of-way upon and across intervening lands may be acquired;
- Accept gifts.** To receive by gift, contribution or bequest, moneys, stocks, bonds, securities, or other property, and to own, hold, invest, sell, pay or otherwise use or apply the same or the proceeds thereof or the income therefrom in accordance with the terms upon which such gift, contribution or bequest is made;
- Use of gifts.** When consistent with the terms of any such gift, contribution or bequest, to use or apply the same, the proceeds thereof or the income therefrom, as the case may be, to the erection, construction or maintenance on the lands of the park, of buildings, fountains, monuments, lighting systems, or other utilitarian or ornamental undertaking in keeping with the general purpose of the park.
- Note:** The above two paragraphs apply to the several boards of commissioners of State parks.
- Taxation.** All lands used or to be used solely for park purposes, whether the same be owned by the State, held in trust for, or for the use of the State, and whether the title thereto be in the name of the State, any commission, board or corporation, are to be assessed and taxed in the municipalities wherein such lands are situated, for State, school,

Proviso. county, municipal and improvement purposes in the same manner as other real property owned by individuals; Provided, however, that any improvements constructed or erected by the State, or any board or commission having jurisdiction or control of any State or interstate parks, are not to be included in the assessed valuation of such lands (Act of December 7, 1933).

II. FOREST PARK RESERVATIONS.

Acquire areas. For the purpose of forest park reservations, the Board of Conservation and Development may acquire a fee simple estate in any lands, or any easement or profit a prendre that it may deem best;

How. Such acquisition may be accomplished either by deed, gift or devise, or if necessary, by condemnation proceedings;

May sell or exchange lands. Subject to the approval of the Governor, is empowered to lease, sell, or exchange for other land, any portion of the lands acquired, with any buildings thereon;

Use of proceeds. The proceeds from any such sale, lease or exchange, together with all money derived from the sale of timber or the use or development of the lands, is to be expended by the Board for the maintenance, development or protection of the forest reserves as specified in any annual appropriation bill.

Acquire other areas. The Board may also acquire for forestry park purposes lands which any municipality has acquired by reason of a lien for unpaid taxes; such acquirement to be by gift, grant, or by payment of any such lien (Acts of 1924).

Same. To acquire for forest park purposes any land covered by a fresh-water lake or pond, and any land surrounding or adjacent thereto, and all private ways, easements or servitudes held, exercised or used by any person or corporation in, upon or over such land (Acts of 1907).

Tax exemption. Title to all lands or other properties acquired as State forests or forest parks to be exempt from taxation from the time of their acquisition; Provided, however, an annual payment of ten cents per acre must be made to each municipality in which such lands are held, and in which the area of such lands exceeds ten acres.

Proviso.

Agreements with counties and municipalities. The governing body of any county or municipality may enter into an agreement with the Board for the maintenance of a forest reserve, or any portion thereof, which portion may be a pond or lake, as a public park, and from time to time appropriate money to the Board to be expended by it for the maintenance and improvement of such State property (Acts of 1915).

III. PALISADES INTERSTATE PARK.

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| Commissioners; appointment; term. | The above park is administered by a Board of ten Commissioners, five of whom are required to be citizens and residents of the State, and are appointed by the Governor, by and with the consent of the Senate. Appointments are for five years. Members serve without compensation, but receive expenses incident to duties of office (Act of 1900). |
| Powers and duties. | Powers and duties of the Commissioners are as follows: |
| Select and locate lands. | To select and locate such lands lying between the top or steep edge of the palisades or the crest of the slope in places where the steep palisades are absent, and the high water line of the Hudson River (within boundaries established by law) as may in their opinion be proper and necessary to be reserved for the purposes of establishing a State park, and thereby preserving the scenic beauty of the palisades; |
| Acquire areas. | To take in fee or otherwise, by purchase, gift, devise or eminent domain, the said lands or any of them, and any rights, interests and easements therein; |
| Same. | To acquire by purchase, gift or devise, but not by eminent domain, any lands on the top of the palisades; |
| Parkways. | To construct, maintain and operate a parkway on top of the palisades, extending from the southerly line to the New York State line, and for such purpose and the acquisition of the necessary lands therefor, to apply for and accept grants or other aid from the United States Government; |
| Acquire areas for. | For the purpose of laying out and establishing the said parkway, may acquire by gift, purchase or condemnation any lands or rights in lands necessary for such objects and lying within the aforesaid area; |
| may construct. | Or may grant and convey for a nominal consideration to the United States Government such parts of land or rights therein now owned or acquired by the Commissioners as may in their opinion be proper and necessary for the purposes of such a parkway; |

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| Accept gifts. | To receive by gift, contribution or bequest, moneys, stocks, bonds, securities or other property, and to own, hold, invest or otherwise use the same; |
| Improvement. | To care for, lay out and improve the park; |
| Rules and regulations. | To make rules and regulations for the use and government of the park, including the regulation of traffic therein; |
| Roads, etc. | To lay out, construct and maintain roads, pathways and boulevards upon, across and over the park; also roads connecting separated portions, and connect the roads and ways within the parks with public roads outside and adjacent thereto; |
| Cooperate with State of New York. | In the laying out and maintenance of the park, is directed to have regard to the laying out and maintenance of such park as may be established by the State of New York along the palisades and Hudson River, so as to form, so far as may be, a continuous park; |
| May sell lands not needed. | To sell such lands on the top of the palisades as may be not necessary for park purposes, together with a right to grant easements over such lands for public improvements; |
| Elevators. | To erect and operate elevators and escalators at such places in the park as may be deemed necessary or expedient; |
| Other facilities. | To provide and operate such other facilities for the use and enjoyment of the park by the public and for increasing its accessibility to the public; |
| Use of facilities. | To provide, at its discretion, by a proper rule or regulation, for the terms upon which and the manner in which all of such facilities may be used; |
| Limitations. | It may not, however, issue or consent to licenses, privileges or franchises to individuals or corporations for the operation for private profit of any facility, utility or device within the park except upon terms limiting the same to a period not exceeding twenty years; and no such license, privilege or franchise may be authorized or awarded except after proper advertisement and to the responsible person or corporation who will, in open competition, offer to pay the highest return; |

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| of proceeds. | All proceeds derived from the operation of such facilities or from any of the operations are to be used for the development and management of the park; |
| ual reports. | To annually report to the Legislature all receipts from any sources, and all expenditures. |
| IV. HIGH POINT STATE PARK. | |
| Commissioners; ointment; n; icers. | The above park is under the jurisdiction of a Board of five Commissioners appointed by the Governor, by and with the consent of the Senate, for terms of five years (rotated). Members serve without compensation but are entitled to receive actual disbursements for expenses in performing the duties of office. The Board annually chooses from among its members a President, a Vice President, Treasurer and Secretary; and may appoint such other officers and employees as it may deem necessary to carry out the purpose of the Act. (L. 1923) |
| ers and duties. | The Board is directed and empowered as follows: |
| ept gratuitous ds. | To accept gratuitous deeds of conveyance from Anthony R. Kuser or Susie Dryden Kuser, or both, or from other person or persons conveying any or all of the lands, hereditaments, easements, rights of way, real estate or rights or interest therein, and subject to terms and conditions to the effect that there shall be on the premises no shooting or trapping of birds other than vermin, and then only by the authorized representatives of the State or the Commission having custody of the grounds, and to the effect that State hospitals, sanitarium, or institutions for the care or treatment of mental or physical defects or diseases may be maintained on the premises but not within four miles from the point of land commonly known as the "High Point"; |
| quire additional d. | To acquire land by gift, grant, purchase or by condemnation (L. 1924); |
| rovement and aintenance. | To preserve, care for, lay out and improve the park to the end that it may be maintained as a nature reservation; to lay out, construct and maintain roads or pathways upon, across and over the park and to lay out, construct and maintain roadways connecting the roads and ways within the park with other public roads outside of and adjacent thereto. |
| ts. | To receive by gift, contribution or bequest moneys, stocks, bonds, securities or other property and to own, hold, invest or otherwise use the same; |

- Expenditures. To spend such sums as may be included in the annual appropriation bill for its necessary expenses; provided such expenditures are first approved by the Governor and Comptroller;
- Facilities. May provide and operate, or arrange for the operation of, such facilities for the use and enjoyment of the park by the public as may be deemed necessary or expedient;
- Regulations. May provide, at its discretion, by rule or regulation, for the terms upon which and the manner in which all of such facilities may be used;
- Restrictions. May not, however, issue or consent to licenses, privileges or franchises to individuals or corporations for the operation for private profit of any facility, utility or device within the park, except upon terms which will provide for limiting the operation to a period not exceeding twenty years; and no franchise may be authorized or awarded except after proper advertisement and to the responsible person who will, in open competition, offer to pay the highest return for such franchise; and no license or privilege may be let or awarded except upon terms reserving to the Board the power to revoke the same for cause;
- Camping, etc. May provide for the pleasurable use, subject to rules and regulations, of the park or any portion or portions for general park purposes, and also by campers, camping parties, vacation outings of societies organized and operated not for pecuniary profit and by vacationists in general, upon such terms as the Board may fix, and either with or without financial compensation; the Board to reserve the power at any time to close the grounds or any part thereof and the buildings thereon and the privileges thereof to the public, and, without legal procedure, to evict and remove all persons and their belongings from the buildings and grounds of the park when the Board determines it is to the interest of the State or of the public or of the park so to do;
- Disposition of proceeds. All proceeds derived from the operation of facilities or from any of the operations of the Commissioners are to be used for the development and management of the park, reporting annually to the Legislature all receipts from any and all sources, and all expenditures.

V. EDISON PARK.

Jurisdiction.

Acts of 1931 created the Commissioners of Edison Park, consisting of the Governor and five persons appointed by him by and with the consent of the Senate. Appointments are for five years (rotated); are to receive no remuneration for their services. Members annually select a Chairman and Secretary.

The Commissioners are empowered:

Acquire lands.

To acquire by gift, purchase or condemnation in the name of the State such lands as may be necessary for the establishment of a public park at Kenlo Park, at the site where Thomas Alva Edison developed the electric light, and to be known as "Edison Park."

Improvement.

To lay out, construct and maintain parkways and roads across and over the park, and to acquire rights of way upon and across any intervening lands if necessary;

Memorial.

To erect a tablet or monument or other such memorial as it considers most suitable;

Expenditures.

To expend such moneys as are appropriated by the Legislature from time to time for the above purposes;

Reports.

To annually report to the Legislature all of their proceedings and expenditures;

Budget.

To annually certify to the Governor such sums as may appear necessary for the maintenance and improvement of the lands acquired.

VI. ASSOCIATIONS FOR PRESERVATION OF HISTORICAL PLACES.

Who may form.

Any five or more persons may form a corporation for the purpose of acquiring, caring for and maintaining any historical lands, sites and buildings as and for a State park (Acts of 1927);

Acquire areas.

For its objects and purposes may take and receive gifts and donations of lands, as well as impose and collect such dues and charges as may be provided from its members;

Power.

May purchase and acquire such lands, sites and buildings as are desirable; and, if thought necessary, may exercise the right of eminent domain;

Title in State.

Title to all lands and real estate purchased, taken or acquired to be vested in the State;

To maintain as
State park.

It is declared to be the duty of any such association to keep and maintain such historical lands, sites and buildings as a State park, for the pleasure, benefit and instruction of the people of the State, and to endeavor to teach therein and thereby patriotism and love among the people for the State and the Nation, their laws, their customs, and their history.

VII. PUBLIC USE OF PRIVATE LAKES.

Agreements with
land owners.

Any owners of fresh water lakes or ponds which are subject to State acquisition may propose an agreement with the Board by which they are to retain title to the property, but grant to the citizens of the State access to and the free use of the waters for boating and fishing; Provided, that a reasonable charge may be made for the use of boats belonging to the owners of such waters;

Proviso.

To be tax exempt.

If the Board be satisfied that the public interests will be as well served by the freedom to use such waters for boating and fishing as it would be if the property were conveyed to the State, agreement is to be made for such use, and providing that in consideration of such free use the property is to be exempt from taxation so long as the agreement remains in force;

Proviso.

Conditions.

As a preliminary to any such agreement, the Board is to require that the waters actually be made free to all citizens for a period of at least six months, and notices to that effect posted on the shores. Such agreement is also to provide that the waters will not be closed to the public without at least six months notice in advance of the intended closing;

Certification.

Upon being satisfied that the waters are actually free for the use of the public, the Board will certify to the affected township or municipality that the property has become an adjunct State forest reserve and is therefore exempt from taxation.

VIII. PUBLIC SHOOTING AND FISHING GROUNDS.

Funds for acquiring.

Under the provisions of an Act of June 14, 1932, forty-five cents of every resident hunting or fishing license fee, and ninety cents of every resident hunting and fishing license fee, is to be credited to a "Public Shooting and Fishing Grounds Fund", and to be used exclusively for the acquisition by purchase, lease or otherwise, and the development, maintenance and stocking of game, birds, animals and fish, of areas of land, water, or land and water for use as public hunting and fishing grounds and game refuges.

IX. GENERAL.

- Agreements with United States. By Act of the 1935 Legislature, the Governor is empowered to enter into agreement with the United States whereby the latter may acquire, from Federal funds, lands for public recreation, forestry, watershed protection or as wildlife refuges; Provided, however, that any such agreement must provide for the management and administration of such land by the appropriate State department or agency;
- Same. He may also make mutually satisfactory plans and agreements to insure maximum feasible utility of such lands for the purposes enumerated. Any plan agreed upon to be administered by the State, and the cost of administration to be paid from such funds as may be appropriated for the purpose from the income from such lands, from any Federal grant made for the purpose, and from such other State funds as are appropriated for a like purpose;
- Same. The Governor may further agree that during the period any agreement remains in force, to pay to the Federal Government one-half of the gross proceeds from all lands covered by the agreement;
- Same. He may also agree to pay to the Federal Government the purchase price of any land which it has acquired; Provided, that payment must be made by the payment of one-half of the gross proceeds from the lands; or, at the option of the State, it may complete the purchase of such land from funds made available by the Legislature. Upon payment of the full purchase price, title is to be transferred to the State. Any expenditures necessary to effect such transfer must be borne by the United States;
- Proviso.
- Termination of agreements. In making any agreement for the Federal purchase of land, the Governor may provide for the termination of such agreement upon his request, or by request of the United States, upon violation of any of the terms of the agreement. Should the agreement be terminated, the lands affected must be held and administered as are national forests or parks or other Federal reservations. Also, the United States must reimburse the State for so much of its funds as have been expended in the administration, development and management of the lands involved as may be determined and deemed fair and equitable by the Governor and the Federal authority.

X. STATE PLANNING.

The State Planning Act of 1934 prescribes the following general duties and functions:

- Master plan. To prepare and keep up-to-date a State master plan for the physical development of the State, and to prepare and keep current a proposed long-term development program of major State improvements;
- Cooperation. To assist all State departments, local governmental agencies, and private individuals in coordinating all physical development plans;

- Studies. Make studies of rural land utilization; collect and publish information relating to the proper development of the State and the conservation of its natural resources;
- Recommendations. To consider and make its recommendations on all construction projects and proposals to acquire land, except for projects legislated prior to creation of the State Planning Board, which are sponsored by State agencies and which affect the State master plan.

KI. GENERAL RULES AND REGULATIONS.

Every person who, on any of the State properties under the jurisdiction of the said Board of Conservation and Development, shall

- (1) Abuse, mutilate, injure, remove or destroy any living plant or animal, or any structures or other physical features or properties on the said lands; or
- (2) Indulge in conduct or language which is indecent or unduly annoying to other visitors to said lands; or
- (3) Make use of the public conveniences and facilities on any of the said lands, contrary to the instructions or directions of the board's representatives in charge of said lands; or
- (4) Start any fire on any of the said lands; or
- (5) Disrobe for bathing except under such conditions as are authorized by the board's representatives in charge of said lands or in bath houses provided for this purpose, shall be liable to a penalty of not less than twenty-five dollars (\$25) nor more than one hundred and fifty dollars (\$150) for each offense;

Provided, however, that no penalty shall be incurred by any person who, with written permission of the said board or of its representative in charge of said lands, shall commit any of the acts mentioned in clauses one, four and five in this section; and provided further that where there are mitigating circumstances, the said Board of Conservation and Development may in its discretion permit the person or persons who may have violated the provisions of this act to pay the cost of any damage done or of expenses incurred by the said board because of such violation or such other sum less than the minimum fine herein imposed at such time and in such manner as the said board shall determine. Such payment, when finally made, shall relieve the person or persons making it of the penalty for such violation imposed by this act. The courts or magistrates before whom any proceedings for the recovery of any penalty under this act shall be brought and the proceedings and processes by which such actions shall be enforced and the officers to serve and execute any process issued out of any court or by any magistrate in such actions shall be those provided for the enforcement of "An Act for the appointment of firewardens, the prevention of forest fires and the repeal of sundry acts relating thereto," approved April eighteen, one thousand nine hundred and six, with the amendments thereof or supplements thereto.

All penalties provided for under this act when recovered shall be paid to the Director of the Department of Conservation and Development, who shall pay the same over to the State Treasurer in the manner prescribed by law.

Note: The foregoing rules and regulations were established by Laws of 1935.

XII. RULES AND REGULATIONS -- PALISADES INTERSTATE PARK.

(1) No person shall injure, deface, disturb, or defoul any part of the park, nor mar any building, sign, equipment or other property found therein, nor remove, injure or destroy any tree, flower, shrub, rock or other mineral found therein;

(2) Deposit in any part of the park any garbage, sewerage, refuse, waste, or other obnoxious material, otherwise than in receptacles or pits provided by the Commissioners for such purposes;

(3) (a) Drive or propel or cause to be driven or propelled along or over any road within the park any vehicle at a greater speed than 20 miles per hour, or (b) around curves at a greater speed than 15 miles per hour, or (c) between points so marked at a greater rate of speed than 10 miles per hour;

(4) (a) Operate, or cause to be operated, a commercial vehicle on the Henry Hudson drive, or (b) if an operator of any commercial vehicle, in driving off any ferry boat landing in the park, drive otherwise than to the right and stop, permitting all pleasure vehicles to pass ahead of said commercial vehicle, or (c) move out of his place in line of traffic at any time established by the Commissioners on any of the park roads, or (d) ride a bicycle on the Henry Hudson drive or on either of the two ferry approach drives, or (e) park or store any motor car, motorcycle, bicycle, wagon or other vehicle within the park except in places designated by the Commissioners for such purpose, or (f) park or operate any vehicle in the park, after dark, without lights, or (g) park any vehicle in the park after midnight, during the hours of darkness, in areas other than those designated by the Commissioners for such purpose;

(5) Maintain any camp or camps in the park for any period except at such places as may from time to time be designated by the Commissioners for camping, or (b) camp at any place in the park without obtaining a permit from the Commissioners for such purpose;

(6) (a) Light any fire or fires at any time in any part of the park except on or between the shore path and the river, or in places designated by the Commissioners for such purpose, or (b) leave a fire until same has been completely extinguished;

(7) (a) Sell or offer for sale within the park any property or privilege whatsoever without a permit from the Commissioners, or (b) if a person to whom property of the park has been entrusted by the Commissioners for personal use, hire, lease or let out the same to any other person, without a permit from the Commissioners, or (c) take photographs or moving pictures within the park for the purpose of selling the negatives thereof or prints therefrom without a permit from the Commissioners, or (d) operate a bus, taxicab or other vehicle for the transportation of passengers or property for hire within the park without a permit from the Commissioners, or (e) if a person operating a boat or airplane for hire, land or receive passengers at any of the docks or lands owned or controlled by the Commissioners without a permit from the Commissioners;

(8) Except employees or officers of the Commissioners, carry firearms of any description within the park, or carry any airgun, sling shot, bow and arrow, or any other device whereby a missile may be thrown, without a permit from the Commissioners;

(9) Hunt, pursue with dogs, trap or in any other way molest any of the wild birds and beasts found within the confines of the park, without a permit from the Commissioners;

(10) (a) Gamble in the park, or bring into the park or have in his possession while there any implement or device commonly used or intended to be used for gambling purposes;

(11) Erect or post any sign or notice at any place in the park without a permit from the Commissioners;

(12) Herd, graze or drive any live stock of any kind in or through the park or let such live stock run at large in the park, without a permit from the Commissioners;

(13) (a) Bring into, have or keep in the park any cat or other animal destructive of bird life, or bring into, have or keep in the park any dog or any other pet or domesticated animal unless the same is in leash or in cage, without a permit from the Commissioners;

(14) (a) Run or walk on any of the park drives except to cross the same at points designated by the Commissioners for that purpose, or (b) climb the cliffs at points other than those designated by the Commissioners for that purpose;

(15) (a) Use loud, boisterous or indecent language or (b) interfere with any officer of the park in the performance of his duty, or (c) to be indecently dressed or exposed within the confines of the park, or (d) conduct himself in such a manner as to endanger the life, limb or property of other visitors to the park;

(16) Possess within the park any narcotic drug or intoxicating liquor other than liquor on sale under State license;

(17) (a) Bathe, dive or swim in or off any property of the park, except at points designated by the Commissioners for that purpose, or (b) change his clothes or disrobe except in the bath houses provided by the Commissioners for that purpose, or (c) propel, land or stero any canoe, boat or any vessel in or near any waters within or off the park property, except at points designated by the Commissioners for that purpose;

(18) Fish or crab off any docks or property of the park except at points designated by the Commissioners for that purpose;

Subject to a penalty for each offense of a fine of not more than \$50 or imprisonment in the county jail for a term of not more than thirty days or both (Acts of 1935).

XIII. STATE FOREST CAMPING PERMIT.

Permission is hereby granted to _____
of _____ and party of _____
to camp and to use camp fires on the _____ State Forest at Camp Site
No. _____ from _____ to _____ Number of nights _____ at 50
cents per night. Amount received \$ _____
This permit is issued subject to the following conditions, which are binding
upon all members of the party:

1. Be Careful with Fire. Every precaution shall be taken to prevent forest fires starting from discarded smoking materials, matches or camp fires. No camp fire shall be started or maintained except where and in the manner prescribed by the Forest officer in charge. No camp fire shall be left unwatched. Dead wood shall be used for fuel, and no live trees shall be cut.
2. The Camp shall be kept in a strictly sanitary condition, with no pollution of springs and streams. Garbage, papers and refuse shall be burned in the fireplace or buried in the refuse pit, and all requirements of the Forest officer in these respects shall be fully met. All State Forest regulations shall be complied with. (See posted signs.)
3. State and National Game Laws shall be observed by the permittees.
4. This Permit is not transferable and may be revoked by the Forest officer in charge, or his superior officer, whenever in his opinion its conditions have been violated, or when the welfare of the forest demands it. This permit may be granted for a period of one week and may be renewed upon application to the Forest officer, if the camp site is not needed for other parties.

Permit issued _____ by _____ State Forest Officers.

Permit read and terms accepted by _____ Permittee.

* * * * *

Note: The same form of permit is used for camping on State parks.

NEW MEXICO

I. STATE PARKS.

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|------------------------------|--|
| jurisdiction. | State parks are under the jurisdiction of the State Park Commission (Acts of 1935). |
| Members; appointment; terms. | The Commission consists of the Governor and the State Highway Engineer, by virtue of their offices, and one person appointed by the Governor for a term of four years, who is designated as Superintendent of State Parks and Chairman of the Commission. Members receive actual and necessary traveling expenses when attending to State park business. The Superintendent is paid a salary fixed by statute. |
| Powers and duties. | Powers and duties of the Commission are as follows: |
| Rules and regulations. | To promulgate, issue and publish rules and regulations pertaining to and governing the development, maintenance, upkeep, management and use of State parks; and may prescribe different rules and regulations for each park as circumstances may demand, to the end that each park may be made as nearly self-supporting as possible; |
| Use by public. | To permit and prescribe the use of all State parks by the public generally, under such rules and regulations as are promulgated; |
| Concessions. | May grant concessions in the parks, upon such rentals, fees or percentage of income or profits as they may prescribe, but not for a longer period than five (5) years. No park custodian or employee may have any interest in or in any manner be connected with any concession; |
| Name the parks. | To designate appropriate names for each of the parks heretofore donated or granted to the State for park purposes. |
| Acquire areas. | The Act further authorizes the State to acquire land for park purposes by gift, donation, devise or purchase, and to develop, hold, maintain and operate the same as State parks; but no property is to become a State park or the property of the State for park purposes until the same be duly accepted by resolution of the Commission, and an appropriate name designated for such park; |
| Development. | All forms of Federal or State emergency labor, such as Citizens' Conservation Corps, Federal State Park Camps, Federal Transient Unemployed, and any others which may |

be hereafter created or come into existence, may be used in the development, improvement, upkeep and maintenance of the parks;

may accept gifts.

The State is further authorized to accept gifts, donations or bequests of money, equipment, or material, either for State park purposes generally, or for any designated State park or State park purposes, or as an endowment for any particular State park, to be held, expended and used for the purpose designated in the donation, gift, bequest or endowment.

State Park Rotary Fund.

All moneys derived from the operation of the parks, or from gifts, donations, bequests or endowments, or appropriated for State park purposes by the Legislature, or acquired from any other source whatsoever, are to be deposited in a State Park Fund -- also designated a revolving fund --, and no part of which at any time or in any event is to revert or be transferred to general or other State funds, but is to be used solely for the purpose of acquiring, developing, operating and maintaining of State parks, and the maintenance, operation and expenditures of the office of the Commission, and payment of traveling expenses and salaries.

how to be used.

Police powers.

The Superintendent and custodians are vested with police power within State parks, charged with the duty to enforce the laws of the State and the rules and regulations of the Commission; and being further empowered to forcibly eject from any park any and all persons who knowingly, wilfully or wantonly violate any rule or regulation of the Commission. The Attorney General and each District Attorney and their assistants are designated as attorneys for the Commission.

Legal assistance.

II. STATE PLANNING.

Board.

An ex-officio State Planning Board was created by Acts of 1935, whose chief duties are:

Master plan.

To make and adopt an official State master plan of development;

Cooperation.

To confer and cooperate with all departments of the State relative to the authorizing, locating, planning, laying out, acquiring or constructing of any public building, structure, highway, park, reservation, or other public improvements;

Studies.

To make studies and reports of any planning problems of the State, upon the request of the Board of County Commissioners.

General. In general, to exercise such powers and functions as may be appropriate to promote State planning and coordination, and to carry out the purposes of the Act.

III. STATE PARK RULES AND REGULATIONS.

Each person who shall

1. Cut, break, injure, destroy, take or remove any tree, shrub, timber, plant or natural object in any State park;
2. Kill, cause to be killed, or pursue with intent to kill, any bird or animal in any State park;
3. Take any fish from the waters of any State park, except in conformance with such general rules and regulations as the State Park Commission may prescribe;
4. Wilfully mutilate, injure, deface, or destroy any guide post, notice, tablet, fence, enclosure or walk for the protection or ornamentation of any State park;
5. Light any fire upon any State park, except in such places as the State Park Commission shall have authorized, or wilfully or carelessly permit any fire which he has lighted or caused to be lighted or which will be under his charge, to spread or extend to or burn any of the shrubbery, trees, timber, ornaments or improvements upon any State park, or leave any camp fire which he shall have lighted or which shall have been left in his charge, unattended by a competent person, without extinguishing the same;
6. Place within any State park or affix to any object therein contained, without a written license from the State Park Commission, any word, character or device designed to advertise any business, profession, article, thing, exhibition, matter or event;
7. Violate any rule or regulation adopted, promulgated, or issued by the State Park Commission pursuant to the provisions of this Act;

Penalties.

Disposition.

Shall be guilty of a misdemeanor, and upon conviction thereof before a Court of competent jurisdiction shall be fined not less than \$5 nor more than \$100, such fine when collected to be transmitted to the State Treasurer and covered into the Current School Fund.

NEW YORK

I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

| | | | | | | | | | |
|---------------------------------------|--|-------------------|--|---|--------------------|---|-----------------|---|---------------------------|
| Jurisdiction. | State parks, parkways, reservations and forest preserves are under the jurisdiction of the Department of Conservation (as amended L. 1923). | | | | | | | | |
| Commissioner; appointed; term. | A Conservation Commissioner is appointed by the Governor, by and with the advice and consent of the Senate, as the administrative head of the Department, and receives a salary fixed by law. The Commissioner holds office until the end of the term of the Governor by whom appointed, and until his successor is appointed and has qualified. | | | | | | | | |
| Deputy Commissioner: Secretary. | A Deputy Commissioner is appointed by the Commissioner, also a Secretary of the Department. The Commissioner may also appoint, within appropriations provided by the Legislature, such other officers and employees as may be needed for the work of the Department, and prescribe their duties. | | | | | | | | |
| Divisions. Directors. | Statutory Divisions within the Department are as follows, each under the immediate direction and control of a Director appointed by the Commissioner: <table><tr><td>Division of Parks</td><td></td></tr><tr><td>"</td><td>" Lands and Forest</td></tr><tr><td>"</td><td>" Fish and Game</td></tr><tr><td>"</td><td>" Water Power and Control</td></tr></table> | Division of Parks | | " | " Lands and Forest | " | " Fish and Game | " | " Water Power and Control |
| Division of Parks | | | | | | | | | |
| " | " Lands and Forest | | | | | | | | |
| " | " Fish and Game | | | | | | | | |
| " | " Water Power and Control | | | | | | | | |
| Director of Parks; powers and duties. | The Director of State Parks, subject to direction and control of the Conservation Commissioner, exercises and performs such functions, powers and duties of the Department and of the Commissioner as the Commissioner may assign to him relative to the parks and parkways, lands, grounds, reservations, structures and buildings of scenic, historic and scientific interest and relative to enforcement of the rules of the Commissioner. | | | | | | | | |
| Visitation and inspection. | The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department. | | | | | | | | |

Note: This applies to 10 of the 11 park regions of the State; the excepted region embraces the Adirondack and Catskill Parks, located in the forest preserve counties and under the jurisdiction of the Division of Lands and Forests. The other 10 regions include the remainder of the State. All State parks in each region are immediately administered by regional park commissions. The commissions differ in character because of special conditions. The commission administering the Palisades Region, for example, is interstate in character, having members representing the State of New Jersey as well as the State of New York, as part of the park is located in the neighboring State. The Westchester County Commission administers several county parks as well as State parks and is responsible to the State only for such parks, parkways and buildings in that region as are State-owned. The remaining eight commissions devote their services entirely to the administration of State-owned parks and parkways.

II. STATE COUNCIL OF PARKS.

Members.

A State Council of Parks has been created within the Division of Parks, composed of the President or Chairman, as the case may be, of each of the regional park commissions, the Director of Lands and Forests, and the Director of the State Museum. The Director of State Parks (head of the Division of Parks), is designated as Secretary. The Council elects a Chairman and Vice-Chairman from among its members. Members receive no salary, but are reimbursed expenses incident to official duties (as amended 1934).

Powers and duties of Council.

Subject to the approval of the Commissioner, the Council is directed to

Central advisory agency.

1. Act as a central advisory agency for all parks, parkways, and places of historic and scientific and scenic interest under the jurisdiction of the Department.

Formulate plans.

2. Formulate and recommend to the Commissioner plans for the management, improvement, construction, use and extension of the parks and places under the jurisdiction of the Department, and for the establishment of a uniform State park policy so far as the character and use of such parks and places will permit.

Connections between parks.

3. Plan for connections between such parks and places, and for that purpose recommend to the Commissioner the construction of new State and County highways and the improvement of existing ones.

Act as clearing house on park matters.

4. Act as a clearing house for information on park planning and administrative matters, and make available information on parks and recreation to counties, towns, cities and villages; also advise as to connections and relations between State and local parks.

Recommendations.

All action taken or powers exercised by the Council are to be in the form of recommendations to the Commissioner, and subject to revision and approval by him.

Budgets.

Recommendations to Commissioner.

The various authorities in charge of any State parks, sites, grounds, structures or buildings of scenic, historic or scientific interest, or memorials (other than those included in the Division of Lands and Forest, or are under the direct control of the Commissioner) are required to submit annually to the Council for study and consideration an estimate of moneys required for administration, management, support, extension, repair or permanent improvement during the ensuing year. Following such study and consideration, the Council submits the estimates to the Commissioner with its recommendations, and including estimates of money needed by it. All recommendations are subject to the approval or revision of the Commissioner; and when so approved or revised are to be included in the annual estimates and requests of the Department. Estimates of the Commissioners of the Palisades Interstate Park for maintenance and operation are to be transmitted without recommendation by the Council.

Park regions and Commissioners.

For purposes of administration, the State is divided into eleven park regions, each under the immediate jurisdiction and control of a separate Commission, as follows (as amended 1934):

- | | |
|-----------|---|
| Region 1. | The Niagara Frontier State Park Commission |
| " 2. | The Commissioners of the Allegany State Park |
| " 3. | The Genesee State Park Commission |
| " 4. | The Finger Lakes State Parks Commission |
| " 5. | The Central New York State Parks Commission |
| " 6. | The Division of Lands and Forests - Conservation Department |
| " 7. | The Taconic State Park Commission |
| " 8. | The Commissioners of the Palisades Interstate Park |
| " 9. | The Westchester County Park Commission, as Agent for the State |
| " 10. | The Long Island State Park Commission |
| " 11. | The Thousand Island State Park Commission. |

Transfer control of historic sites. The Commissioner may also transfer and assign the jurisdiction and control of various places of historic or scientific interest to the Commission or Division having jurisdiction wherein such historic or scientific place is located, or to himself or any other officer of the Department.

Disposition of receipts. All moneys received from the operation of reservations, parks and parkways, and from any concessions and leases, excepting the sixth and eighth regions, are required to be paid into the State treasury, and are thereafter appropriated by the legislature to the respective regions from which received for construction, maintenance, operation and development, or for personal service connected therewith. The Commission having jurisdiction and control of the ninth region may expend such funds only on State-owned property and leases and concessions connected therewith (as amended 1934).

III. NIAGARA FRONTIER STATE PARK COMMISSION - REGION I.

Members; officers; appointment; term. The Commission is composed of seven persons, residents of the State. At least two are required to be residents of Niagara County and at least three of Erie County. Appointments are for seven years, and are made by the Governor by and with the advice and consent of the Senate. The Commissioners select from their number a President; also appoint a Secretary-Treasurer. Members receive no compensation but are reimbursed expenses incident to official duties (as amended 1934).

Powers and duties. The Commission is empowered and directed as follows (L. 1928):

Control and manage. To control and manage the State reservation at Niagara;

Establish other State parks. To establish, acquire, control and manage other State parks and parkways in the region, and to acquire lands for such purposes when moneys have been appropriated for the purpose;

Rules and regulations. Make and enforce necessary ordinances, by-laws, rules and regulations;

Fix prices. Fix the price to be charged by drivers of public conveyances for carrying persons for hire;

Appoint personnel. Appoint superintendents and employ such other personnel as may be needed, and fix their compensation, one or more to have the power and perform the duties of a police constable;

Easements. May grant to the City of Niagara license to construct and maintain sewers and water mains in, through, under and along the lands of the reservation upon such conditions as the Commission may prescribe; also easement for erecting trunk tunnels (as amended 1934);

Care for and display aquatints.

To have the care and custody of and the duty of displaying, maintaining and preserving the collection of aquatints, colored prints and engravings of Niagara Falls and of the books relating thereto bequeathed to the State (L. 1934);

Sell surplus materials.

Sell and cause to be removed from the reservation all structures, machinery and materials thereon belonging to the State, not required to afford free and convenient access to the reservation, nor for restoring the scenery of the Niagara Falls to and preserving in its natural condition.

Limitation on obligations.

No debt or other obligation may be created by the Commissioners exceeding the amount of money at their disposal at the time; nor may they, or any of them, or any other person, have power to create any debt, obligation, claim or liability except by their express authority.

Gifts of property.

Real and personal property may be granted, conveyed, bequeathed, or devised to and taken by the State in aid of the purposes of such reservation or other State parks and parkways under the jurisdiction of the Commissioners, or to increase the same, and on such trusts or conditions as may be prescribed by the grantors or devisors thereof, provided the same be accepted by the Commissioners.

Purpose of State reservation.

The State reservation at Niagara is to be forever reserved by the State for the purpose of restoring the scenery at Niagara Falls and preserving it in its natural condition, and to be kept open and free of access to all mankind without fee, charge or expense to any person for entering or passing to or over any part thereof.

IV. RULES AND REGULATIONS - NIAGARA FRONTIER STATE PARK.

1. Parks under the jurisdiction of this Commission shall be closed at such hours as the Commission shall decide and notices to the public shall be posted to that effect.

2. Children under twelve years of age must be accompanied by an adult or guardian when on park property.

3. No dogs shall be allowed on park property except on leash, and shall not be allowed in bathing areas under any circumstances.

4. No person shall remove, cut, break, or in any way injure or destroy any tree, shrub, plant, flower, or turf within the park system, or interfere with any wild life therein. Nor shall any person dig, remove, carry away or cause to be carried away any turf, sand, earth, rocks, or material of any kind. Nor shall any person destroy, defile, or deface any park property.

5. Papers, garbage, and refuse of all kinds shall be placed in the receptacles provided for that purpose.
6. No person shall post or affix, or cause to be posted or affixed any printed or written bill, placard, sign, advertisement, or other notice upon any tree, post, fixture or structure within the park system. Nor shall any person deface, damage, or destroy any notice of the rules, regulations, ordinances or signs for the Government of said park system which shall have been posted by order of the Commission.
7. No picnics shall be held upon park property except at such places as are designated by signs.
8. The following acts and activities are prohibited within the park areas under jurisdiction of this Commission except by permit:-
The possession of any firearms and fireworks of any kind; making or building fires except in fireplaces provided by park authorities; carrying any musical instrument; carrying or displaying flags, banners, placards of any kind; delivering speeches or orations; holding parades or other demonstrations; conducting religious or other ceremonies; soliciting alms or contributions for any purpose; the taking of commercial equipment for the taking of motion and sound pictures.
9. No person shall disobey an order of a park patrolman or other park official when such official is engaged in the enforcement of a State or park ordinance; nor shall he use bad, obnoxious or indecent language, nor act in a disorderly or suspicious manner.
10. No intoxicating liquors or beverages shall be brought, caused to be brought, or drunk within the limits of the State parks, nor shall any intoxicated person enter or remain upon any portion of the park system, except that intoxicating liquors and beverages may be sold by such persons and at such places as may be specifically authorized by the Niagara Frontier State Park Commission.
11. No booth, tent, stall, stand, or other structure shall be erected for any purpose, and no begging, hawking, peddling, advertising, or soliciting shall be done; nor any article or service be advertised, or caused to be advertised or offered for sale, or hire, within the property limits of lands under the jurisdiction of this Commission, except by written permit of the Commission.
12. No commercial vehicles, or any vehicle displaying any advertising placard or advertisement of any kind, shall be driven within the park or over the parkways of said park system for advertising, demonstration, or other purposes.
13. Motorists shall obey all signs regulating traffic placed in the parks and along the parkways under the jurisdiction of this Commission. In no instance shall a vehicle be operated at a greater rate of speed than thirty (30) miles per hour. Where one direction in roads is designated, traffic in the opposite direction is prohibited. Bus and taxicab parking areas will not be for the use of privately owned vehicles. All vehicles must be parked in parking areas provided.

14. All vehicles driven within said park system shall comply with the requirements of the New York State Motor Vehicle and Traffic Laws.

15. All hackmen, at approved hack stands, shall remain within 20 feet of their vehicles, and in no instance solicit patronage from private vehicles in motion over the roadways, or otherwise obstruct traffic. All drivers of public conveyances shall conduct themselves in an orderly and respectful manner.

16. Boating -- No person shall place, operate, have for hire, or tie up any boat or raft at any structure or other point in any park waters, except where designated, without the written permission of the Commission. This regulation shall not apply in emergencies to navigable streams bordering on park property, or to children's toys. Boats from park concessions shall not be taken from restricted areas.

17. Sports -- No games or athletic contests shall be allowed except in areas where designated. Coasting, skating, skiing, horse-back riding, and such activities shall be restricted to designated areas under such rules as may be posted by the park authorities.

18. Bathing -- No person shall bathe, wade, or swim in any waters, within or adjacent to the parks or parkways, under the jurisdiction of the Commission, except at such times and in such places as may be specially designated by appropriate signs; nor shall any person dress, or undress, in any park area except in bath houses maintained or permitted by the Commission; nor shall any person appear in any public place, under the jurisdiction of this Commission, except within designated bathing or dressing-room areas, in bathing suits or any improper costume.

19. It shall be the duty of every person, claiming to have a permit from this Commission, to produce and exhibit such permit upon the request of an authorized person to inspect the same.

20. Any person offending against any of said ordinances shall be deemed guilty of a misdemeanor and, on conviction, may be punished by a fine, not exceeding one hundred dollars (\$100), or by imprisonment not exceeding thirty days, or by both such fine and imprisonment.

V. COMMISSIONERS OF ALLEGANY STATE PARK - REGION 2.

Members; appointment; terms; officers.

The Board is composed of seven members, appointed by the Governor, by and with the advice and consent of the Senate, and hold office until their successors are appointed. The Commissioners annually choose from among their members a Chairman and Secretary. Members receive no salary, but are entitled to expenses incident to official duties.

Powers and duties.

The Commissioners are empowered and directed as follows (L. 1922):

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| Care for park. | To preserve, care for and lay out and improve Allegany State Park; |
| Dedication. | All of the lands acquired by the State for Allegany State Park are to be forever reserved and maintained for the use of all the people; but the park is not to constitute a part of the forest preserve; |
| Establish other parks; acquire lands. | To establish, control and manage other State parks and parkways in the second park region, and for this purpose may take in fee or otherwise, by lease, purchase, gift, devise or appropriation, lands and any rights, interests and easements therein; |
| Bridges, roads, camps and other facilities. | Build necessary bridges and roads, erect camps, and provide and operate such other facilities for the use and enjoyment of such parks and parkways by the public and for increasing the accessibility of the parks and parkways to the public as the Board may deem necessary or expedient; |
| Regulate use of facilities. | Provide rules and regulations for the terms upon which and the manner in which all such facilities may be used; |
| General power. | Do and perform all things necessary for the execution of the purposes of the law; |
| Appropriation of land. | May enter upon and take possession of any lands and/or waters, or of any forests and rights in timber upon any lands included within the Allegany State Park or within the second park region which in its judgment are necessary for public park purposes, or for the purposes of the propagation, protection and conservation of fish and game. May accept oil, gas, lumber or mineral rights thereon, with the right of excess thereto, but may subsequently appropriate any rights so excepted; |
| Reservations. | |
| Conservation powers. | May create and establish closed seasons for fish and game within such parks and parkways as in its judgment may be necessary for the propagation and protection of game and fish; make suitable regulations for the capture, killing and transportation thereof; and may propagate game and fish for the stocking of the lands, parks and parkways under their control and management; also make regulations and rules binding upon all persons within the boundaries of such Allegany State park lands, parks and parkways, whether upon lands owned by the State or otherwise, for the purposes of fire, game and fish protection; and may establish and enforce suitable penalties for the violation of same; |

- Cooperation with Pennsylvania. In case the State of Pennsylvania acquires lands adjoining the boundaries of said park and parkways to be used for similar purposes, may cooperate with the said State for the joint control and operation of the park and the adjoining lands in Pennsylvania; also connect roads with roads laid out in the State of Pennsylvania, and to maintain the lands within the State of New York so that the same may form a continuous park;
- Connecting roads. Lay out, construct and maintain roads between and connecting any separate portion of the parks and parkways, and for the purpose acquire rights of way upon and across any intervening lands;
- Accept gifts of money or property. May receive by gift, devise or contribution money to be used in acquiring and improving lands; also receive and administer for park purposes any gift or devise of personal property or any land or rights in land outside the defined park areas and adjoining the same;
- Dams. May dam the streams within the parks, except the main stream of the Allegany River;
- Cuba reservation. Are vested with immediate jurisdiction and control of the Cuba reservation; the said reservation to be preserved and maintained for reservoir and camping purposes. May make rules and regulations necessary for the use and preservation of the property; make leases or renewals thereof of lots of land adjacent to or surrounding the reservoir for terms not to exceed five years, and permit the erection of structures by the lessees with the privilege of removal during the terms of the lease; to fix the terms and conditions upon which leases are to be made; arrange for sanitation, and provide for the removal of waste matter and to charge lessees of lots therefor.

Note: The Commissioners may supply electric power to dwellings, cottages, camps and concessionaires located upon Allegany State Park, collecting the price agreed upon. Op. Atty. Gen. (1932) 361.

Commissioners of Allegany State Park have authority to cut and sell timber on park lands. Op. Atty. Gen. (1929) 140.

VI. RULES AND REGULATIONS - ALLEGANY STATE PARK COMMISSION.

1. PRESERVATION OF PROPERTY AND NATURAL FEATURES.

(a) No person shall injure, deface, disturb or defoul any part of the Park owned by the State; nor any building, sign, equipment or other property found on Park lands owned by the State; nor shall any tree, flowering plant, shrub, rock or other mineral be injured or destroyed on, or removed from such lands without the permission of the Commissioners.

(b) No person shall throw any lighted cigar, cigarette, match or other inflammable substance from any automobile or other vehicle within the area of the Park.

(c) Whenever by reason of drought any forests of the Park are in danger of fire, the Commissioners may close such forests to all persons.

2. GARBAGE, SEWAGE, REFUSE AND OBNOXIOUS MATERIAL.

No person shall deposit in any part of the Park, on lands owned by the State, any garbage, sewage, refuse, waste or other obnoxious material otherwise than in receptacles provided for the purpose or by other sanitary disposal.

3. TRAFFIC.

(a) No person shall operate, or cause to be operated, any motor or other vehicle over or upon Park controlled roads at a rate of speed in excess of twenty-five (25) miles per hour.

(b) No person shall park or store any motor car, motorcycle, bicycle, wagon or other vehicle on Park controlled roads or on lands owned by the State except in places designated for the purpose.

(c) Whenever the Commissioners shall, by suitable signs, indicate lines of traffic upon Park controlled roads, no person shall break such lines or move out of his place therein.

4. CAMPING REGULATIONS.

(a) No camps shall be maintained for any period except at such places as may from time to time be designated for camping and no fires shall be lighted at any time in any part of the Park on lands owned by the State except in places designated for the purpose.

(b) No unnecessary noise shall be made in any of the camping areas between the hours of 11:00 P.M. and 6:00 A.M. during the camping season, except in places designated by the Commissioners for entertainment between those hours.

(c) No person shall reconstruct, alter or change in any way any camp, cabin or other building or equipment owned by the Park and rented or loaned by them except by written permission of the Commissioners.

(d) No person shall use or occupy any cabin, camp or other building or structure in the Allegany State Park on lands owned by the State without a written permit. Such permit to be in the form of a rental receipt or a letter from an executive officer or Commissioner.

(e) The purchase, sale or possession of gasoline in other than red metal containers with the word "Gasoline" conspicuously displayed thereon, is forbidden. This rule does not apply to sale of gasoline for use in automobiles when pumped directly into automobile gasoline tank.

(f) Every person twelve years of age or older in each party making use of Park camping facilities, cabins or campsites must register with the rental clerk.

5. COMMERCIAL ENTERPRISES.

(a) No person shall, without a permit from the Commissioners, sell or offer for sale within the Park on lands owned by the State, any property or privilege whatsoever, nor shall any person to whom property of the Park has been intrusted for personal use, hire, lease or rent out the same to another person.

(b) No person shall take photographs or moving pictures within the Park camping areas for the purpose of selling negatives or prints therefrom without having first obtained a permit from the Commissioners.

(c) No person shall operate a bus, taxicab or other vehicle for the transportation of passengers or property for hire on the Park controlled roads without having obtained a permit from the Commission.

6. FIREARMS.

(a) No firearms may be used or possessed within the Park area by visitors or used by residents except by special permission of the Commissioners.

(b) No target or trapshooting allowed in the Park except by written permission of the Commissioners, or an executive officer..

7. HUNTING AND FISHING.

(a) No person shall hunt, pursue with dogs, trap or in any other way molest any of the wild birds or beasts found within the Park except by permission of, and in a manner specified by the commission.

(b) No person shall fish in any of the Park streams except by written permission of the Commissioners.

8. PUBLIC NUISANCE.

(a) Gambling in the Park is prohibited and no person shall bring into the Park or have in his possession while there, any implement or device commonly used or intended for gambling purposes.

(b) No person shall sell or attempt to sell any beer, wine, whiskey or other intoxicating liquor or beverage within the area of the Park except by permission of the Commissioners.

9. SIGNS.

No sign or notice shall be erected or posted at any place in the Park on lands owned by the State, without permission in writing from the Commissioners.

10. GRAZING.

The running at large, herding or grazing of live stock of any kind within the Park area on lands owned by the State without a permit is prohibited.

11. CATS AND DOGS.

No person shall bring into, have or keep within the Park area on lands owned by the State, any cat or other animal destructive of bird life nor shall any person bring into, have or keep within the Park area on land owned by the State, any dog unless the same is confined.

12. (a) The term "Park" as used herein means the Allegany State Park in the County of Cattaraugus and the State of New York, and, as far as applicable, to all other parks and parkways included in the second park region and under the jurisdiction of the Commissioners of the Allegany State Park.

(b) The term "person" includes persons and corporations.

(c) The term "Commissioners" means the Commissioners of Allegany State Park.

FROM SECTION 692, CONSERVATION LAW.

"Any person who violates any provision of any rules or regulations established by the Commission, pursuant to the provisions of this article, shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not to exceed one hundred dollars or imprisonment for not more than thirty days or by both such fine and imprisonment, and in addition thereto, shall be liable to a penalty of not less than ten nor more than one hundred dollars."

VII. GENESEE STATE PARK COMMISSION - REGION 3.

Members; appointment; terms; officers.

The Commission consists of seven persons appointed by the Governor, by and with the advice and consent of the Senate, for terms of seven years (rotated). Five members are required to reside within the district; receive no salary, but are reimbursed expenses incident to official duties. Members select a Chairman and Vice-Chairman from its members (as amended 1930).

Authority.

The Commission is empowered as follows (as amended 1931):

Control of parks.

Is vested with jurisdiction and control over the parks and parkways in the counties of the third park region;

Acquire lands.

May acquire lands for additional parks and parkways when moneys have been appropriated for such purposes;

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| Rules and regulations for traffic, etc. | May make rules for the regulation of traffic, fix the price to be charged by and regulate the conduct of drivers of public conveyances for carrying persons for hire within the limits of the parks and reservations; fix the charges for automobile parking privileges in specified areas; fix the charges to be made by guides for their services; |
| Control concessions. | To have full control over all concessions and concessionaires; |
| Conservation powers. | Provide for the protection and propagation of fish and game in the parks and reservations and for the reforestation of the lands; |
| Appoint police officers. | Appoint or designate one or more persons for the purpose of enforcing law, order and observance of the rules and regulations established for the government and use of the parks and reservations under its control; |
| Sell materials, etc. Rent property. | Sell and cause to be removed from park lands any structures, machinery, materials and supplies not required for use or for free and convenient access to park lands and for preserving it in its natural condition; and may rent any property not immediately needed for park purposes; |
| Rules and regulations. | Make and enforce suitable rules and regulations for the proper exercise of its powers and duties; |
| Gifts and devises of money and property. | May accept gifts and devises of property, or receive gifts, contributions or bequests of money for purposes of State parks, lands and parkways. |

VIII. RULES AND REGULATIONS - GENESEE STATE PARK COMMISSION.

Established by the Commission for the use of parks and reservations under its control.

1. No person shall drive a vehicle within or upon a safety zone, walk, bridle path or any part of a park or reservation not designated for such purpose.
2. No owner or driver shall cause or permit his vehicle to stand outside of designated parking spaces, except a reasonable time in a drive to receive or discharge passengers, nor cause or permit a vehicle to obstruct traffic. Nor shall any owner or driver cause or permit his vehicle to park in any area designated as one in which a fee is charged for parking, without paying the charges fixed by the Commission for such privileges.

No. 3. Rate of speed by a motor vehicle in excess of 20 miles per hour is prohibited.

4. No person shall kindle or maintain a fire other than in a place provided therefor, and every fire shall be constantly under the care of a competent person, and carefully extinguished before being left. No person shall discard any match, cigar, cigarette or other object while it is burning.
5. No person shall, without a permit from the Commission or without complying with the terms of any such permit which may be issued, sell or offer for sale or hire any object of merchandise or any other thing, nor offer his services for hire as a guide, nor take photographs for the purpose of selling the negatives thereof or prints therefrom, or for the purpose of exhibiting such negatives or prints in public.
6. No person shall operate for hire a bus, taxicab or other commercial vehicle designed or used for the transportation of persons or property without first obtaining a permit therefor from the Commission and complying with the terms thereof.
7. No sign or notice shall be erected or posted without a permit therefor from the Commission.
8. No person shall molest, hunt or trap any wild animals or birds within a park or reservation without a permit from the Commission to do so.
9. No person shall fish in any waters except at such times and in such places as fishing shall be permitted by the Commission.
10. No person shall bathe, swim or camp except at places designated for such purposes.
11. No person shall disobey an order of a State Park Patrolman nor commit a nuisance, nor unreasonably disturb or annoy others, nor conduct himself in any disorderly manner whatsoever.
12. No person shall injure, deface, disturb or befoul any part of a park or reservation, nor any building, sign, equipment or other property found therein; nor shall any tree, flower, fern, shrub, rock or other plant or mineral be removed, injured or destroyed.
13. No person shall deposit any garbage, waste, refuse, paper or other litter at any place except in receptacles as provided therefor, nor shall any refuse or any substance which would pollute the waters of the park or reservations be cast into such waters.
14. These rules are in addition to and supplement the State Vehicle and Traffic laws and the State Conservation and Penal Laws which are in force in all parks and reservations and which are incorporated herein and made a part hereof.
15. Any violation of the foregoing rules shall constitute a misdemeanor and on conviction a person so offending may be punished by a fine not exceeding \$100.00 or by imprisonment for not more than 30 days, or by both such fine and imprisonment.
16. These rules shall take effect immediately.

IX. FINGER LAKES STATE PARKS COMMISSION - REGION 4.

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| Members; appointment; term; officers. | The Commission consists of seven persons, appointed by the Governor, by and with the advice and consent of the Senate, for seven years. Five are required to reside within the region; receive no salaries, but are reimbursed expenses incident to official duties. A Chairman, Vice-Chairman and a Treasurer are selected from its members. The Commission also selects a Secretary. If one of its members is selected as Secretary he may also act as Treasurer (as amended 1930). |
| Powers and duties. | The Commission is empowered and directed as follows: |
| Control and management of parks, etc. | Is vested with the immediate control and management of the parks, parkways and property within the fourth park region; |
| Establish other parks. | May establish, acquire, lay out, control, manage, and maintain other State parks within the region and acquire lands when moneys have been appropriated for such purpose; |
| Rules and regulations. | Make and enforce necessary rules and regulations; |
| Exchange and acquire lands. | May convey lands in exchange for other lands to be added to the reservations, parks, and parkways; also acquire additional lands by purchase or by condemnation, or by entry and appropriation; subject to appropriations made for such purposes; |
| Fix public conveyance and guide prices. | Fix the price to be charged by drivers of public conveyances, and the price to be charged by guides for their services; |
| Conservation power. | Provide for the protection and propagation of fish and game in the parks and for the reforestation of the lands; |
| Law officers. | Appoint or designate one or more persons for the purpose of enforcing law, order and observance of the ordinances for the government and use of the parks and parkways under its care; |
| Gifts of property; use of income. | Real and personal property may be granted, conveyed, bequeathed or devised to and taken in aid of the purposes of the reservations, parks, and parkways, or to increase the same, and on such trusts and conditions as may be prescribed by the grantors or devisors, provided the same be accepted by resolution of the Commission; all such property to be maintained and controlled, and the net rents, issues, income and profits therefrom to be used exclusively for the purpose of improving the reservations, parks and parkways; |

Purpose of parks and parkways.

Such reservations, parks and parkways are to be forever reserved and maintained by the State for the use and enjoyment of the public; it being the duty of the Commission to preserve the reservations, parks and parkways in their natural condition so far as may be consistent with their use and safety, and to improve them in such manner as not to lessen their natural scenic beauty (as amended 1930).

Note: Violations of rules and regulations of a State Park Commission are misdemeanors triable in courts of special sessions. Fines imposed belong to the town, and if the Commission requires counsel it may call upon the district attorney of the county. (1930) Op. Atty-Gen.307.

X. RULES AND REGULATIONS - FINGER LAKES STATE PARKS COMMISSION.

1. ADVERTISING AND SOLICITATION - No person or organization shall post or distribute advertising matter or orally advertise or sell or offer for sale any merchandise, tickets, service or any other thing of value; or solicit within the park areas in connection with things to be sold or provided outside of the park or while operating a boat for hire, to land or receive passengers at a park dock or wharf, or to operate boats for hire on park waters. No person or organization shall solicit alms or contributions for any purpose.

2. PAYMENT OF CHARGES - No person or organization shall make use of or attempt to make use of the park facilities such as pay parking areas, camping facilities, boathouse facilities, or any other facility for the use of which a charge is made by the Commission, except after payment of the charge or price fixed by the Commission.

3. ANIMALS - No person shall cause or permit any animal owned by him, except dogs restrained by leash and/or horses on roads, driveways, and bridle paths, to enter any park or property under the jurisdiction of the Commission, and each such animal found at large may be seized and disposed of by employees of the Commission. Dogs shall not be allowed at bathing areas under any circumstances.

4. DISORDERLY CONDUCT - No person shall disobey an order of a park patrolman, superintendent, caretaker, State trooper, local policeman or constable, when such officials are engaged in enforcing State or local laws or the Rules and Regulations of this Commission, or use threatening, abusive or insulting language to such officials. No person shall injure, steal or molest park property, including flowers, plants, shrubs and trees, do any obscene act, throw stones or missiles, obstruct roads, walks or docks, set off fireworks of any nature, engage in brawls or fights, annoy or assault other persons, be under the influence of intoxicants, throw or deposit bottles, glass, cans, garbage, refuse or litter in any place except the receptacles provided for that purpose, enter or remain within any park area after the hour officially designated for the closing of such park for the night, park vehicles in any place except the duly designated parking areas and in accordance with the instructions of the park officials in charge of such parking areas, or do any other act that may be a source of danger to park property or annoyance and interference with the public using the parks.

5. HUNTING AND FIREARMS - No person shall carry or have in his possession any gun, firearms, ammunition, or explosives and no person shall hunt or trap within or from the park areas except when especially authorized by the Commission to do so. No person shall engage in fishing, spearing or netting in waters restricted by the Commission against such uses.

6. FIRE DANGER - No person shall start or maintain a fire except in the fire-places provided for that purpose or at places especially indicated by the official in charge of the park and all fires shall be continuously under the care of a competent person. No person shall allow any fire to injure or destroy any shrub, tree or branches thereof or discard or throw away lighted matches, cigarettes or cigars in such a manner as to create a fire risk of any sort. In addition to the fines or penalties provided for the violation of these Rules and Regulations, any person responsible for fire damage or loss of park property, including trees and vegetation, shall pay to the Commission the full cost of restoring such property to its original condition.

7. SPORTS - Boating or landing of boats within a bathing area is forbidden and all persons operating boats shall conform strictly to the instructions of the official in charge of the park as to the limits of such areas. No person shall operate toilets on a boat or throw refuse or litter into the water in the near vicinity of such bathing areas. Any person bathing in waters not specifically designated as bathing areas and protected by lifeguard service shall do so entirely at their own risk, and if observed, may be ordered by park officials to cease such bathing. Bathing without proper bathing suits, or undressing and dressing outside of duly provided bath-houses and/or in the public view is prohibited. Games of various kinds shall be played only at places provided for such games. No camp shall be maintained in any park except under permit obtained from the park superintendent and at such places and for such periods as he may designate. No skating or use of frozen-over waters shall be permitted except after the ice has been declared safe by the park official in charge.

8. MEETINGS - No person or organization shall hold or conduct any meeting involving ceremonies, speeches, religious services, performances or entertainments except after obtaining a permit to do so.

9. OMNIBUSES, TAXIS, AND TRUCKS - No omnibuses, taxis or trucks shall operate within property controlled by the Commission except by duly authorized permit and the procedure and conduct of persons operating such vehicles shall at all times be strictly in accordance with the instructions of the park official in charge. The rate of speed for any motor vehicle being operated within the park area shall not be such as will endanger the public and in no case in excess of 30 miles per hour.

10. LOST AND FOUND ARTICLES - Any person finding or taking possession of any personal property of which such person is not the owner, shall deliver the same immediately to the Park Superintendent or to the headquarters of the Commission at Ithaca, N. Y., and losers of such property shall apply to the said Superintendent of park headquarters for restoration of articles.

11. PENALTIES - Any person who violates any provision of these Rules and Regulations shall be guilty of a MISDEMEANOR and shall, upon conviction be subject to a fine of not to exceed One Hundred Dollars (\$100.00) or imprisonment for not more than thirty (30) days, or both such fine and imprisonment, and in addition thereto, shall be liable to a penalty of not less than ten nor more than One Hundred Dollars.

BATHING SUIT REGULATIONS - Bathers are hereby forbidden to bathe in the Finger Lakes State Parks without shirts and with trunks only - they, both men and women, must wear a proper suit consisting of shirt and trunks. (Adopted July 14, 1934).

XI. CENTRAL NEW YORK STATE PARKS COMMISSION - REGION 5.

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| Members; appointment; term; officers. | The Commission consists of five persons appointed by the Governor by and with the advice and consent of the Senate, for five years. Four are required to reside in the District; receive no salaries, but are reimbursed expenses incident to official duties. The Commission selects from its members a Chairman, Vice-Chairman and Treasurer, and a Secretary. If a member is selected as Secretary he may also act as Treasurer. |
| Powers and duties. | The Commission is empowered and directed as follows (L. 1928): |
| Control of parks. | Is vested with immediate control and management of all parks and parkways in the fifth park region; |
| Establish parks and acquire land; method of acquirement. | May establish State parks and parkways and acquire lands for such purposes when moneys have been appropriated therefor; such lands to be acquired by purchase, by entry and appropriation, or by condemnation; |
| Rules and regulations. | May make and enforce necessary rules and regulations; |
| Employ personnel. | Employ such persons as may be provided for and fix their compensation; |
| Fix prices. | Fix the prices to be charged by drivers of public conveyances within the limits of such parks, and the prices to be charged by guides for their services; |
| Conservation powers. | Provide for the protection and propagation of fish and game, and for reforestation of the lands; |
| Appoint police officers. | Appoint one or more persons for the purpose of enforcing law, order and observance of ordinances established for the government and use of the parks and parkways; |
| Gifts of property. | Real and personal property may be granted, conveyed, bequeathed and devised to the State and taken in aid of the purposes of such reservations and parks, or to increase |

the same, and on such trusts and conditions as may be prescribed by the grantors or devisors, provided the same be accepted by the Commission. All such property to be maintained and controlled by the Commission, and the net rents, income and profits to be used exclusively for the purpose of improving the reservations and parks.

Purpose of parks and parkways.

Such parks and parkways are to be forever reserved and maintained for the use and enjoyment of the public, it being the duty of the Commission to preserve the reservations and parks in their natural condition so far as may be consistent with their use and safety, and to improve them in such manner as not to lessen their natural scenic beauty.

XII. RULES AND REGULATIONS - CENTRAL NEW YORK STATE PARKS COMMISSION.

ORDINANCES

Ordinance No. 1

Definitions

Section 1. Definition of terms. Whenever used in any Central New York State Parks Commission Ordinance, the following respective terms, unless otherwise therein expressly defined, shall mean and include each of the meanings herein respectively set forth.

- (a) "Park" defined: The term park or parks, unless specifically limited, shall be deemed to include all parks, parkways, spurs, open spaces, roads, and boulevards, and also entrances and approaches thereto, docks and piers, and bridges in, leading to or connecting such park or parks or parts thereof and such other rights and appurtenances as the Central New York State Parks Commission shall utilize whether the same be now or hereafter owned or acquired by the State in fee or otherwise.
- (b) "Commission": The Central New York State Parks Commission, created by authority of Chapter 293 of the Laws of 1923, and Chapter 242 of the Laws of 1928.
- (c) "Ordinance": Any ordinance duly adopted and posted as a Central New York State Parks Commission Ordinance.
- (d) "Owner": Any person, firm, association, co-partnership or corporation owning, operating, or having the exclusive use of a vehicle, animal or other property under a lease or otherwise.
- (e) "Central New York State Parks Patrolman": Any person designated by the Commission as a Central New York State Parks Patrolman and also State Police assigned to the Central New York State Parks Commission.

- (f) "Bridle Path": Any path maintained for persons riding on horseback:
"Foot Path or Trail": any path or trail maintained for pedestrians.
- (g) "Permits": Any written license issued by or under the authority of the Commission permitting the performance of a specified act or acts.
- (h) "Persons": Any natural person, corporation, company, association, joint stock association, firm or co-partnership.
- (i) "Bathing Area": Any beach or water area designated as a bathing area.
- (j) "Unnecessary Stopping": Bringing a vehicle to a complete stop on the road in a park or on a parkway other than in a parking place, or other than in conformity with traffic regulations and other than because of a defect in said vehicle.

Ordinance No. 2

Construction and Scope of Ordinance

Section 1. Construction. In the interpretation of Central New York State Parks Commission Ordinances, their provisions shall be construed as follows: (1) Any terms in the singular shall include the plural; (2) Any term in the masculine shall include the feminine and the neuter; (3) Any requirement or prohibition of any act necessarily performed by any officer or employee of the Commission in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Commission; (5) Any act otherwise prohibited by Central New York State Parks Commission Ordinance, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by and to the extent authorized thereby, and (6) These ordinances are in addition to and supplement the State Vehicle and Traffic Laws which are in force in all parks and which are incorporated herein and made a part hereof.

Section 2. Territorial Scope. All Central New York State Parks Commission Ordinances shall be effective within and upon all State parks and parkways which may be under the jurisdiction of the Commission in the Counties of Broome, Chenango, Cortland, Madison, Onondaga, Oswego and Otsego, and shall regulate the use thereof by all persons.

Ordinance No. 3

Permits

Section 1. Permits. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof. Any violation by its holder or his agents or employees of any term or condition thereof shall constitute grounds for its revocation by the Commission, or by its authorized representative, whose action therein shall be final. In case of revocation of any permit, all moneys paid for or on account thereof shall, at the option of the Commission, be forfeited to and be retained by it; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the

Commission for all damages and loss suffered by it in excess of money so forfeited and retained; but neither such forfeiture and retention by the Commission of the whole or any part of such moneys nor the recovery or collection thereby of such damages, or both, shall in any manner relieve such person or persons from liability to punishment for any violation of any provision of any Central New York State Parks Commission Ordinance.

Ordinance No. 4

Prohibited Uses

Section 1. Boating. Boating of any kind in a bathing area is forbidden except such boating as is necessary to keep such areas properly protected and policed. The use of privately owned boats or canoes on any park waters is prohibited.

Section 2. Protection of Bathing Area. No person shall throw, cast, lay or deposit any glass, crockery, or any part thereof or any metallic substance on any bathing area in or adjoining any park.

Section 3. Firearms. No person except employees or officers of the Commission shall carry firearms of any description within the park.

Section 4. Explosives. No person shall bring into or have in any park any explosive or explosive substance.

Section 5. Fires, Lighted Cigars, etc. No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purpose except by special permit. Any fire shall be continuously under the care and direction of a competent person over sixteen years of age from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, or other burning object within, on or against any structure, boat, vehicle or enclosure, or under any tree or in underbrush or grass.

Section 6. Alms and Contributions. No person shall solicit alms or contributions for any purpose.

Section 7. Commercial Enterprises. No person shall, without a permit, do any of the following: - Sell or offer for sale, hire, lease or let out, any object of merchandise, or any other thing, whether corporeal or incorporeal; take photographs within the limits of any park for the purpose of selling the negatives thereof, or prints therefrom, or for the purpose of exhibiting negatives thereof, or prints therefrom in public; while operating a boat for hire, land or receive passengers at any dock or wharf under the jurisdiction of the Commission. No person to whom property of the park has been entrusted for personal use shall hire, lease or let out the same to any other person.

No person shall operate a bus, taxicab or other commercial vehicle designed or used for the transportation of passengers or property, within the park upon park roads without having first received a permit.

Section 8. Advertising. No sign or notice shall be erected or posted at any place in the park without permission in writing from the Commission; nor shall any musical instrument, radio, talking machine, or drum be operated or any noise be made for the purpose of attracting attention to any exhibition of any kind.

Section 9. Gambling. Gambling, games of chance and fortune telling within the park are prohibited; and no person shall participate in the conduct of a lottery, or use or operate any slot machine, or bring in to any park or have in his possession while there any implement or device commonly used, or intended to be used, for gambling purposes.

Section 10. Aviation. No person shall voluntarily bring, land or cause to descend or alight within or upon any park, any aeroplane, flying machine, balloon, parachute or other apparatus for aviation, except under permit. Voluntarily in this connection will mean anything other than a forced landing.

Section 11. Meetings and Exhibitions. No person shall erect any structure, stand or platform, hold any meeting, or exhibition, perform any ceremony, make any speech, or address except by permit.

Section 12. Disorderly Conduct Prohibited. No person shall disobey an order of a Central New York State Parks Patrolman or use threatening, abusive or insulting language; do any obscene or indecent act; throw stones or other missiles; annoy persons, interfere with, encumber, obstruct or render dangerous any drive, path, walk, dock, beach or public place, do any act tending to or amounting to a breach of the peace, climb upon any structure, enter or leave except at established entrance ways or exits; engage in, instigate, aid or encourage a contention or fight, whether or not a ring or prize fight, assault any person, spit upon any walk or structure.

Section 13. No person except employees or officers of the Commission shall be allowed within the park between the hours of 10 P.M. and 6 A.M. except under permit.

Section 14. Minors. No parents, guardian or custodian of any minor shall permit or allow him to do any act prohibited by any Central New York State Parks Commission Ordinance.

Ordinance No. 5

Regulated Uses

Section 1. Hunting and Fishing.

(a) No person within the confines of the park, except under permit from the Commission, shall hunt, pursue, trap or in any way molest any wild birds or animals, nor shall any person have any such wild bird or animal in his possession within the park.

(b) No person shall fish in any waters of any park except at such times and such places where fishing shall be permitted.

Section 2. Bathing. No person shall bathe, wade, or swim in any waters under the jurisdiction of the Commission, except at such times and in such places as the Commission may designate as bathing areas, and unless so covered with a bathing suit as to prevent any indecent exposure of the person; nor shall any person dress or undress in any place therein, except in such bathing houses as may be maintained by the Commission. The undressing and removal from the person of street clothes other than coats, jackets, sweaters, shoes and stockings, even though such garments are covering a bathing suit is prohibited.

Section 3. Camping. No camp shall be maintained in any park except under permit, and at such particular places and for such specified periods as may be designated.

Section 4. Games. No person shall throw, cast, catch, kick or strike any baseball, golf ball, football, basketball, bean bag or other object except in places designated therefor.

Section 5. Coasting and skating. No person shall coast with handsleds, bobs, carts or other vehicles, on wheels or runners except at such places as may be designated therefor. No person shall use roller skates, except at such times and upon such places as may be designated therefor, or skate, sled, walk or go upon any ice or ski, except at such times and upon such places as may be designated therefor, and until such ice is declared by or under the authority of the Commission to be in a safe condition therefor; nor will towing of persons on skis, sleds or skates be allowed.

Section 6. Horses. No person shall use, ride or drive a horse except to, from, or along a bridle path.

Section 7. Animals at large. No person shall cause or permit any animal owned by him, in his custody, or under his control, except a dog restrained by a leash not exceeding six feet in length, to enter any park, and each such animal found at large may be seized and disposed of as provided by the law or ordinance covering disposal of stray animals on highways or public property then in effect at the place where such stray animal may be seized. Dogs shall not be allowed in bathing areas under any circumstances.

Ordinance No. 6

Preservation of the Property and Natural Features of the Park

Section 1. No person shall injure, deface, disturb, or defoul any part of the park nor any building, sign, equipment or other property found therein; nor shall any tree, flower, fern, shrub, rock or other plant or mineral be removed, injured or destroyed.

Ordinance No. 7

Refuse and Rubbish

Section 1. Pollution of Waters. No person shall, within any park, throw, cast, lay, drop or discharge into or leave in the waters in any park or in any storm sewer or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

Section 2. Garbage, Sewerage, Refuse and Obnoxious Material. No person shall deposit in any part of the park any garbage, sewerage, refuse, waste, fruit, vegetables, foodstuffs, paper or other litter or obnoxious material otherwise than in receptacles or pits provided for such purpose.

Ordinance No. 8

Traffic and Parking

Section 1. Vehicles where prohibited. No person shall drive a vehicle in any park within or upon a safety zone, walk, bridle path, or any part of any park not designated or customarily used for such purpose. No person shall ride a bicycle, tricycle, velocipede or motorcycle upon any walk or footpath, but persons may push such machines in single file along the same.

Section 2. Parking. No owner or driver shall cause or permit his vehicle to stand anywhere in any park outside of designated parking spaces, except a reasonable time in a drive to receive or discharge passengers.

Section 3. Obstructing Traffic. No person shall cause or permit a vehicle to obstruct traffic by unnecessary stopping.

Section 4. Speed limit. Rate of speed by motor vehicle in excess of twenty miles per hour is prohibited.

Section 5. Obeying Officers. Whenever a Central New York State Parks Patrolman shall indicate or direct by gesture or otherwise, that the speed of a vehicle shall be checked or stopped, or its course altered, the driver thereof shall immediately obey such directions.

Section 6. View into Vehicles. Every car driven through any park or parked in any parking space shall have the interior thereof open to full view at all times.

Ordinance No. 9

Charges

Section 1. No person shall make, use or gain admittance to, or attempt to use or gain admittance to the facilities in any park for the use of which a charge is made by the Commission unless he shall pay the charge or price fixed by the Commission.

Ordinance No. 10

Validity and Enforcement

Section 1. Validity. If any article, section, paragraph, sub-division, clause or provision of these ordinances, rules and regulations shall be adjudged invalid such adjudication shall apply only to the article, section, paragraph, sub-division, clause or provision so adjudged, and the rest of the ordinances, rules and regulations shall remain valid and effective.

Section 2. Enforcement. Any violation of the foregoing ordinances, rules and regulations, except Sections 2 and 3 of Ordinance No. 8, which shall be Traffic infractions, shall constitute the crime of misdemeanor, and on conviction a person so offending may be punished by a fine not exceeding \$50 or by imprisonment not exceeding thirty days or by both such fine and imprisonment.

Ordinance No. 11

Time when Ordinance Shall Take Effect

Section 1. When effective. These ordinances shall take effect immediately.

XIII. DIVISION OF LANDS AND FORESTS - REGION 6.

Head of Division. The head of the Division is the Director of Lands and Forests appointed by the Commissioner. His powers and duties, subject to the supervision of the Commissioner, include the following (L. as amended through 1932):

Powers and duties. Have the care, custody and control of the several preserves, parks and other State lands in the sixth park region;

Establish and control parks and parkways. May establish, acquire, control and manage other State parks and parkways in the forest preserve counties and in the counties of Albany, Jefferson, Montgomery, Schenectady and Schoharie, and acquire lands for such purposes when moneys have been appropriated therefor;

Establish nurseries. Establish, operate and maintain nurseries for the production of trees to be used in reforestation of any land owned by the State;

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|--------------------------------------|--|
| Investigations in forestry matters. | Prepare, print, post and distribute printed matter relating to forestry, and make investigations or experiments with regard to forestry questions; |
| Buy lands adjacent to parks. | May purchase, subject to the approval of the Governor, lands, forests, rights in timber, or any interest therein, situated within the Adirondack and Catskill parks, or lands contiguous, connected or adjacent to either park; |
| Accept gifts of land. | Receive and accept by gift or devise the fee or other estate therein of lands or timber, or both, for forestry purposes; |
| Establish fire stations, etc. | Establish, maintain, equip and operate forest fire observation stations, telephone lines or other structures as the public interests require; |
| Rules and regulations. | Make rules and regulations and issue permit for the temporary use of the forest preserves; |
| Other powers and duties. | Exercise such other powers and duties as are provided by law; |
| Cooperate with other Commissions. | May cooperate with the Commissioners of Palisades Interstate Park and other Commissions in the joint employment of wardens, foresters and keepers, for the mutual protection of the lands under their respective jurisdiction, and the preservation of the forests thereon and the fish and game therein; |
| Appropriation of real property. | With the approval of the Governor, may enter upon and take possession of any lands or waters, or both, or of any forests and rights upon such lands or upon any part or portion thereof, within the Adirondack or Catskill parks or adjacent thereto, the appropriation of which in the judgment of the Department is necessary for public park purposes, or for the protection and conservation of the lands, forests and waters within the State; also may appropriate any lands or waters, or both, deemed necessary for the purpose of artificial propagation of food and game fish for restocking the public waters of the State; |
| Reserve timber on land appropriated. | The owner of land taken by appropriation may, with the consent of the Department, and within the limitations herein-after prescribed, reserve trees thereon not less than 8" in diameter, breast high, at the time of service of notice of appropriation, provided the removal will not destroy the forest cover. Such reservation must be exercised within six months after service of notice of appropriation; |

Reservation on
lands purchased.

Lands acquired by purchase may be taken subject to reservation of trees down to 8" in diameter, breast high, at the time of purchase, with the rights to remove the same within fifteen years, or upon agreement between the Department and the owner, subject to any lease, mortgage or other encumbrance not extending fifteen years beyond the date of acquisition. The value of any such lien, incumbrance or timber reservation to be deducted from the purchase price. Timber within twenty rods of a lake, pond or river can not be reserved;

Restriction.

Acquire lands for
forestry, recreation,
etc.

In order to provide for the acquisition of lands outside the Adirondack and Catskill parks as now fixed and defined by law, which are adapted for reforestation and the establishment and maintenance thereon of forests for watershed protection, the production of timber and other forest products, and for recreation and other kindred purposes, the Department may acquire by gift or purchase reforestation areas to consist respectively of not less than 500 acres of contiguous lands, to be devoted to the planting, growth and harvesting of such trees deemed by the Commissioner best suited for the lands to be reforested (L. 1932);

May sell land products.

May sell the trees, timber and other forest products on any such areas outside of the forest preserve counties acquired by gift or purchase, and on any lands within the forest preserve counties, but outside of the Adirondack and Catskill parks as now fixed or hereafter extended by law, which are thereafter acquired by purchase with any moneys appropriated pursuant to the provisions of Sec. 16, Art. 7 of the State Constitution;

Tax exemption and
limitation.

Lands so acquired are to be exempt from State and County taxes, and for the purpose of all other taxes are to be assessed at not to exceed the purchase price; or, if acquired by gift, at the valuation for reforestation purposes, and not to exceed the valuation as fixed upon the assessment roll of the town in which they are located two years prior to such gift;

Lease oil and gas
rights.

The Department, with the approval of the State Geologist, may enter into leases for the purpose of aiding in discovering and removing any oil or gas upon such lands, under such terms as the Department may prescribe, and upon such conditions that the exercise of such lease-hold rights will not interfere with the operation of such areas for the purposes for which they were acquired and as defined in Sec. 16, Art. 7 of the State Constitution (Laws 1933);

Note: Sec. 16, Art. 7, of the State Constitution, approved by the people at the general election held November 3, 1931, effective January 1, 1932, is as follows:

Constitutional provision.

The Legislature in each of the eleven calendar years immediately following the adoption of this amendment shall appropriate out of any funds in the treasury not otherwise appropriated moneys for the acquisition by the State of land outside the Adirondack and Catskill parks, as now fixed by law, best suited for reforestation, for the reforestation of the same and the protection and management of forests thereon; for the acquisition of lands for forest tree nurseries, and for the establishment and maintenance of such nurseries, such appropriations to begin in the first year with the sum of one million dollars and increasing annually by the sum of two hundred thousand dollars to and including the sixth year. And in each of the five years immediately following a sum equal to the appropriation for the sixth year. All such appropriations to be available until expended. A law enacted pursuant to this section shall take effect without submission to the people.

The lands of the State, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed. Nothing contained in this section nor in the prohibitions of section seven of this Article shall prevent the State from cutting, selling or removing the trees, timber, forest products and other materials on any lands hereafter acquired with the moneys herein authorized within the forest preserve counties but outside of the Adirondack and Catskill parks as now fixed or hereafter extended by law.

Note: Sec. 7, Art. 7, above referred to, approved by the people at the general election held November 5, 1918, in effect January 1, 1919, and November 8, 1927, in effect January 1, 1928, is as follows:

Constitutional provision.

The lands of the State, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed. Nothing contained in this section shall prevent the State from constructing a State highway from Saranac Lake in Franklin County to Long Lake in Hamilton County and thence to Old Forge in Herkimer County by way of Blue Mountain Lake and Raquette Lake and nothing shall prevent the State from constructing a State highway in Essex County from Wilmington to the top of Whiteface Mountain.

The Legislature may by general laws provide for the use of not exceeding 3% of such lands for the construction

and maintenance of reservoirs for municipal water supply, for the canals of the State and to regulate the flow of streams. Such reservoirs shall be constructed, owned and controlled by the State, but such work shall not be undertaken until after the boundaries and high flow lines thereof shall have been accurately surveyed and fixed, and after public notice, hearing and determination that such lands are required for such public use. The expense of any such improvements shall be apportioned on the public and private property and municipalities benefited to the extent of the benefits received. Any such reservoir shall always be operated by the State and the Legislature shall provide for a charge upon the property and municipalities benefited for a reasonable return to the State upon the value of the rights and property of the State used and the services of the State rendered, which shall be fixed for terms of not exceeding ten years and be readjustable at the end of any term. Unsanitary conditions shall not be created or continued by any such public works. A violation of any of the provisions of this section may be restricted at the suit of the people or with the consent of the supreme court in appellate division, on notice to the Attorney General at the suit of any citizen.

Acceptance of
lands for parks.

The Department is authorized to accept grants or deeds of gift of any lands located in any county within the Region which it may deem suitable for park or reservation purposes (L. 1928);

Dedicated to park
purposes.

Property so acquired to be forever under the jurisdiction of the Conservation Department and its successors in office, and by virtue of the acceptance thereof to be irrevocably dedicated to be used for the purposes of a public park or reservation under the custody, control and management of the Conservation Department, and is not to become a part of the forest preserve;

Remain open to the
public.

Such property is not subject to the limitation of Sec. 7 of Art. 7 of the Constitution, but is forever to remain open to the public for the enjoyment of the scenic and natural beauties of the premises, and receive such improvement or development by the erection of buildings, roads, highways, railroads and other structures, including the improvement, alteration and maintenance of the structures now on such premises, as the Legislature may from time to time determine;

May lease areas.

The Department may, in its discretion, lease a part or all of such premises upon such terms and conditions as it may determine not inconsistent with the reasonable use of the premises by the public.

Advertising restricted.

In order to conserve the natural beauty of the Adirondack park and to preserve and regulate it for public uses for the resort of the public for recreation, pleasure, air, light, and enjoyment, and to keep it open, safe, clean and in good order for the welfare of society, no person may erect or maintain within the boundaries thereof any advertising sign or advertising structures or devices of any kind, except under written permit from the Department. The provisions of this section not applying to signs erected or maintained upon property in connection with a business conducted thereon, or within the limits of any incorporated village (as amended 1935).

Note: The object of the legislation creating Adirondack Park was to create a great public park for the promotion not only of health and pleasure, but of commerce as well, and its creation is a permanent policy of the State, as the people have embedded the project in the Constitution, and have made the lands devoted to the purpose absolutely inalienable (1899) 160. N. Y. 225.

Note: The forest preserve counties are those in which any lands therein, if acquired by the State, will become a part of the forest preserve, and the forest preserve includes the lands now owned or hereafter acquired within the forest preserve counties, excepting lands within the limits of any village or city, and lands not wild lands acquired by the State on foreclosure of mortgages made to loan commissioners (1914) 149 N.Y.S. 168.

Reimbursement to U.S. for ECW work.

If, upon a sale of State land or its products the Commissioner determines that the State has derived a direct profit as the result of work on the land sold, or on land the products of which are sold, done or to be done under a project pursuant to the Emergency Conservation Act, one-half of such profit from the sale of such products, or such lesser amount as may be sufficient, is to be applied to or towards reimbursing the Federal government for moneys expended by it for the work so done at the rate of \$1 per man per day for the time spent in such work, but not exceeding in the aggregate \$3 per acre (L. 1934).

XIV. IN ORDER TO PROTECT THE FOREST PRESERVES THE FOLLOWING PROVISIONS APPLY:

Trees or timber.

No person shall cut, remove or destroy any trees or timber or other property thereon or enter upon such lands with intent to do so.

Structures.

No buildings shall be erected, used or maintained upon the forest preserve except under permits from the Department.

- Agricultural use. No person shall use any portion of the forest preserve for agricultural purposes, nor shall cattle or domestic animals of any kind be permitted to graze thereon.
- Deposit of rubbish. No person shall deposit or leave thereon any rubbish or other waste material.
- Transfer or lease. No person shall lease, transfer or accept any lease or transfer of any lands in the forest preserve or of any improvements thereon.
- Dispose of improvements. The Department may dispose of any improvements upon the forest preserve under such conditions as it deems to be to the public interest.
- Reforested lands. No person shall injure or cause to be injured any trees planted for the purpose of reforestation.
- Removal of materials generally. No person shall remove any material belonging to the State from the State lands without the authorization of the Department.

XV. RULES AND REGULATIONS - PUBLIC CAMPSITES IN THE FOREST PRESERVE.

1. All persons must register with the ranger in charge of the campsite. No tents shall be erected or maintained except under permission from the ranger, who will assign campers to sites.
2. Temporary tent platforms are permitted provided they are placed and removed at the same time as the tent.
3. No firearms shall be used on the campsite at any time.
4. Quiet must be observed between 10 P.M. and 7 A.M. Campers arriving or departing between these hours must be quiet. Failure to observe this rule will be sufficient cause to deny a camper the privileges of the campsite.
5. Fires except in stoves must be built in fireplaces provided for that purpose and nowhere else. On sites where fuel is limited, the ranger in charge of the campsite is authorized to prohibit fires for any purpose except cooking and smudges.
6. Lighted matches, cigarettes, cigars or burning tobacco must not be deposited or left where they may cause fires.
7. No official sign posted or structure maintained shall be defaced.
8. Peeling bark or cutting or injuring trees is prohibited.
9. Camps and adjacent grounds must be maintained in clean and sanitary condition. Garbage and refuse must be either burned or deposited in the receptacle provided. Waste materials must not be thrown into the water.
10. All tents must be occupied continuously. Rangers are authorized to remove any tent left unoccupied for a period of 48 hours.

11. All dogs must be tied up or confined in a manner satisfactory to the ranger in charge of the campsite.

12. All persons will be held responsible for compliance with these rules and any person violating them or injuring State property will be held liable for damages and penalties.

CONSERVATION DEPARTMENT.

XVI. GENERAL REGULATIONS - DIVISION OF LANDS AND FORESTS.

The following rules and regulations are of general application to the State land administered by the Conservation Department, Division of Lands and Forests, and are to govern all of those who make use of this land. Regulations of special or local application may be adopted from time to time:

1. No fires except for cooking, warmth or smudge purposes are permitted. No fire shall be lighted until all inflammable material is removed to prevent its spread.
2. Lighted matches, cigars, cigarettes or burning tobacco must not be deposited or left where they may cause fires.
3. No official sign posted, or structure maintained under permit, shall be defaced.
4. Peeling of bark or injuring trees is prohibited.
5. Dead or down wood may be used for fuel by temporary campers.
6. Camps and adjacent grounds must be maintained in a clean and sanitary condition. Garbage and refuse must be either buried, removed or burned. Waste materials must not be thrown into the waters, or waters polluted.
7. Each camper on Lake George Islands, St. Lawrence Reservation or other much frequented place, must provide a plentiful supply of chloride of lime and dirt, for disinfecting and covering any latrine used by him. All latrines must be cleaned and the contents burned or buried at frequent intervals, in such manner as to prevent offensive odors, and above all to avoid pollution of the water supply.
8. Canvas tents without platforms for use during short periods may be placed without a permit, but not in a trail or within 150 feet of any spring used for water supply.
9. No tents (except those described under rule 8) or wooden structures shall be erected or maintained in the Forest Preserve, except under written permission from the Conservation Department. Tar paper shall not be used, except for roofs of open camps erected under a permit. The structures for which permits may be granted are as follows: Those erected under (a), (b) or (c) become the property of the State.
 - (a) Open camps for use of travelers, not to be occupied by the same person or persons more than three nights in succession or more than ten nights in any year.

(b) Open camps for use of campers, hunters or fishermen, may be occupied for reasonable periods.

(c) Permanent tent platforms for summer camping purposes. Permit granted to use while occupied in good faith. Platform to be left for future use. When not in use, permits may be given to other than to whom the permit to erect the platform was granted. A permanent tent platform may include not only a board platform upon which may be erected a framework upon which the tent is stretched, but there may be board sides to a height of not exceeding three feet. There will be allowed windows of approximately two feet six inches by three feet six inches and not more than two of such windows on each side or end of tent, having a size less than sixteen feet by sixteen feet. If screen doors are used, no objection will be raised to the substitution of windows in the screen doors. In case of tents over sixteen feet by sixteen feet, the allowance for windows will be within the discretion of the district ranger.

(d) Temporary tent platforms for summer camping. The platform to be erected and removed simultaneously with the tent.

(e) Portable canvas houses for summer camping.

10. No one may claim any particular site from year to year or the exclusive use of the same.

11. The use of the Forest Preserve or the improvements thereon for private revenue or commercial purposes is prohibited.

12. Any unoccupied tent or structure may be removed by the Department.

13. At St. Lawrence Reservation, where fireplaces are provided, fires must not be kindled elsewhere, nor shall tents on these parks be pitched less than 200 feet from any public fireplace or boat landing.

14. No boat is entitled to the exclusive use of any dock built by the State. There must be free access for boats at all times.

15. Dancing in any building erected by the State is prohibited.

16. All campers will be held responsible for compliance with these rules, and any person responsible for injury of State property will be held liable for damages and penalties.

17. Shooting at insulators on electric power lines or telephone lines is dangerous and is prohibited because it interrupts service upon which thousands depend and may cause fires.

XVII. TACONIC STATE PARK COMMISSION - REGION 7.

Members; appointment; officers.

The Commission consists of five persons appointed by the Governor, by and with the advice and consent of the Senate, for five years. At least three must reside within the district; receive no compensation, but are reimbursed actual and necessary expenses incident to official duties. A

Chairman, Vice-Chairman and Treasurer are selected from its members; also a Secretary who, if selected from its members, may also act as Treasurer.

- Powers and duties. The Commission is empowered as follows (as amended 1931):
- Control. To control and manage Taconic State Park and any other parks and parkways established;
- Establish parks and parkways. May establish State parks and parkways and acquire lands for such purposes when moneys have been appropriated therefor. Such lands may be acquired by purchase or by entry and appropriation;
- Rules and regulations. Make and enforce rules and regulations necessary to effect the purposes thereof;
- Employ personnel. Employ such persons as may be provided for by appropriation to assist in the management and to care for such parks and parkways, and fix their compensation;
- Regulate charges and fees. Fix the prices to be charged by drivers of public conveyances for carrying passengers for hire within the limits of the parks, and the price to be charged by guides for their services;
- Conservation powers. Provide for the protection and propagation of fish and game in the parks and for reforestation of the areas;
- Grant utility easements. May grant to the counties within the region, or to any municipal corporation therein, a license or easement for any public purpose upon such terms and conditions and under such regulations and restrictions as may be deemed just and proper; also may grant licenses or easements to construct sewers, lay water and gas mains and electric conduits within and across such property, and for necessary entrances to parkways from adjoining property in cases where rights of way have been appropriated or condemned for parkway purposes prior to March 1, 1931, and provided that damages will be reduced by such grants (L. 1931);
- Gifts of property. Real and personal property may be granted, conveyed, bequeathed or devised to and taken by the State in aid of the purposes of such reservations and parks, or to increase the same, and on such trusts and conditions as may be prescribed by the grantors or devisors thereof, provided the same be accepted by the Commission. All such property to be maintained and controlled by the Commission, and the net rents, issues, income and profits to be used exclusively for the purpose of improving such reservations and parks.

Purposes of parks and parkways.

Such parks and parkways to be forever reserved and maintained by the State for the use and enjoyment of the public, it being the duty of the Commission to preserve such reservations and parks in their natural conditions so far as may be consistent with their use and safety and to improve them in such manner as not to lessen their natural scenic beauty.

XVIII. RULES AND REGULATION - TACONIC STATE PARK COMMISSION.

Ordinance Number One - Definitions.

Section 1. Definition of Terms. Whenever used in any Taconic State Park Commission Ordinance, the following respective words, phrases or terms, unless otherwise therein expressly defined or clearly limited by the context or subject matter, are defined as follows:

(a) The term park shall be deemed to include all parks, parkways, spurs, open spaces, roads and boulevards and also entrances and approaches thereto, docks and piers, and bridges, in, leading to or connecting such park or parks thereof and such other rights and appurtenances in connection therewith as the Taconic State Park Commission shall utilize whether the same be now or hereafter owned or acquired by the State in fee or otherwise.

(b) "Commission": The Taconic State Park Commission, created by authority of Chapter 193 of the Laws of 1925, and Chapter 242 of the Laws of 1928.

(c) "Ordinance": Any ordinance duly adopted as a Taconic State Park Commission Ordinance.

(d) "Owner": Any person, firm, association, co-partnership or corporation owning, operating, or having the exclusive use of a vehicle, animal or other property under a lease or otherwise.

(e) "Park Patrolman": Any person designated by the Commission as a Park Patrolman and also State Police assigned to the Taconic State Park Commission.

(f) "Bridle Path": Any path maintained for persons riding on horseback; "Foot Path or Trail": Any path or trail maintained for pedestrians.

(g) "Permits": Any written license issued by or under the authority of the Commission, permitting the performance of a specified act or acts.

(h) "Persons": Any natural person, corporation, company, association, joint stock association, firm or co-partnership.

(i) "Bathing Area": Any beach or water area designated as a bathing area.

(j) "Unnecessary Stopping": Bringing a vehicle to a complete stop on the road in a park or on a parkway other than in a parking space, or other than in conformity with traffic regulations and other than because of a defect in said vehicle..

Ordinance Number Two - Construction and Scope of Ordinances.

Section 1. Construction. In the interpretation of Taconic State Park Commission Ordinances, their provisions shall be construed as follows:

(1) Any term in the singular shall include the plural; (2) Any term in the masculine shall include the feminine and the neuter; (3) Any requirement or prohibition of any act shall, respectively, extend to and include the causing or procuring directly or indirectly, of such act; (4) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Commission in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Commission; (5) Any act otherwise prohibited by Taconic State Park Commission Ordinances, provided it is not otherwise prohibited by law or local ordinance shall be lawful if performed under, by virtue of and strictly within the provisions of a permit so to do, and to the extent authorized thereby, and (6) These ordinances are in addition to and supplement the State Vehicle and Traffic Laws which are in force in all parks and which are incorporated herein and made a part thereof.

Section 2. Territorial Scope. All Taconic State Park Commission Ordinances shall be effective within and upon all State Parks and Parkways which may be under the jurisdiction of the Commission in the Counties of Putnam, Dutchess, Columbia and Rensselaer, and shall regulate the use thereof by all persons.

Ordinance Number Three - Permits.

Section 1. Permits. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof.

Any violation by its holder or his agents or employees of any term or condition thereof shall constitute grounds for its revocation by the Commission, or by its authorized representative, whose action therein shall be final. In case of revocation of any permit all moneys paid for or on account thereof shall, at the option of the Commission, be forfeited to and be retained by it; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the Commission for all damages and loss suffered by it in excess of money so forfeited and retained; but neither such forfeiture and retention by the Commission of the whole or any part of such moneys nor the recovery or collection thereby of such damages, or both, shall in any manner relieve such person or persons from liability to punishment for any violation of any provision of any Taconic State Park Commission Ordinance.

Ordinance Number Four - Prohibited Uses.

Section 1. Boating. Boating of any kind in a bathing area is forbidden except such boating as is necessary to keep such areas properly protected and policed. The use of privately owned boats or canoes on any park waters is prohibited except under permit.

- Section 2. Protection of Bathing Area. No person shall break, throw, cast, lay or deposit any glass, crockery, or any part thereof or any metallic substance in any park, except in receptacles provided for the purpose or as directed by Park employees.
- Section 3. Firearms. No person except employees or officers of the Commission shall carry firearms of any description within the park.
- Section 4. Explosives. No person shall bring into or have in any park any explosive or explosive substance.
- Section 5. Fires, Lighted Cigars, etc. No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purpose except by special permit. Any fire shall be continuously under the care and direction of a competent person over sixteen years of age from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, or other burning object within, on or against any structure, boat, vehicle, or enclosure, or under any tree or in underbrush or grass.
- Section 6. Alms and Contributions. No person shall solicit alms or contributions for any purpose.
- Section 7. Commercial Enterprises. No person shall without a permit, do any of the following: Sell or offer for sale, hire, lease or let out, any object or merchandise, or any other thing, whether corporeal or incorporeal. No person to whom property of the park has been entrusted in person shall hire, lease or let out the same to any other person.
- Section 8. Advertising. No sign or notice shall be erected or posted at any place in the park without permission in writing from the Commission; nor shall any musical instrument, radio, talking machine or drum be operated or any noise be made for the purpose of attracting attention to any exhibition of any kind nor in such a manner as to become a nuisance.
- Section 9. Gambling. Gambling, games of chance and fortune telling within the park are prohibited; and no person shall participate in the conduct of a lottery, or use or operate any slot machine, or bring in to any park or have in his possession while there any implement or device commonly used or intended to be used, for gambling purposes.
- Section 10. Aviation. No person shall voluntarily bring, land or cause to descend or alight within or upon any park, any aeroplane, flying machine, balloon, parachute or other apparatus for aviation, except under permit. Voluntarily in this connection will mean anything other than a forced landing.
- Section 11. Meetings and Exhibitions. No person shall erect any structure, stand or platform, hold any meeting or exhibition, perform any ceremony, make any speech, or address, except by permit.

- Section 12. Disorderly Conduct Prohibited. No person shall disobey an order of a Park Patrolman or use threatening, abusive or insulting language; do any obscene or indecent act: throw stones or other missiles; annoy persons, interfere with, encumber, obstruct or render dangerous any drive, path, walk, dock, beach, or public place; do any act tending to or amounting to a breach of the peace; climb upon any structure, enter or leave except at established entrance ways or exits, engage in, instigate, aid or encourage a contention or fight, whether or not a ring or prize fight, assault any person; spit upon any walk or structure.
- Section 13. No person except employees or officers of the Commission shall be allowed within the park between the hours of 10:00 P.M. and 6:00 A.M. except under permit.
- Section 14. Minors. No parent, guardian or custodian of any minor shall permit or allow him to do any act prohibited by any Taconic State Park Commission Ordinance.
- Ordinance Number Five - Regulated Uses.
- Section 1. Hunting and Fishing. (a) No person within the confines of the park shall hunt, pursue, trap or in any way molest any wild birds or animals nor shall any person have any such wild birds or animals in his possession within the park. (b) No persons shall fish in any waters of any park except at such times and such places where fishing shall be permitted.
- Section 2. Bathing. No person shall bathe, wade, or swim in any waters under the jurisdiction of the Commission, except at such times and in such places as the Commission may designate as bathing areas, and unless so covered with a bathing suit as to prevent any indecent exposure of the person, nor shall any person dress or undress in any place therein, except in such bathing areas as may be maintained by the Commission. The undressing and removal from the person of street clothes other than coats, jackets, sweaters, shoes and stockings, even though such garments are covering a bathing suit is prohibited.
- Section 3. Games. No person shall throw, cast, catch, kick or strike any baseball, golf ball, football, basketball, bean bag or other object except in places designated therefor.
- Section 4. Camping. No camp shall be maintained in any park except under permit, and at such particular places and for such specified periods as may be designated.
- Section 5. Coasting and Skating. No person shall coast with hand sleds, bobs, carts or other vehicles on wheels or runners, except at such places as may be designated therefor. No person shall use roller skates, except at such times and upon such places as may be designated therefor, or skate, sled, walk or go upon any ice, except at

such times and upon such places as may be designated therefor, and until such ice is declared by or under the authority of the Commission to be in a safe condition therefor; nor will towing of persons on skis, sleds or skates be allowed.

- Section 6. Horses. No person shall use, ride or drive a horse except to, from, or along a bridle path.
- Section 7. Animals at Large. No person shall cause or permit any animal owned by him, in his custody, or under his control, except a dog restrained by a leash not exceeding six feet in length, to enter any park, and each such animal found at large may be seized and disposed of as provided by the laws or ordinances of the political subdivision in which the park area is located covering disposal of stray animals on highways or public property. Dogs shall not be allowed in bathing areas under any circumstances.
- Section 8. Motor Vehicles. All motor vehicles designated as omnibuses, ambulances, hearses, trucks or trailers of any type, are forbidden to operate over or use a park or parkway except as follows: (a) Omnibuses known as taxis will be permitted to operate over a parkway to discharge or pick up its passengers from a picnic or bathing establishment; but in no case will cruising or soliciting of passengers enroute be permitted; (b) Omnibuses known as outing buses will be permitted to operate by the shortest possible route from outside a park to discharge or pick up its passengers from a picnic or bathing area only if a permit to enter the park has been issued by the Taconic State Park Commission to the organization sponsoring the outing, picnic, etc. Buses must proceed over the route and to the parking field designated in the permit. (c) Public omnibuses will be permitted to operate only under special franchise. (d) Nothing contained in this ordinance shall apply to the wagons, trucks and apparatus of fire department, insurance patrol, police department, or ambulance, or to emergency repair wagons, when responding to emergency work in case of fire, accident, public disaster, impending danger or emergency.
- Section 9. Parkways. The use of parkways is restricted to automobiles classed as pleasure vehicles and in order to provide for the maximum use of such parkways, and to preserve life and limb, pedestrians, riders and drivers of horses and bicyclists are forbidden the use of such parkways.

ORDINANCE NUMBER SIX - PRESERVATION OF THE PROPERTY AND NATURAL FEATURES OF THE PARK.

- Section 1. No person shall injure, deface, disturb or befoul any part of the park nor any building, sign, equipment or other property found therein; nor shall any tree, flower, fern, shrub, rock or other plant or mineral be removed, injured or destroyed.

ORDINANCE NUMBER SEVEN - REFUSE AND RUBBISH.

Section 1. Pollution of Waters. No person shall, within any park, throw, cast, lay, drop or discharge into or leave in the waters in any park or in any storm sewer, or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

Section 2. Garbage, Sewerage, Refuse and Obnoxious Material. No person shall deposit in any part of the park any garbage, sewerage, refuse, waste, fruit, vegetables, foodstuffs, paper or other litter or obnoxious material otherwise than in receptacles or pits provided for such purposes.

ORDINANCE NUMBER EIGHT - TRAFFIC.

Section 1. Traffic Control. The Park Patrolmen as defined in Ordinance No. 1 Section 1 (e) shall have charge and control over all traffic on the park roads and parkways, and all persons shall at all times heed and comply with directions of said park patrolmen indicated by gesture or otherwise in using said park roads or parkways, and shall further comply with directions on traffic signs along the route of the parkways or the roads or parking fields in the parks. The directions on such traffic signs may be disregarded only on order of a park patrolman. In parking spaces all persons shall comply with the directions of the parking attendants.

Section 2. Towing and Trailing. No person shall cause or permit a vehicle in tow of another vehicle to enter any park or proceed therein, except that, in case of a breakdown, a disabled vehicle must be towed to the nearest exit; or operate or drive a vehicle containing any person or object projecting or hanging outside of or beyond a side or in the rear thereof.

Section 3. Driving Off Pavement. No vehicle shall be operated or driven off the improved or paved portion of any park road or parkway except to and from a designated parking area. Disabled vehicles may be driven off the paved portion of the parkway so as to prevent obstruction of traffic, until temporary repairs are made or until power is obtained to remove them from the parkway.

Section 4. No complete turn or U turn shall be made on a parkway except around a plaza. No left turn may be made except where specifically allowed by an officer or by a traffic direction sign.

Section 5. Obstructing Traffic. No person shall cause or permit a vehicle to unnecessarily stop or obstruct traffic on the parkway. All vehicles must keep to the right, using the center lane for passing only.

Section 6. Speed Limit. A rate of speed by a motor vehicle in excess of 40 miles per hour is prohibited.

Section 7. View into Vehicles. Every car driven through any park or parked in any parking space shall have the interior thereof open to full view at all times.

ORDINANCE NUMBER NINE - CHARGES.

Section 1. No person shall make, use or gain admittance to, or attempt to use or gain admittance to the facilities in any park for the use of which a charge is made by the Commission unless he shall pay the charge or price fixed by the Commission.

ORDINANCE NUMBER TEN - VALIDITY AND ENFORCEMENT.

Section 1. Validity. If any article, section, paragraph, subdivision, clause or provision of these ordinances, rules and regulations shall be adjudged invalid, such adjudication shall apply only to the article, section, paragraph, subdivision, clause or provision so adjudged, and the rest of the ordinances, rules and regulations shall remain valid and effective.

Section 2. Enforcement. Any person who violates any provision of this code of Ordinances shall be guilty of a MISDEMEANOR and shall, upon conviction be subject to a fine of not to exceed Fifty Dollars (\$50), or imprisonment for not more than thirty (30) days, or to both such fine and imprisonment, and in addition thereto, shall be liable to a penalty of not less than Ten Dollars (\$10) nor more than One Hundred Dollars (\$100) to be recovered in a civil action.

XIX. COMMISSIONERS OF THE PALISADES INTERSTATE PARK - REGION 8.

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| Members; appointment; terms; of-ficers. | The Board consists of ten Commissioners appointed by the Governor for five year terms. At least five are required to be citizens and residents of the State, and five may be residents of the State of New Jersey. Members serve without compensation, but are entitled to expenses incurred in performing the duties of office. A President, Vice-President, Secretary and Treasurer are chosen from its members. The Board may employ such other officers and employees deemed necessary. |
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Powers and duties. Powers and duties are as follows (L. 1928):

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| Palisades Inter-state Park. | To preserve, care for, lay out and improve the Palisades Interstate Park; |
| Other parks and parkways. | To have the immediate custody, jurisdiction, management and control of all lands, parks and parkways in the eighth park region; |
| Select and locate additional lands. | To select and locate such lands (within boundaries defined by law) as may in their opinion be proper and necessary to be preserved for the purpose of establishing or extending the park, and thereby preserving the scenic beauty of the palisades and uplands or securing the same to the use of the public for park purposes; |

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| How acquired | Take in fee or otherwise, by purchase, gift, devise, condemnation, or by entry and appropriation, lands and any rights, interests and easements therein; |
| Lands outside of park boundaries; how acquired. | Acquire for park purposes by gift or devise, and also by purchase when funds are made available therefor by the Legislature, but not by eminent domain, any lands or rights in lands outside of the defined park boundaries; |
| Gifts of money. | Receive by gift, contribution or bequest moneys to be used in acquiring or improving the lands; |
| Rules for use and government. | Make rules for the use and government of the lands, and of such parts of State, county and other public highways as lie along or within the boundaries of the park; |
| Construct roads. | Lay out, construct and maintain roads, pathways and boulevards upon, across and over the park; connect any separate portions thereof, and for this purpose to acquire rights of way upon and across any intervening lands; also construct and maintain roads and ways connecting the roads and ways within the park with other public roads outside of and adjacent thereto; |
| Erect elevators and escalators. | May erect and operate elevators and escalators at such places within the park as may be deemed necessary or expedient; |
| Other facilities. | May provide and operate such other facilities deemed necessary or expedient, including transportation to, from or in the park, for the use and enjoyment of the park by the people, and for increasing its accessibility; |
| Rules and regulations. | To provide, at its discretion, by proper rule and regulation, the terms upon which and the manner in which all such facilities may be used; |
| Sell certain lands. | May sell certain lands (In Rockland County) which are deemed not necessary or desirable for park purposes. The money so received to be deposited in the State Treasury, and, upon appropriation by the Legislature, to be used for acquiring other lands for park purposes; |
| Sell personal property. | May sell all personal property, supplies, chattels, material and profits a prendre deemed not necessary or desirable for the uses and purposes of the park; |
| Use of proceeds from operation of park. | All moneys received from such sales, and from the operation of the park, to be expended for development, extension, operation and maintenance. |

Cooperation with
New Jersey.

In laying out and maintaining the park, regard is to be given to the laying out and maintenance of such park as may be established by the State of New Jersey along the palisades and Hudson River, and so far as may be, lay out and maintain the park in such manner that a continuous park will be formed.

Note: The provisions of the Constitution (Art. 7, Sec. 7) that forest preserves are to be forever kept as wild forest lands only applies to land of the State now owned or hereafter acquired, and does not prevent the Commissioners of the Palisades Park from acquiring lands which a public service corporation has previously sought to condemn (1917) 164 N.Y.S. 430.

XX. RULES AND REGULATIONS - COMMISSIONERS OF THE PALISADES INTERSTATE PARK.

1. TERMS.

The term "Park" as used hereinafter means the New York Section of the Palisades Interstate Park. The term "Commissioners" means the Commissioners of the Palisades Interstate Park in the State of New York. The term "person" includes persons and corporations.

2. PRESERVATION OF THE PROPERTY AND NATURAL FEATURES OF THE PARK.

No person shall injure, deface, disturb or defoul any part of the Park nor any building, sign, equipment or other property found therein; nor shall any tree, flower, shrub, rock or other mineral be removed, injured or destroyed.

3. GARBAGE, SEWERAGE, REFUSE AND OBNOXIOUS MATERIAL.

No person shall deposit in any part of the Park any garbage, sewerage, refuse, waste or other obnoxious material, otherwise than in receptacles or pits provided for such purpose.

4. TRAFFIC.

No person shall drive or propel, or cause to be driven or propelled, along or over any road within the Park any vehicle at a greater rate of speed than thirty five (35) miles per hour, nor around curves or between points so marked at a greater rate of speed than twenty (20) miles per hour.

No person shall move out of his place in any line of traffic at any time established by the Commissioners or by their authority on any of the Park roads.

No person shall park, or store any motor car, motorcycle, bicycle, wagon or other vehicle within the Park except in places designated for such purpose.

No vehicle shall be parked or operated in the Park after dark without lights.

No vehicle shall be parked in the Park after midnight except in places designated for such purpose.

5. CAMPING.

No camps shall be maintained for any period except at such places as may from time to time be designated for camping.

No person shall camp at any place in the Park without first obtaining a permit for such purpose.

6. FIRES.

No fires shall be lighted at any time in any part of the Park except in places designated for such purpose.

No person shall leave a fire until same has been completely extinguished.

7. COMMERCIAL ENTERPRISES.

No person shall, without a permit from the Commissioners, sell or offer for sale within the Park any property or privilege whatsoever, nor shall any person to whom property of the Park has been entrusted for personal use, hire, lease or let out the same to any other person.

No person shall take photographs or moving pictures within the Park for the purpose of selling the negatives thereof or prints therefrom without having first received a permit from the Commissioners.

No person shall operate a bus, taxicab or other vehicle for the transportation of passengers or property for hire within the Park without having first received a permit from the Commissioners. No permit, however, shall be required for the operation of such vehicles from or to points outside the Park through the Park on State, County, State and County, or Town Highways, provided that no stops are made in the Park for the reception or discharge of passengers or property.

No commercial vehicle shall be allowed in the park except as specified above.

No person operating a boat for hire shall without a permit land or receive passengers at any of the docks owned or controlled by the Commissioners.

8. FIREARMS.

No person, except employees or officers of the Commissioners, shall carry firearms of any description within the park. No unauthorized person shall carry any airgun, sling shot, bow and arrow, or any other device whereby a missile may be thrown.

9. HUNTING, FISHING AND MOLESTING WILD LIFE.

No person within the confines of the Park, unless ordered by the Commissioners shall hunt, pursue with dogs, trap or in any other way molest any of the wild birds and beasts found within the confines of the Park.

No person shall fish in Queensboro Brook from the headwaters thereof to its inlet into Lake Nawauhunta.

No person shall fish in Summit Lake, Barnes Lake, Upper and Lower Cohasset Lakes, Upper and Lower Twin Lakes, or in Te Alta Lake between June 15th and September 5th of each year, excepting campers on these lakes and on special permit. On all other lakes devoted to camping, fishing shall cease not later than 8 P.M. daily from July 1st to Labor Day, inclusive. Bathing, picnicking, camping and fishing on Tiorati Brook within the limits of the Park below the Tiorati Lake Dam are hereby prohibited.

FISHING OR CRABBING off any docks the property of the Park along the Hudson River is hereby prohibited except at points designated for that purpose.

10. GAMBLING.

Gambling in the Park is prohibited, and no person shall bring into the Park or have in his possession while there any implement or device commonly used or intended to be used for gambling purposes.

11. SIGNS.

No sign or notice shall be erected or posted at any place in the Park without permission in writing from the Commissioners.

12. GRAZING.

The running at large, herding, grazing or driving of live stock of any kind in or through the Park without a permit is prohibited.

13. DOGS AND CATS.

No person shall bring into, have or keep in the Park any cat or other animal destructive of bird life, nor shall any person bring into, have or keep in the Park any dog unless the same is in leash or a permit for the bringing in and keeping of such dog within the Park has been obtained from the Commissioners.

14. CONDUCT.

The use of loud, boisterous or indecent language, and the interference with any officer of the Park in the performance of his duty is prohibited.

No person within the confines of the park shall be indecently dressed or exposed.

No person shall conduct himself in such a manner as to endanger the life, limb or property of other visitors to the Park.

15. DRUGS.

The possession within the Park of any narcotic drug or intoxicating liquor other than liquor on sale under State license, is hereby prohibited.

16. BATHING.

Bathing, diving or swimming in or off any property of the Park, except at points designated for that purpose, is prohibited.

No person shall change his or her clothing except in the bathhouses provided for this purpose.

17. BOATS.

The propelling, landing or storing of any canoe, boat or any other vessel in or near any waters within or off the Park property is prohibited, except at points designated for that purpose.

No boats or canoes shall be left over night on any lake in the Park, except that organizations occupying camps under regular camp contracts or individuals camping under regular permits may, after securing special boat permits, keep boats or canoes owned solely by the organization or camper on the lakes during the camping season for the exclusive use of said organization and their guests.

No boats propelled by internal combustion engines are permitted upon the lakes of the Park except by special permission.

XXI. WESTCHESTER COUNTY PARK COMMISSION AS AGENT FOR THE STATE - REGION 9.

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| Powers and duties. | As Agent for the State, the functions, powers and duties of the above Commission are as follows (as amended 1932): |
| Establish parks, etc. Acquire lands. | Lay out, establish, acquire, control, operate, maintain and manage State reservations, parks and parkways in the County of Westchester (which comprises the ninth park region), and to acquire lands for such purposes when moneys have been appropriated therefor. Such lands, when acquired, to become the property of the State. The Commission to have the same duties and powers relating to State lands, reservations, parks, parkways, structures and buildings that they have by statute relative to county parks, lands, structures and buildings; |
| Construct buildings. | Construct, reconstruct, complete, alter or repair buildings, structures and other improvements and appurtenances, or demolish or remove the same; |
| Provide and operate facilities. | Provide and operate facilities for the use and enjoyment of the reservations, parks and parkways by the public, and for increasing their accessibility to the public as it may determine to be necessary or expedient; |
| Rules and regulations. | Adopt and enforce ordinances, rules and regulations governing the use of the areas, and traffic in and through the same; and to provide that the violation of any one or more of such constitutes the crime of a misdemeanor; |
| Sell materials. | Sell and cause to be removed any materials, timber, houses, structures and profits a prendre which it determines to be not necessary or desirable for the uses and purposes of such reservations, parks or parkways; |

- Employ personnel. Employ necessary personnel, determine their duties, make all reasonable rules and regulations respecting the same, and fix their compensation within the amounts appropriated therefor;
- Grant licenses, concessions, etc. Have the exclusive authority to let, license or grant to any person or party for a period of time not to exceed five years, buildings, structures, rights, privileges or concessions in, to and upon any reservations, parks or parkways under its jurisdiction, and under such rules, regulations, and restrictions as it may deem just and proper. Unless the sum to be paid for any such right, privilege or concession is paid in cash, the same is not to be granted except and until such person or party has given reasonable security in such amount as the Commission deems proper and reasonable;
- Bring summary proceedings. The people of the State of New York and/or the Westchester County Park Commission, in addition to any and all methods now provided for by law where the grantee, licensee or concessionaire continues in possession or enjoyment of any grant, license or concession after the expiration, cancellation or other termination thereof; or holds over or continues in possession or enjoyment after default in the payment of any fee, compensation, charge or emolument payable pursuant to the terms thereof; or where the premises or any part thereof are used or occupied for any illegal, immoral or bawdy purpose; or where there has been a violation or default of any Federal, State or Municipal law, ordinance, rule, order or regulation, or of any ordinance, rule or regulation of the Commission, or of any of the terms, covenants or conditions of the grant, license or concession, may summarily remove any grantee, licensee or concessionaire by summary proceedings.
- Grant easements. Grant to the County of Westchester or to any municipal corporation a license or an easement to construct and maintain at such places as the Commission may designate, roads, bridges and viaducts within and across such reservations, parks or parkways, and upon such terms and conditions and under such rules, regulations and restrictions as the Commission deems just and proper; and in addition thereto, may grant licenses or easements to construct sewers, lay water and gas mains or other sub-surface, telephone, telegraph or electric conduits within, under or across such reservations, parks or parkways;
- Control streets, etc. Assure at its option the exclusive control and management of all the streets, highways and bridges within the limits of any reservation, park or parkway under its jurisdiction, with the right and power to alter or discontinue any or all of the same; all streets, highways and bridges so taken over to be built, maintained and kept in order and repair by and under the direction of the Commission;

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| Improve municipal lands. | With the consent of the local authorities having jurisdiction thereof, may improve, maintain and use the lands of any municipality adjoining any reservations, parks or parkways acquired; |
| Impound animals. | Seize and impound cattle or other animals roaming in, on or through any reservations, parks or parkways. |
| Use of funds appropriated. | Moneys appropriated for the carrying out of the provisions of the law may be used for the purpose of paying salaries, wages and all other necessary expenses incidental thereto. |

XXII. RULES AND REGULATIONS - WESTCHESTER COUNTY PARK SYSTEM

ARTICLE I

Definitions and Construction

Section 1. Definitions: Unless otherwise expressly stated whenever used in any park or parkway ordinance rule or regulation, the following terms shall respectively be deemed to mean:

- (1) Beach. The shore and the lands contiguous thereto of any lake, pond, river, stream or other body of water within, abutting upon or adjacent to any park.
- (2) Bronx Parkway Extension. Same as State Parkway.
- (3) "City," "Town" or "Village". Any City, Town or Village wholly or partly within any portion of any park.
- (4) Commission. The Westchester County Park Commission created by authority of Chapter 292 of the Laws of 1922 and the acts amendatory thereof and supplemental thereto, acting under authority vested in it under the provisions of Chapter 559 of the Laws of 1932.
- (5) Crossing. Any crossing, whether marked by a pavement or otherwise, the extension or prolongation of any walk, path, footpath or sidewalk space across any intersecting drive, street, highway, or bridle path.
- (6) Curb. Any boundary of any drive or bridle path, whether or not marked by a curbstone.
- (7) Chauffeur. Shall mean any person who is employed for the principal purpose of driving a motor vehicle or who drives a motor vehicle while in use as a public or common carrier of persons or property.
- (8) Driver. Any person who propels, operates, or is in charge of a vehicle.
- (9) Drive. Any road, street, avenue, drive, access, parkway, roadway or boulevard maintained by the Commission or otherwise, for vehicular use, including the parts thereof under or over any bridge.
- (10) Drive Intersection. Any area bounded by the side lines, real or projected, of one or more drives or streets, which meet or cross other drives or streets.
- (11) Omnibus. Shall include any motor vehicle held and used for transportation of passengers for hire.

- (12) Officer in Charge. Any member of the State Police or any Peace Officer acting as such under the supervision and direction of the State Police.
- (13) One Way Drive. Any drive whereon traffic is restricted to one direction.
- (14) Operator. Shall mean any person other than chauffeur who operates or drives a motor vehicle or motorcycle on any parkway, drive or roadway.
- (15) Ordinance. Any ordinance duly adopted and published as provided by Section 766 of Article 16, Subdivision 4 of Chapter 647 of the Laws of 1911, being Chapter 65 of the Consolidated Laws as amended by Chapter 559 of the Laws of 1932.
- (16) Owner. Any person, firm, association, co-partnership or corporation owning, operating or having the exclusive use of a vehicle, under a lease or otherwise, for a period greater than thirty days.
- (17) Park. The term "Park" or "Parks" unless specifically limited shall be deemed to include all public parks, parkways, reservations, beaches, open spaces, bodies of water, and boulevards, buildings, structures and concessions, owned or controlled by the State of New York in the County of Westchester, under the jurisdiction and control of the Westchester County Park Commission and also entrance and approaches thereto, and streets, roads, docks and bridges between, to, in, through or connecting such park or parks or parts thereof and such other rights and appurtenances as the Westchester County Park Commission shall utilize for the purposes as set forth in Chapter 693 of the Laws of 1923, Chapter 603 of the Laws of 1924, Chapter 16 of the Laws of 1926, Chapter 559 of the Laws of 1932, and the acts amendatory thereof and supplemental thereto, whether the same be now or hereafter owned or acquired, in fee or otherwise, or maintained or controlled by the State of New York.
- (18) Parking Place. Any part of any drive or space in any park or reservation designated as a place for the standing of vehicles.
- (19) Park Waters. The water of any lake, pond, river, stream or other body of water wholly or in part, in, upon, along or in front of any park or reservation.
- (20) Path. (a) "Bridle Path." Any path in any park or reservation maintained for persons riding on horseback and so marked. (b) "Foot Path." Any path in any park or reservation maintained for pedestrians.
- (21) Pedestrian. Shall include all persons making use of any drive or path for foot passage. (a) Equestrians shall include all persons making use of any drive, path or bridle path or any park area for passage on horse back.
- (22) Permit. Any written authorization for the exercise of a specified park or reservation privilege issued by or under the authority of the Westchester County Park Commission permitting the performance of a specified act or acts.
- (23) Person. Any natural person, corporation, company, association, firm or co-partnership.
- (24) Reservation. Any lands or premises owned or controlled by the State of New York in the County of Westchester under the jurisdiction and control of the Westchester County Park Commission as agent for the State.

- (25) Rule or Regulation. Any rule or regulation duly adopted and published as provided by Section 766 of Article 16, Subdivision 4 of Chapter 647 of the Laws of 1911 as amended by Chapter 559 of the Laws of 1932.
- (26) Safety Zone. Any space (within any drive) established for pedestrians.
- (27) State Police. Members of the State Police force created and existing under the provisions of Article 9-A of the Executive Law.
- (28) State Parkway. The term "State Parkway" unless specifically limited shall be deemed to include all public parks, parkways, reservations, beaches, bodies of water, boulevards, buildings, structures and concessions owned or controlled by the State of New York, under the jurisdiction and control of the Westchester County Park Commission, and also entrances and approaches thereto and streets, roads, docks and bridges between, to, in, through or connecting such park or parks or parts thereof and such other rights and appurtenances as the Westchester County Park Commission shall utilize for the purposes as set forth in Chapter 693 of the Laws of 1923, Chapter 603 of the Laws of 1924, Chapter 16 of the Laws of 1926, Chapter 559 of the Laws of 1932, and the acts amendatory thereof and supplemental thereto, whether the same be now or hereafter owned or acquired, in fee or otherwise or maintained or controlled by the State of New York.
- (29) Vehicle. Any conveyance (except a baby carriage) including a motor vehicle, also a bicycle, tricycle, pushcart or vehicle propelled by muscular power or otherwise, also any horse.
- (30) Westchester County Park Commission. The Commission created and existing under the provisions of Chapter 292 of the Laws of 1922 and the acts amendatory thereof and supplemental thereto, acting as agent of the State of New York under and pursuant to the provisions of Chapter 559 of the Laws of 1932.
- (31) Construction. In the interpretation of these ordinances, rules and regulations, their provisions shall be construed as follows:
1. Any term in the singular shall include the plural.
 2. Any term in the masculine shall include the feminine and neuter.
 3. Any requirement or prohibition of any act, shall respectively extend to and include the causing or procuring, directly or indirectly, of such act.
 4. No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Westchester County Park Commission in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with said Commission, and
 5. Any act prohibited by these ordinances, provided such act be not otherwise prohibited by law or local ordinances shall be lawful, if performed under, by virtue of, and strictly within the provisions of a permit so to do, and to the extent authorized thereby.

ARTICLE II

General Provisions

Section 1. Advertising Prohibited. No person shall post, paint, affix, distribute, deliver, place, cast or leave about, any bill, placard, ticket, hand bill, circular, or advertisement; display any flag, banner, transparency, target, sign, placard, or any other matter for advertising purposes; or operate any musical instrument or drum for any purpose whatsoever in any park, or reservation, except under a permit.

Section 2. Air Rifles and Spring Guns. No person shall have or carry while in any park whether concealed or not concealed on his person, any pistol, air rifle, spring gun or other instrument or weapon in which the propelling force is air or a spring or other than an explosive except under a permit.

Section 3. Animals and Fish. No person shall molest, kill, wound, trap, hunt, take, chase, shoot or throw missiles at, remove, or have in his possession, any animal, mammal, reptile, bird, bird's nest or squirrel nest or remove the young of any such animal or the eggs or young of any fish, mammal, or bird, or knowingly buy, receive, have in his possession, sell or give away any such animal, mammal, bird or eggs so killed or taken, or shoot, discharge or throw missiles at any fish in any park waters, or place therein any piscivorous fish, poison or other substance injurious to fish. Nothing in this section contained, however, shall prohibit fishing in any park, reservation or park waters, except where signs are posted prohibiting the same, by persons duly licensed therefor during the open season as provided in the Conservation Law of the State of New York, and the acts amendatory thereof and supplemental thereto.

Section 4. Animals at Large. No unmuzzled dog shall be permitted in any park between the first days of June and November in any year. No person shall cause or permit any animal owned by him or in his custody or under his control, except a dog when restrained by a leash not exceeding six feet in length, to roam, go or be at large in, on or through any park, and any such animal so found at large may be seized and impounded or disposed of as provided by law or ordinance governing the disposal of stray animals on highways or other public places then in effect at the place where such stray animals may be seized.

Section 5. Aviation. No person shall bring, land or cause to descend or alight, within or upon any park or the waters therein, any aeroplane, flying machine, balloon, parachute or other apparatus for aviation.

Section 6. Basket Parties, Picnics and Eating on Beaches. No person shall hold a basket party or picnic or consume any foodstuffs in any park or on any beach except at those places specifically designated therefor.

Section 7. Board Walk and Park Walk. No vehicles, except baby carriages and wheel chairs shall be allowed or permitted on any boardwalk or park walk or path.

Section 8. Coasting. No person shall coast with hand sleds, bobs, carts or other vehicles, on wheels or runners, in any park except at such places as may be designated therefor.

Section 9. Drains and Sewers. No person shall discharge directly or indirectly into any opening or into any gutter leading into any sewer, receiving basin, or drain, in or leading into any park, any sewage, oil, gas or vapor, or any substance which may form a deposit tending to choke the same, or any volatile inflammable liquid. (such liquid being liquid which will emit an inflammable vapor at a temperature below 160 degrees Fahrenheit) or any steam or hot water above 120 degrees Fahrenheit.

Section 10. Destruction and Injury of Park Property. No person shall remove, cut, break, injure, deface or tamper with any tree, shrub or other plant, wild or cultivated, grass, post, railing, chain, guard, lamp, lamp post, seat, table, fire place, tree guard, building, hydrant, fountain, basin, water pipe, sewer, drain, structure, drive, walk, lawn or other property in or upon any park or park street or injure, remove, deface or destroy any sign, inscription, post or safety device in any park.

Section 11. Dogs and Other Animals. Notwithstanding the provisions of Article 11, Section 4 of these ordinances, no dog or other animal shall be permitted on any boardwalk, beach, pool area, or in, around, or upon any amusement device, buildings or concessions.

Section 12. Explosives and Fireworks. No person shall bring into or have in any park any fireworks or explosives including any substance, compound, mixture or article having properties of such a character that alone, or in combination or contiguity with other substances or compounds, may decompose suddenly and generate sufficient heat, gas or pressure, or any or all of them to produce rapid flaming or combustion, or administer a destructive blow to surrounding objects.

Section 13. Fires, Lighted Cigars, etc. No person shall kindle, build, maintain or use a fire, except under a permit, or in fireplaces provided by the Westchester County Park Commission therefor, and so designated by signs. Any fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished, and no fire shall be built within ten feet of any shrub or building or beneath the branches of any shrub or in any underbrush. No person shall deposit, throw away or discard any inflammable material, lighted match, cigar or cigarette within, on or against any building, structure, boat, car, vehicle or enclosure, or under any trees, shrubs or in any underbrush or other park surface unless it be to deposit the same in a suitable container provided for the reception thereof.

Section 14. Games. No person shall throw, cast, catch, kick or strike any ball of any kind or other object except in places designated therefor.

Section 15. Guns, Rifles and Revolvers and Ammunition Therefor. No person shall have or carry while in any park whether concealed or not concealed on his person, any pistol, gun, rifle, revolver or other firearms of any class or kind, or any ammunition therefor, except when so authorized by law.

Section 16. Repealed.

Section 17. Hunting and Fishing. No person shall hunt in any park, reservation or park waters without having first received a permit therefor; nor shall any person fish in any park, reservation or park waters where signs are posted therein which prohibit fishing.

Section 18. Injury to Property. No person shall injure, deface, displace, remove, fill in, raise, destroy or tamper with any drive, path, walk, bridge or approach thereto, take up, remove or carry away any asphalt, flagstone, rock, stone, gravel, sand, clay or earth; or make any excavation of any kind, name or nature; or harvest, cut, injure, or remove any ice, or injure, deface, displace, remove or destroy any structure, building, post, traffic sign or signal, railing, bench, seat, platform, stand, tree guard, electric, telephone or telegraph wire, pipe or main for conducting electricity, gas water or wires, or any hydrant, sewer, drain, pipe, main, receiving basin, covering, manhole or vent forming a part thereof, or any appurtenances or appendage connected therewith, or any other property or equipment, real or personal, owned by or under the jurisdiction or control of the Westchester County Park Commission, or appertaining to the creation, government, use or maintenance of any park; or injure, deface, displace, remove, or destroy any sign, inscription, post or monument, erected or marked for any purpose; or any mile-board, milestone, danger sign or signal, guide sign or post or any signal device sanctioned, installed or placed by the said Commission or by the State, County or any City, Town or Village within any park or reservation for the purpose of directing, restricting or regulating traffic, establishing zones or giving information or directions to the public; or interfere with any lamp, lamp post, gas or electric light apparatus or extinguish the light therein, except by proper authority.

Section 19. Intoxicants. No person shall sell or give away or display or drink or cause or permit or procure to be sold, given away, displayed or drunk any alcoholic or spirituous liquors or beverages in or upon any drive, path, walk, parkway building or place within any park, except only such alcoholic or spirituous liquors or beverages as may be specifically permitted by the Commission and only at the places specifically designated and approved by the Commission.

Section 20. Merchandise, Sale Prohibited. No person shall sell or offer for sale in any park any object or merchandise or any other thing, without having first received a permit therefor.

Section 21. Minors. No parent, guardian or custodian of any minor shall permit or allow such minor to do any act prohibited by these ordinances.

Section 22. Overhead Wires. No person shall attach or string any electric, telephone, telegraph, aerial, or other wire, guy, rope or other object or adjust or carry the same into or over any park, drive or park street or construct any conduit whatever for the running of wires beneath the ground.

Section 23. Pictures. No person shall take photographs or moving pictures within any park for the purpose of selling negatives thereof or prints therefrom or reproductions thereof or of exhibiting the same without first having received a permit therefor.

Section 24. Pollution of Park Waters. No person shall, within or without any park, throw, cast, lay, drop or discharge into, or leave in any park or park waters or any tributary, brook, stream, storm sewer, or drain flowing into the same, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of the waters thereof.

25. Preservation of Trees, Shrubs and Grass. No person shall in any park destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any plant, flower, flower bed, shrub, tree, growing thing, plant growth or any branch, stem or leaf thereof or pile or maintain any material or debris of any kind against or upon the same; or attach any rope, cable or other contrivance thereto; or set fire or assist another to set fire to any timber, trees, shrubs, plants, flowers, grass or plant growth; or hitch any horse or other animal or leave the same standing near enough to injure any lawn or grass plot; or go upon the same except where and at such times when permission to do so shall have been given by the Commission to the public.

Section 26. Rubbish and Refuse Matter. No person shall take into, carry through, leave in, or throw, cast, lay, drop or discharge into or on, or suffer or permit any servant, agent, employee, or person in his or her charge, to take into, carry through, leave in, or throw, cast, lay, drop or discharge into or on any park or in any park waters, any ashes, dross, cinders, shells, papers, dirt, sand, oil, grease, clay, loam, stone or building rubbish, hay, straw, grain, sawdust, shavings or manufacturing trade or household waste, old iron or other metal or objects made therefrom or rubbish of any sort; or sick, diseased or dead animals, organic refuse, or other offensive matter, including swill, brine, urine, fecal matter, garbage or rubbish.

Section 27. Sub-Surface Disturbance. No person shall open, expose or interfere with any conduit, water or gas pipe, hydrant, stopcock sewer, basin or other construction within or upon any park, or park street, nor make any connection therewith, except under the authority of a permit and upon the deposit of such sum of money as may be required by the Commission to insure the restoration of the soil, sod, plants, shrubs, trees, sidewalk, pavement, curb, gutter and flagging disturbed in making such opening or connection.

Section 28. Skating and Sledding. No person shall use roller skates, push-mobiles or any other similar device in any park except at such times and at such places as may be designated therefor, or skate, sled, walk or go on any ice in any park except at such times and at such places as may be designated therefor, and until such ice is declared by or under the authority of the said Commission to be in safe condition therefor, and so designated.

Section 29. Solicitation of Alms Prohibited. No person shall solicit alms or contributions in any park for any purpose.

Section 30. Uses of Park Property Prohibited. No person shall use in any manner whatsoever any park property or any part thereof, or any building thereon for any illegal, immoral or bawdy purposes, or for any purpose in violation of any Federal, State, or Municipal law, ordinance, rule, order or regulation, or of any ordinance, rule or regulation of the Westchester County Park Commission now in effect or hereafter enacted or adopted.

Section 31. Obedience to State Police Officers in Charge and Signs. No person shall fail, neglect or refuse, to comply with or obey the lawful direction or command of any member of the State Police and/or officer in charge or any instruction, direction, regulation, warning or prohibition written or printed, displayed or appearing in any park, enclosure, building or other structure, or in any part thereof.

ARTICLE III.

Bathing and Boating

Section 1. Bathing. No person shall bathe, wade or swim in any park waters, except at such times and in such places as the Commission may designate, and unless so covered with a bathing suit as to prevent any indecent exposure of the person.

Section 2. Bathing Suits - Wearing Thereof. No person shall dress or undress in any park except in such bathhouse as may be maintained by the Commission, or appear in any bathing suit, or in a bathing suit covered by a robe, cloak, cape, blanket or coat at any place within any park except in such bathhouses or on the pool areas or beaches maintained for bathing, if any.

Section 3. Boating. No person shall have charge of, run or drive a boat propelled by steam, naphtha, gasoline, electric or other motor or engine, or row or paddle a row boat, canoe or raft in, on, or upon any waters subject to the jurisdiction of the Westchester County Park Commission unless he shall first have obtained a permit therefor from the said Commission.

Section 4. Boating-Speed. No person shall run or drive a boat propelled by sail or by steam, naphtha, gasoline, electric, or other motor, or engine, or row or paddle a row boat, canoe, or raft, in, on, or upon any waters subject to the jurisdiction of the Westchester County Park Commission at a speed exceeding eight miles an hour; or in such a manner as to annoy or endanger occupants of other boats.

Section 5. Boating-Care Required. No person shall row or paddle a boat, canoe, or raft in or upon any waters subject to the jurisdiction of the Commission unless able to control or handle the same with safety to himself and other occupants thereof; or in such manner as to annoy or endanger occupants of other boats, canoes, or rafts.

Section 6. Boat Landing. No boat of any class or kind or any canoe or raft shall land upon the shores of any park except at such location as may be designated as landing places.

ARTICLE IV.

Disorderly Conduct

Section 1. Disorderly Conduct. Any person who with intent to provoke a breach of the peace or whereby a breach of the peace may be occasioned, commits any of the following acts shall be deemed to have committed the offense of disorderly conduct:

(1) Uses offensive, disorderly, threatening, abusive, or insulting language, conduct, or behavior.

(2) Acts in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to others.

- (3) Congregates with others or who is alone in any park, and refuses to move on when ordered by any officer in charge.
- (4) By his actions causes a crowd to collect except when lawfully addressing such a crowd.
- (5) Shouts or makes a noise either outside or inside a building during the night time to the annoyance or disturbance of any considerable number of persons.
- (6) Interferes with any person in any place by jostling against such person or unnecessarily crowding him or by placing a hand in the proximity of such person's pocket, pocketbook, or handbag.
- (7) Stations himself in any park or follows pedestrians or passengers in any vehicle for the purpose of soliciting alms or contributions, or solicits alms or contributions in any park unlawfully.
- (8) Frequents or loiters in any park soliciting for the purpose of committing a crime against nature or other lewdness.
- (9) Causes a disturbance in any street car, railroad car, omnibus, or other public conveyance, by running through it, climbing through windows or upon the seats or otherwise annoying passengers or employees therein.
- (10) Makes insulting remarks to or about passing pedestrians or persons in vehicles or annoys such pedestrians or persons in vehicles.
- (11) Throws stones or other missiles.
- (12) Interferes with, encumbers, obstructs, or renders dangerous any drive, path, walk, lawn, park, or public place.
- (13) Climbs upon or over any wall, fence, shelter, seat, statue, or other erection.
- (14) Enters or leaves except at established entrance ways or exits.
- (15) Introduces, carries, or fires any firecrackers, torpedoes, fireworks, or pistol.
- (16) Engages in, instigates, aids, or encourages a contention or fight, whether or not a ring or prize fight.
- (17) Assaults any person.
- (18) Plays games of chance.
- (19) Participates in the conduct of a lottery.
- (20) Uses or operates any slot machine, gaming table, or instrument.
- (21) Tells fortunes or futures, spits upon any walk, path, crossing, safety zone, or the floors of any structures, bridge, platform or stairway.

(22) Casts, throw, or deposits in or on any drive, park, walk, crossing, path, safety zone, floor, park surface, or bathing beach, any portion of any fruit, vegetable, foodstuff, paper, pasteboard, glass, litter or other substance.

(23) Leads, takes, allows, or permits any dog or other animal on any beach or in the waters adjacent thereto, notwithstanding the provisions of Article II, Section 4, of these Ordinances.

(24) Does any obscene or indecent act.

(25) Makes a fire, except as permitted under the provisions of Article II, Section 13, of these Ordinances.

(26) Cleans or greases automobiles or other vehicles in any park or leaves cars or parts of cars as junk in any park or reservation.

Section 2. Loitering at Night. No person shall between one-half hour after sunset and midnight, loiter in any park in a vehicle or otherwise, where there is no artificial light; or between midnight and sunrise, loiter under any circumstances; or, except in emergency, cause or permit any vehicle during any part of the period between one-half hour after sunset and one-half hour before sunrise to remain standing except when its occupants are attending a gathering or function held under a permit and any person who violates the provisions of this section shall be deemed to have committed an offense of disorderly conduct.

Section 3. Meetings, Exhibitions, Parades, Racing, etc. No person shall in any park, erect any structure, stand, or platform, hold any meetings, perform any ceremony, make a speech, address, harangue, or exhibit to the public any dramatic performance or the performance in whole or in part of any play, farce, minstrelsy, dancing, entertainment, motion pictures, circus, or any other exhibition or acrobatics, engage in any parade, drill, maneuver or civic or other procession, or run or race any horse, or other animal, or being in a vehicle, race with another vehicle or horse, whether such race be founded on any stake, bet, or otherwise, and any person who violates the provisions of this section shall be deemed to have committed an offense of disorderly conduct.

Section 4. Soliciting Passengers. No person, except by printed or written sign or signs, the form thereof to be approved by the Westchester County Park Commission, shall solicit passengers for any automobile, coach, taxicab, omnibus, or other vehicle, and all chauffeurs or drivers or attendants of any automobile, coach, taxicab, omnibus, or other vehicle shall stand when outside of such vehicles within two feet of their respective vehicles, while the same are unloading, awaiting, or loading passengers; any person who violates the provisions of this section shall be deemed to have committed an offense of disorderly conduct.

ARTICLE V

Permits and Territorial Scope of Ordinances

Section 1. Permits. A permit to do any act shall authorize the same only in so far as it may be performed in strict accordance with the terms and conditions thereof. Any violation by its holders or his agents or employees of any term or condition thereof shall constitute grounds for its revocation by the

Commission, or by its authorized representative, whose action thereon shall be final. In case of revocation of any permit, all moneys paid for or on account thereof shall at the option of the Commission be forfeited to and be retained by it; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the Commission for all damages and loss suffered by it in excess of money so forfeited and retained; but neither such forfeiture and retention by the Commission of the whole or any part of such moneys nor the recovery or collection thereby of such damage, or both, shall in any manner relieve such person or persons from liability to punishment for any violation of any provision of these ordinances.

Section 2. Territorial Scope. These ordinances shall be effective within all parks under the jurisdiction and control of the Westchester County Park Commission, as agent for the State of New York, and regulate the use thereof by all persons.

ARTICLE VI

Traffic Regulations

Section 1. Bicycles. No person shall ride a bicycle on any drive except to cross such drive at a crossing.

Section 2. Careful Driving. No person shall operate, drive, or propel, and no owner thereof riding thereon or therein, shall cause or permit to be operated, driven or propelled, any vehicle, recklessly or negligently, or at a speed or in such a manner as to endanger or injure or be likely to endanger or injure persons or property.

Section 3. Cautionary Signs, Reflectors, Signals, Amber Colored Lights. At any point or any drive where a caution sign, reflector, or light, is displayed for the regulation of traffic, the driver of any vehicle, approaching such point shall reduce the speed of the vehicle and have the same under full control until after the light, crossing, or caution zone is passed.

Section 4. Commercial Vehicles. No person shall drive or operate within any park any omnibus adapted for more than seven passengers, or any vehicle constructed or adapted for or engaged in the carrying of any merchandise, or consisting wholly or in part of machinery adapted or put in any use other than that of propulsion thereof or uses incidental thereto or upon which is displayed for advertising purposes any writing, symbol, flag, banner, emblem, sign, placard, transparency or other matter.

Section 5. Control of Vehicles. No person shall drive or ride a vehicle, motorcycle, or bicycle without having at least one hand on the steering device or handle bars, and no person shall drive, ride, or lead a horse without continuously having the reins in his hand.

Section 6. Crossing Drives and Streets. A vehicle turning around or crossing from one side of a drive or street to the other side thereof, except because of dangers therein, or for the purpose of passing another vehicle, shall do so by turning to the left, so as to head in the same direction of traffic after such vehicle has crossed said drive or street.

Section 7. Drivers. No person who may not lawfully operate a vehicle within the State of New York shall drive or operate a vehicle within any park.

Section 8. Equipment of Vehicles. No person shall drive or operate a vehicle in any park not equipped as provided by law or which may not be lawfully operated within the State; use any "cut-out" fitting, apparatus, or device which allows its exhaust gases to escape therefrom without first passing through a muffler or silencer; drive a vehicle emitting offensive quantities of smoke, oil, gas, or disagreeable odors; or use any gong, siren, or whistle on any vehicle not operated by a public authority.

Section 9. Exceptions. When in the performance of duty the following vehicles shall have the right of way and the provisions of this ordinance shall not apply to such vehicles; police, fire, United States Mail, fire patrol, emergency repair of Public Service Corporations or the Commission, ambulance, and the Military, but this shall not relieve the driver or owner of any such vehicle from liability for injuries or damages inflicted in consequence of the arbitrary or careless exercise of this right.

Section 10. Fire Engines - Police, etc. A vehicle must not be so driven as to impede or obstruct the progress when in the performance of duty, of any vehicle described in Article IV, Section 9 hereof, and on the approach of any such vehicle as evidenced by suitable and continuous warning, the driver of a vehicle must immediately draw up such vehicle as near as practicable to the right hand curb and parallel thereto, and bring such vehicle to a standstill and keep it stationary until the vehicle sounding the warning has passed.

Section 11. Full Stop. No vehicle shall enter any drive from an access drive or roadway until after having come to a complete and full stop and shall not cross any drive at grade until after having come to a complete and full stop.

Section 12. Headlights. No vehicle shall use bright headlights on any drive except when or where the lighting system along such drive is not in operation.

Section 13. Hearses. No hearses or other vehicle carrying or used for the carrying of the body of a dead person shall enter or be allowed in any park except under a permit.

Section 14. Hitch Hiking. No person shall attempt to stop or stop by any visible or audible sign or signal, any vehicle for the purpose of soliciting a ride from the driver of such vehicle, except in cases of emergency.

Section 15. Horns, Signalling Devices and the Use Thereof.

(1) Every motorcycle or motor vehicle operated or driven in any park shall be provided with an adequate warning or signalling device. This device whether horn, gong, or whistle, must be operated by hand power or electricity, and the use of horns, whistles or other devices operated by the engine exhaust of motorcycles or motor vehicles is prohibited.

(2) No person having the management or control of any automobile or vehicle or operating the engine thereof shall use a horn or other device for signalling except in a reasonable manner as a danger warning, nor shall any such person produce or cause, suffer or allow to be produced by means of any such horn or other signalling device, a sound which shall be unnecessarily loud or harsh or which shall continue for an unnecessary and unreasonable period of time.

(3) The use of a siren on any vehicle except those having right of way, as provided by Article VI, Section 9, is prohibited.

Section 16. Horseback Riding. No person shall ride a horse in any park except on the bridle paths, and when so riding shall not cross a drive at any place except where a bridle path intersects such drive at grade.

Section 17. Horses. No person shall lead on any drive, a horse unharnessed to a wagon.

Section 18. Interference with Drivers. No person shall drive or operate any vehicle in any park when such vehicle is so constructed or loaded or when there is in the front seat of the vehicle such number of persons as to obstruct the view of the operator to the front or sides or to interfere with driver's control or with the driving mechanism of the vehicle.

Section 19. Keeping to the Right and Overtaking Other Vehicles. On all drives the driver of a vehicle shall drive as closely as possible to the right hand edge or curb of such drive unless it is impracticable to travel on such side of said drive and except when overtaking and passing another vehicle, and no driver shall pass to the left of the center of any drive to overtake and pass another vehicle going in the same direction except on a one way drive, or when directed to do so by an officer in charge.

Section 20. Lights. No person shall drive, operate or cause to remain in any park during any part of the period between one-half hour after sunset and one-half hour before sunrise, any vehicle, the lights of which are not displayed in the same manner as lights are required to be displayed upon vehicles when used on public highways, except as provided in Article VI, Section 12, hereof.

Section 21. Maximum Speed. No person shall drive a vehicle in any park at a rate of speed exceeding 40 miles per hour. Every person operating a vehicle in any park shall drive such vehicle in a careful and prudent manner and at a rate of speed under all circumstances so as not to endanger the property of another or the life and limb of any person. A rate of speed by a motor vehicle in excess of 40 miles an hour for a distance of one-fourth of a mile shall be presumptive evidence of driving at a rate of speed which is not careful and prudent.

Section 22. Middle Lines. A vehicle in any park, having the middle line of any drive on its left shall have the right of way. In meeting, both vehicles shall keep to the right so as to insure safe passage and this without regard to the middle line of such drive.

Section 23. Obeying Officers. Whenever any officer in charge shall indicate or direct by gesture or otherwise, that the speed of a vehicle shall be checked or stopped, or its course altered, the driver thereof shall immediately obey such direction.

Section 24. Obstructing Traffic. No person shall cause or permit a vehicle to be driven in any park or remain upon any drive so as to obstruct traffic unnecessarily, or without authority from the driver, owner or person in charge of a vehicle, climb upon or interfere therewith, except when necessary to move the same in order to get his own vehicle out from its standing place.

Section 25. Overtaking Vehicles. A vehicle overtaking another vehicle shall pass on the left side of the overtaken vehicle and shall not pull over to the right until entirely clear of it.

Section 26. Parking. No vehicle shall stop on any drive for a longer period than is necessary to allow a person or persons to enter or alight from such vehicle except at those places especially designated for the purpose of stopping or parking, or except in cases of emergency.

Section 27. Passengers of Guests Boarding or Alighting from Vehicles. No person operating a vehicle on any drive shall stop said vehicle for the purpose of letting off or taking on any person or persons other than at the curb or side of the drive, or permit any person or persons to alight from or to enter such vehicle while same is in motion.

Section 28. Passing Around Circles. A vehicle passing around a circle in any park shall keep to the right from entrance to exit.

Section 29. Pedestrians. Pedestrians upon drives or bridle paths in any park when meeting or passing vehicles shall be subject to and comply with these ordinances governing vehicles, as to meeting, turning out and passing, except as herein otherwise provided.

Section 30. Pedestrians - To Use Walks and Paths. Pedestrians shall use the walks and paths provided in the parks and shall not except in cases of emergency walk on any drive, other than to cross the same at the crossing.

Section 31. Projecting Objects. No vehicle shall enter any park or travel on any drive with any package or article extending or projecting beyond the outermost lines of the vehicle itself.

Section 32. Repairing Vehicles. A vehicle shall not be parked on any drive for the purpose of making repairs except those of a minor nature and then only in cases of emergency.

Section 33. Riding on Vehicles with Body Protruding. No person shall ride on the rear end or sides of any vehicle without the consent of the driver and when so riding, no part of the person's body shall protrude beyond the limits of the vehicle.

Section 34. Right of Way - Pedestrians. Pedestrians shall have the right of way only and when crossing any drive at the crossings, except when otherwise directed by an officer in charge, and at crossings where traffic is regulated by traffic control signals, then such pedestrians shall cross only in the direction of moving traffic and drivers of vehicles when turning shall yield on the right of way to pedestrians when so crossing.

Section 35. Right of Way - Vehicles. Vehicles operated or driven on the main drives shall have the right of way over vehicles approaching the main drive from access drives, and also over vehicles approaching the main drives for the purpose of crossing the same at grade.

Section 36. Signals. A driver immediately before stopping, slowing up, or making a right or left turn, shall give timely and unmistakable signal by means of a mechanical device, or by using the following hand signals:

- (1) Right turn: Arm extended from side of car and pointed upward.
- (2) Left turn: Arm extended from side of car and pointed straight cut.
- (3) Stopping or slowing up: Arm extended from side of car and pointed downward.
- (4) Backing: A driver before backing shall give timely and ample warning.
- (5) Starting: A driver before starting from a curb shall indicate by hand or mechanical device the direction of turn into traffic.
- (6) Overtaking: A driver who wishes to pass another vehicle proceeding in the same direction shall signal his desire to do so, whereupon the driver of the vehicle to whom such signal is given shall promptly pull to the right so as to allow space in which to pass or shall warn by signal to slow up, that such passage is impossible.

Section 37. Signs. No person shall fail, neglect or refuse to comply with any instruction, direction or regulation displayed upon any post, standard or signs or marking on any drive, or other device installed or placed for the regulation of traffic in any park.

Section 38. Standing, Stopping and Waiting.

- (1) A vehicle shall not stand, unless held up by traffic, on any drive except at the curb and shall not stop with its left side to the curb.
- (2) A vehicle shall not so occupy any drive as to obstruct traffic.
- (3) A vehicle shall not stop so as to obstruct a crossing except in an emergency.
- (4) A vehicle shall not be permitted to stand backed up at any angle to the curb except while actually loading or unloading and if horsedrawn and with four wheels, the horse shall stand parallel with the curb, faced in the direction of traffic.
- (5) A vehicle shall not be left in such a position as to prevent another from moving up parallel and close to the curb in front of the entrance to a building, or so as to prevent another already stopped near the curb from moving away.
- (6) A vehicle waiting at the curb shall promptly give way to another vehicle arriving to take on or discharge passengers or merchandise.
- (7) A vehicle waiting at the curb near a corner shall not be permitted to stand within fifty feet of the curb line of any intersecting drive.
- (8) A vehicle shall not be permitted to stand within ten feet of a fire hydrant.

- (9) A vehicle, when stopped, or left unattended on a drive where there is a grade, shall have wheels turned at an angle against the curb and not parallel with the curb.
- (10) A vehicle shall not stand within twenty-five feet of an excavation or obstruction, except that when such excavation or obstruction is at or close to the curb, vehicles may stand at that curb but not so as to obstruct traffic.
- (11) A horse shall not be unbridled or left unattended in a park or unenclosed place in a park without being securely fastened.

Section 39. Stopping on Signal. A driver of any vehicle in any park shall on signal by raising the hand or otherwise from a person driving, leading or riding a horse or animal bring such vehicle immediately to a stop; and if travelling in the opposite direction remain stationary so long as may be reasonable to allow such horse or animal to pass and if travelling in the same direction use reasonable caution in thereafter passing such horse or animal.

Section 40. Right of Way - Cattle. Cattle or other live stock shall have the right of way in crossing any park or drive and a driver of any vehicle in any park shall stop and shall not proceed until such cattle or live stock are safely across such park or drive.

Section 41. Towing and Trailing. No person shall cause or permit a vehicle in tow of another vehicle to enter any park or proceed therein, except that in case of a breakdown, a disabled vehicle may be towed to the nearest exit.

Section 42. Traffic Lights. Where a traffic control signal shows red, all vehicles shall come to a full stop and not move again until it shows green, or until an officer in charge directs a movement to be made.

Section 43. Turning Corners. In turning a corner of meeting or intersecting drives, streets or highways in any park no person shall operate or drive any vehicle at a speed greater than 8 miles per hour.

Section 44. Turning At End of One Way Drive. No vehicle shall, within 200 feet of the end of a one way drive, make or attempt to make a complete turn.

Section 45. Turning Into Another Street. A vehicle in any park turning to the right hand into another drive or street shall turn to the corner as near the right hand curb as practicable. A vehicle in any park turning to the left into another drive or street shall pass to the right of and beyond the center of the drive or street intersection before turning unless otherwise directed by an officer in charge.

Section 46. Turning Out of Line. No driver of a vehicle when traffic is stopped, delayed or blocked shall turn out of line to pass vehicles ahead except in cases of emergency or when ordered to do so by an officer in charge.

Section 47. Vehicles Passing. Two vehicles in any park which are passing in the same direction shall have the right of way except as herein otherwise provided, and no other vehicle to the rear of such vehicles shall pass or attempt to pass such two vehicles while they are passing each other.

Section 48. Vehicles There Prohibited. No person shall drive a vehicle in any park within or upon a safety zone, walk, bridle path, or any part of any park not designated or customarily used for such purpose. No person shall ride a bicycle, tricycle, velocipede or motorcycle upon any walk or footpath, but persons may push such machines in single file along the same.

Section 49. View Into Vehicles. Any vehicle driven through any park or parked in any park shall have the interior thereof open to full view at all times.

ARTICLE VI-A

Equestrians

Section 1. Equestrians shall not be allowed in any park except on bridle paths designated and posted for that purpose.

Section 2. Equestrians shall not be allowed on any trails in any park except where riding is permitted and posted for that purpose, and at such places shall not drive or ride at a pace faster than a walk. Pedestrians shall be given the right of way on all such trails.

Section 3. No person shall use, ride or drive a horse in any park unless it shall be well trained and broken and constantly held in such control that it may be easily or quickly turned or stopped, or permit any horse owned by him, or in his care or custody, to be unbridled or left unattended in any unclosed space.

Section 4. Equestrians shall not ride more than two abreast on the bridle paths, and in places where such practice would prevent another horse from passing, they must ride in single file keeping to the right side of the path. Riders must not obstruct in any way the free use of the bridle paths by other riders. In passing riders going in the other direction, each rider shall pass not faster than a trot and in passing in the same direction, the rider passing shall keep to the left of the horse ahead and shall pass at a slow gait.

Section 5. Riders shall not ride or drive their horses at a gait faster than a canter and at all turns where there is not a clear vision ahead the horses shall be kept at a walk.

Section 6. No person shall stop his horse within any picnic area through which bridle paths or trails run, nor shall any rider dismount and leave his horse except in cases of emergency, nor shall any person allow his horse to be tethered or tied.

Section 7. Pedestrians, persons on bicycles and dogs shall not be allowed on any bridle path.

ARTICLE VII

Validity and Enforcement

Section 1. Validity of Ordinance. If any article, section, paragraph, subdivision, clause or provision of these ordinances, rules and regulations shall be adjudged invalid, such adjudication shall apply only to the article, section, paragraph, subdivision, clause or provision so adjudged, and the rest of the ordinances, rules and regulations shall remain valid and effective.

Section 2. Enforcement. Any violation of the foregoing ordinances, rules and regulations shall constitute the crime of a misdemeanor and on conviction thereof a person so offending may be punished by a fine not exceeding \$100 or by imprisonment not exceeding thirty days or by both such fine and imprisonment.

Section 3. Title. The foregoing ordinances, rules and regulations shall be known and designated as State Parkway General Ordinance No. 1.

Section 4. When Effective. These ordinances shall take effect at twelve o'clock and one minute (12:01) A.M. Eastern Daylight Saving Time, on the first day of August, 1932.

XXIII. LONG ISLAND STATE PARK COMMISSION - REGION 10

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| Members; appointment; terms; officers. | The Commission is composed of three members appointed by the Governor, with the consent of the Senate, for six year terms. All are required to be citizens of the State, and at least one must be a resident of the County of Suffolk and at least one of the County of Nassau. The President is designated by the Governor. The Commission chooses from its members a Vice-President and Treasurer. The office of Vice-President and Treasurer may be held by the same person. Members receive no salary, but are reimbursed expenses incurred in performing the duties of office. |
| Powers and duties. | Powers and duties are as follows (as amended 1933): |
| Jurisdiction. | Is given immediate jurisdiction and control over all parks in the counties of Nassau and Suffolk (which comprise the tenth park region); |
| Acquire lands. | From moneys or property on hand or appropriated for its use, to acquire and make available for use as public parks or parkways all real estate as is or may come under its jurisdiction; and to maintain, improve and embellish the same; |
| Improvements. | To erect, construct or build thereon such structures or other improvements and appurtenances as seem proper; |
| Paths, roads, etc. | Build, construct and operate necessary paths, roads, docks, wharves and bridges, causeways and viaducts; |
| Boats, ferries. | Manage and control boats and ferries in any park within its supervision and control, or to or from the same, or to or from various points within the same; |
| Bath and boat houses. | May build, purchase and maintain boats, bath and boat houses; |
| Waterways, etc. | Make and dredge waterways and channels in front of or within or appurtenant to any parks; |

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| Other facilities. | May provide and operate any other facilities for the use and enjoyment of such parks by the public, and for increasing the accessibility of the parks to the public, as it may determine to be necessary or expedient; |
| Rules and regulations. | May establish such rules and regulations as may be proper with regard to prices, terms and conditions upon which and the manner in which such facilities may be used; |
| Conservation powers. | May propagate fish and game for restocking the parks, and by ordinance or regulation create and establish closed seasons for fish and game; also provide for the reforestation of the parks; |
| Gifts of land and money. | May take in fee or otherwise by gift or devise land, or rights and interests therein, and receive gifts, contributions or bequests of money or other property to be used in acquiring or improving such parks, being authorized in the name of the State to accept or reject the same; |
| Sell timber, etc. | May sell timber, raw material, houses and structures of every kind and nature standing upon or attached to lands acquired for park purposes; |
| Grant leases. | May grant leases at a reasonable consideration of not to exceed ten years to any land, buildings or other property acquired for park purposes; |
| Accept Federal lands. | May accept for park purposes transfers and conveyances of rights and titles now vested in the United States government to land and buildings in the above named counties under such conditions as the United States may impose; |
| State submerged lands. | May apply to the proper authorities of the State for transfer of land under water adjacent to any uplands under its jurisdiction and control; and the proper State officials are authorized and directed to make such transfers subject to such conditions and restrictions as may seem proper; such transfer to operate as an appropriation of said lands under water to park uses and purposes and a bar to any grants by the State of said lands, or any interest in the same, to any other party or for any other purpose whatsoever; |
| Improve other lands. | May improve, maintain and use the lands of the municipalities adjoining the parks and parkways under the jurisdiction of the Commission with the consent of the local authorities having jurisdiction thereof; |
| Select and acquire other lands. | Is empowered and directed from time to time to select, locate and acquire lands within the limits of the above named counties, or either of them, and to make the same available for use as public parks; such lands to be acquired by gift |

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| Exception. | <p>or agreement; and, if unable to agree as to the compensation to be paid therefor, or if by reason of legal incapacity or absence of the owners or persons interested, the same may be acquired by condemnation proceedings or by entry and appropriation; except that none of the lands known as the plain or common lands of the towns may be acquired by condemnation or appropriation. In any such proceeding any municipal corporation may consent to the taking of property for park purposes for a nominal consideration;</p> |
| Termination of leases, etc. | <p>Immediately upon the vesting of title in the State, any and all leases and/or contracts in regards to such lands and/or waters, and all covenants, contracts or negotiations are to cease and determine, and all parties and/or tenants in occupation or possession of any such lands become tenants at will of the State unless otherwise specifically provided in the appropriation papers;</p> |
| The term "park" defined. | <p>The term "park" or "parks" as above used, unless specifically limited, is deemed to include all parks, parkways, beaches, open spaces and boulevards; all entrances and approaches thereto, docks and piers and bridges in, leading to or connecting such park or parks or parts thereof; and such other rights and appurtenances, whether the same be now or hereafter owned or acquired by the State in fee or otherwise;</p> |
| The term "real estate" defined. | <p>The term "real estate" is construed to signify and embrace all uplands, lands and water, the water of any lake, pond or stream of water, any and all easements and incorporeal hereditaments, and every estate, interest and right, legal and equitable, in lands or water, including terms for years and liens thereon by way of judgment, mortgage or otherwise; also all claims for damages for such property; all real estate heretofore or hereafter acquired or used for railroad, street railroad, highway, telephone, telegraph or other public purposes, providing the persons or corporations owning such real estate, or claiming interest therein, are to be allowed the perpetual use of the same for such purpose or of such other real estate to be acquired as will afford practicable route or location for such railroad, street railroad, highway, telephone, telegraph or other public purposes and commensurate with and adopted to its needs; and provided also, that such persons or corporations are not, directly or indirectly, to be subject to expense, loss or damage by reason of changing such route or location, the expense thereof to be borne in like manner as the expenses incurred in carrying out the provisions of this part of the law;</p> |
| Restrictions on public utilities. | <p>No railroad, street railroad, bus line, telephone or telegraph line, or other public utility may pass over, through or under any property controlled by the Commission except by written consent, and then only under such regulations</p> |

and restrictions as the Commission may deem proper; but the Commission may grant to the county of Nassau or Suffolk, or to any municipal corporation therein, a license or an easement for any public purpose upon such terms and conditions and under such regulations and restrictions as it may deem just and proper; and in addition thereto, may grant licenses or easement to individuals, co-partnerships and corporations, including municipal corporations, to construct sewers, lay water and gas mains and electric conduits within and across such property, and for necessary entrances to parkways from adjoining property in cases where rights of way have been appropriated or condemned for parkway purposes prior to March 1, 1931, and provided that damages will be reduced by such grants;

Rules and regulations.

Is authorized and empowered to make suitable rules and regulations for the proper exercise of the powers and duties conferred and imposed upon it; to adopt ordinances for the government and use of the public reservations under its care, and to enforce observance of all rules, regulations and ordinances; and may from time to time change, modify or add to its rules and regulations, or amend its ordinances so as better to adapt them to the accommodation and comfort of the public using the State parks and parkways, the direction of traffic, the convenient distribution of visitors to the various facilities provided, and the meeting of emergencies arising in connection with the usage and operation of the State parks and parkway system.

XXIV. RULES AND REGULATIONS - LONG ISLAND STATE PARK COMMISSION

ORDINANCE NUMBER ONE

DEFINITIONS

Section 1. Definition of terms. Whenever used in any Long Island State Park Ordinance, the following respective terms, unless otherwise therein expressly defined shall mean and include each of the meanings herein respectively set forth.

(a) "Park" defined: The term "park" or "parks", unless specifically limited, shall be deemed to include all parks, parkways, spurs, open spaces and boulevards, and also entrances and approaches thereto, docks and piers, channels and bridges in leading to or connecting such park or parks or parts thereof and such other rights and appurtenances as the Long Island State Park Commission shall utilize whether the same be now or hereafter owned or acquired by the State in fee or otherwise.

(b) "Commission": The Long Island State Park Commission, created by authority of Chapter 112 of the Laws of 1924, and Chapter 242 of the Laws of 1928.

(c) "Ordinance": Any ordinance duly adopted, posted and published as a Long Island State Park Ordinance.

(c) "Owner": Any person, firm, association, co-partnership or corporation owning, operating, or having the exclusive use of a vehicle, animal or other property under a lease or otherwise.

(d) "Long Island State Park Patrolman": Any person designated by the Commission as a Long Island State Park Patrolman and also State Police assigned to the Long Island State Parks.

(e) "Bridle Path": Any path maintained for persons riding on horseback.

(f) "Foot Path or Trail": Any path or trail maintained for pedestrians.

(g) "Permit": Any written license issued by or under the authority of the Commission, permitting the performance of a specified act or acts.

(h) "Person": Any natural person, corporation, company, association, joint stock association, firm or co-partnership.

(i) "Bathing Area": Any beach or water area designated as a bathing area; and including the water area adjacent to and within 1000 feet of the bathing beaches on the Atlantic Ocean, the bays along the shores of Long Island, and Long Island Sound.

(j) "Safety Zone": Any space within any drive in a park or parkway established for pedestrians.

(k) "Unnecessary Stopping": Bringing a vehicle to a complete stop on the road in a park or on a parkway other than in a parking place, or other than in conformity with traffic regulations and other than because of a defect in said vehicle.

(l) "Channel": Any body of water or part thereof which has been improved by or is under the jurisdiction of the Long Island State Park Commission and is designated as such on the State Boat Channel System maps of the Commission.

ORDINANCE NUMBER TWO

Construction and Scope of Ordinances

Section 1. Construction. In the interpretation of Long Island State Park Ordinances, their provisions shall be construed as follows: (1) Any term in the singular shall include the plural; (2) Any term in the masculine shall include the feminine and neuter; (3) Any requirement or prohibition of any act shall, respectively extend to and include the causing or procuring, directly or indirectly of such act; (4) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Commission in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Commission; (5) Any act otherwise prohibited by Long Island State Park Ordinances, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by virtue of and strictly within the provisions of a permit so to do, and to the extent authorized thereby, and (6) These ordinances are in addition to and supplement the State Vehicle and Traffic Laws and the State Conservation Laws which are in force in all parks and which are incorporated herein and made a part hereof.

Section 2. Territorial Scope

All Long Island State Park Ordinances shall be effective within and upon all State Parks and Parkways in the Counties of Nassau and Suffolk, and shall regulate the use thereof by all persons.

ORDINANCE NUMBER THREE

Permits

Section 1. Permits. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof. Any violation by its holder or its agents or employees of any term or condition thereof shall constitute grounds for revocation by the Commission, or by its authorized representative, whose action therein shall be final. In case of revocation of any permit, all moneys paid for or on account thereof shall, at the option of the Commission, be forfeited to and be retained by it; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the Commission for all damages and loss suffered by it in excess of money so forfeited and retained; but neither such forfeiture and retention by the Commission of the whole or any part of such moneys nor the recovery or collection thereby of such damages or both, shall in any manner relieve such person or persons from liability to punishment for any violation of any provision of any Long Island State Park Ordinance.

ORDINANCE NUMBER FOUR

Prohibited Uses

Section 1. Advertising Prohibited. No person shall post, plant, affix, distribute, hand out, deliver, place, cast or leave about, any bill, billboard, placard, ticket, handbill, circular or advertisement; display any flag, banner, transparency, target, sign, placard, or any other matter for advertising purposes; or operate any musical instrument or drum, or cause any noise to be made, for advertising purposes, or for the purpose of attracting attention to any exhibition, performance, show or other purpose.

Section 2. Alms and Contributions

No person shall solicit alms or contributions for any purpose.

Section 3. Animals

No person owning or being custodian or having control of any animal shall cause or permit such animal to enter any park, and any such animal found at large may be impounded except however, that dogs properly muzzled and restrained by a leash not exceeding six feet in length, may be brought into park areas, except buildings, camping and bathing areas and improved walks or boardwalks and excepting also horses may enter parks as hereinafter provided. Any animals seized as above provided or left in the custody of park employees in kennels provided for such purposes and unclaimed within twenty-four (24) hours will be delivered to a public pound.

Section 4. No person shall without a permit, do any of the following things: Sell or offer for sale, hire, lease or let out, any object or merchandise or any other thing whether corporeal or incorporeal; while operating a boat for hire, land or receive passengers at any dock or wharf under the jurisdiction of the Commission; for advertising or publicity purposes, take moving pictures or photographs within the limits of any park, or buy or sell or publish the negatives thereof or the prints therefrom, or exhibit such negatives or prints.

in public, or use pictures or photographs of any park, parkway or park structure.

Section 5. Disorderly conduct prohibited. Any person disobeying an order of a Long Island State Park Patrolman or the directions of any park sign, or using threatening, abusive or insulting language; doing any obscene or indecent act; throwing stones or other missiles; annoying persons; interfering with, encumbering, obstructing or rendering dangerous any drive, path, walk, dock, beach, or public place; doing any act tending to or amounting to a breach of the peace; climbing upon any wall, fence, shelter, seat, statue or other structure; entering or leaving any park area except at established entranceways or exits; introducing, carrying or firing any firecrackers, torpedoes, or fireworks; engaging in, instigating, aiding or encouraging a contention or fight, whether or not a ring or prize fight; assaulting any person; playing games of chance; participating in the conduct of a lottery or using or operating any slot machine, gaming table, or instrument, or bringing in to any park or having in his possession while there any implement or device commonly used, or intended to be used, for gambling purposes; selling fortunes or futures; spitting upon any walk, crossing, safety zone, structure, bridge, platform or stairway; casting, throwing or depositing on any walk, crossing, path, dock, safety zone, structure litter or other substance, shall be guilty of disorderly conduct.

Section 6. Explosives. No person shall bring into or have in said parks any explosive, including any substance, compound, mixture or article having properties of such a character that alone or in combination or contiguity with other substances or compounds, may decompose suddenly and generate sufficient heat, gas or pressure or any or all of them, to produce rapid flame, combustion, or administer a destructive blow to surrounding objects.

Section 7. Firearms, Weapons and Tools. No person shall have or carry, whether or not concealed upon his person, any pistol or revolver, or any instrument or weapon commonly known as a toy pistol, or in which or upon which loaded or blank cartridges may be used, or any loaded or blank cartridges, or ammunition therefor, except when so authorized by law. No person shall bring into any park, or have in his possession therein, any rifle, shotgun, or fowling piece, or any air gun, spring gun, or other instrument or weapon in which the propelling force is a spring or air.

Section 8. Fires, Lighted Cigars, etc. No person shall kindle, build, maintain or use a fire except in fireplaces provided for the purpose or under special permit. Any fire shall be continuously under the care and direction of a competent person over twenty-one years of age from the time it is kindled until it is extinguished, and no fire shall be built within ten feet of any tree, or building, or beneath the branches of any trees or in any underbrush. No person shall throw away or discard any lighted match, cigar or cigarette within, on or against any building, structure, boat, car, vehicle or enclosure, or under any tree or in underbrush or grass, unless it be to deposit the same in a suitable container provided for the reception thereof.

Section 9. No person shall, between one-half hour after sunset and one-half hour before sunrise, loiter, in a vehicle or otherwise, except under permit or at places designated therefor.

Section 10. Minors. Minors under six years of age shall at all times be under the supervision and control of a parent, guardian or custodian and no parent, guardian or custodian of any minor shall permit or allow him to do any act prohibited by any Long Island State Park Ordinance.

Section 11. Boating in Bathing Areas. Boating of any kind in a bathing area is forbidden except such boating as is necessary to keep such areas properly protected and policed.

Section 12. Aviation. No person shall voluntarily bring, land or cause to descent or alight within or upon any park, any aeroplane, flying machine, balloon, parachute or other apparatus for aviation. Voluntarily, in this connection will mean anything other than a forced landing. These regulations are in addition to the provisions of Article 14 of the General Business Law which are incorporated herein and made a part hereof.

ORDINANCE NUMBER FIVE.

Regulated Uses

Section 1. Bathing. No person shall bathe, wade or swim in any waters under the jurisdiction of the Commission, except at such times and in such places as the Commission may designate as bathing areas, and no person shall bathe, wade or swim or appear in any park unless covered with a bathing suit having both shirt and trunks properly supported with straps or other devices which must be kept in place at all times. The use of trunks only is prohibited. No person shall dress or undress in any park, except in such bathing houses as may be maintained by the Commission.

Section 2. Fishing. Fishing is prohibited in any bathing area or from any bridge, pier, dock, bulkhead or other structure along the edge of or extending into or over any waters under the supervision of the Commission, except such areas as are plainly designated by signs as fishing areas. Fishing is prohibited in all streams, ponds or lakes under the supervision of the Commission except by special permit to be obtained at the headquarters of the Long Island State Park Commission, Belmont Lake State Park, Babylon, New York.

Section 3. Camping. No camp shall be maintained in any park except under permit and at such particular places and for such specified periods as may be designated.

Section 4. Picnics and Outings. The various Park Superintendents and their assistants will regulate the use of recreation facilities under the supervision of the Commission so as to prevent congestion and shall distribute patrons of the park over the park areas in order to insure the maximum use of park areas and in behalf of the comfort of said patrons. All patrons must, at all times, comply with the directions of said Superintendents or their assistants. All organized picnics or outings shall obtain special permits from the Park Commission previous to their arrival at the park.

Section 5. Coasting. No person shall coast with handsleds, hobs, carts or other vehicles on wheels or runners, except at such places as may be designated therefor.

Section 6. Games. No person shall throw, cast, catch, kick, or strike any baseball, golf ball, football, basket ball, bean bag, or other object except in places designated therefor.

Section 7. Horses. No person shall use, ride or drive a horse except to, from or along a bridle path. Any such horse shall be well broken and constantly held in such control that it may be easily and quickly stopped. Nor shall any person permit any horse owned by him or in his care or custody to be left unbridled or unattended in any enclosed space without being securely fastened. Reckless driving or riding on bridle paths is prohibited. Bridle paths shall not be used after one-half hour after sunset or before one-half hour before sunrise.

Section 8. Meetings, Exhibitions, Parades, Racing, etc. No person shall erect any structure, stand or platform, hold any meeting, perform any ceremony, make a speech, address or harrangue, exhibit to the public any dramatic performance, or the performance in whole or in part of any interlude, tragedy, comedy, opera, ballet, play, farce, minstrelsey, dancing, entertainment, motion pictures, circus, juggling, rope-walking, or any other acrobatics; engage in any parade, drill maneuver, or civic or other procession; or run or race any horse or other animal, or being in a vehicle, race with another vehicle or horse, whether such race be founded on any stake, bet or otherwise, except by permit.

Section 9. Skating and Sledding. No person shall use roller skates, except at such times and upon such places as may be designated therefor, or skate, sled, walk or go upon any ice, or snowshoe or ski except at such times and upon such places as may be designated therefor, and until such ice is declared by or under the authority of the Commission to be in a safe condition therefor; nor will towing of persons on skis, sleds, skates, etc. be allowed.

Section 10. Motor Vehicles. All motor vehicles designated as omnibuses, ambulances, hearses, trucks or trailers of any type, are forbidden to operate over or use a park or parkway except as follows: (a) Omnibuses known as taxis will be permitted to operate over a parkway to discharge or pick up passengers at a park or bathing establishment; but in no case will cruising or soliciting of passengers enroute be permitted; (b) Omnibuses known as outing buses will be permitted to operate by the shortest possible route from outside a park to discharge or pick up its passengers from a picnic or bathing area only if a permit to enter the park has been issued by the Long Island State Park Commission to the organization sponsoring the outing, picnic, etc. Buses must proceed over the route and to the parking field designated in the permit. (c) Public omnibuses will be permitted to operate only under special franchise. (d) Trucks or trailers will be permitted to operate over the Jones Beach Causeway and the Ocean Parkway where it is necessary for them to do so to properly police and supply such areas or contiguous areas not otherwise approachable, except on Sundays and holidays after 10 a.m. and on Saturdays after 12:00 noon during the period from May 1 to November 1 of each year. (e) Nothing contained in this ordinance shall apply to the wagons, trucks and apparatus of a fire department, insurance patrol, police department or ambulance, or to emergency repair wagons, when responding for emergency work in case of fire, accident, public disaster, impending danger or emergency.

Section 11. Parkways. The use of parkways is restricted to automobiles classed as pleasure vehicles, and in order to provide for the maximum use of such parkways, and to preserve life and limb, pedestrians, riders and drivers of horses and bicyclists are forbidden the use of such parkways.

ORDINANCE NUMBER SIX

Traffic

Section 1. Traffic Control. The Park Patrolmen as defined in Ordinance 1 (e) shall have charge and control over all traffic on the park drives and parkways and all persons shall at all times heed and comply with directions of said Park Patrolmen indicated by gesture or otherwise in using said park drives or parkways, and shall further comply with directions on traffic signs along the route of the parkways or the drives or parking fields in the parks. The directions on such traffic signs may be disregarded only on order of a park patrolman. In parking spaces all persons shall comply with the directions of the parking attendants.

Section 2. Towing and Trailing. No person shall cause or permit a vehicle in tow of another vehicle to enter any park or proceed therein, except that, in case of a breakdown, a disabled vehicle must be towed to the nearest exit; or operate or drive a vehicle containing any person or object projecting or hanging outside of or beyond a side or in the rear thereof.

Section 3. Driving off Pavement. No vehicle shall be operated or driven off the improved or paved portion of any park road or parkway except to and from a designated parking area. Disabled vehicles may be driven off the paved portion of the parkway so as to prevent obstruction of traffic, until temporary repairs are made or until power is obtained to remove them from the parkway.

Section 4. No complete turn or U turn shall be made on a parkway except around a plaza. No left turn may be made except where specifically allowed by an officer or by a traffic direction sign.

Section 5. Obstructing Traffic. No person shall cause or permit a vehicle to unnecessarily stop or obstruct traffic on the parkway. All vehicles must keep to the right, using the centre lane for passing only.

Section 6. Speed Limit. A rate of speed by a motor vehicle in excess of 40 miles per hour is prohibited.

ORDINANCE NUMBER SEVEN

Protection of Property

Section 1. Injury to Property, Drives, Bridges and Equipment. No person shall injure, deface, displace, remove, fill in, raise, destroy or tamper with any drive, path, walk, bridge or approach thereto; take up, remove or carry away any asphalt, flagstone, rock, stone, gravel, sand, clay or earth; or make any excavation of any kind, name or nature; or harvest, cut, injure or remove any ice; or injure, deface, displace, remove or destroy any structure, building, post, railing, bench, seat, platform, stand, tree guard, telephone, telegraph, pipe, drain, receiving basin, covering, manhole or vent forming a part thereof, or any appurtenance or appendage connected therewith; or any other property or equipment, real or personal, owned by or under the jurisdiction or control of said Commission, or appertaining to the creation, government, use or maintenance of any park; or injure, deface, displace, remove or destroy any sign, notice, inscription, post or monument, erected or marked for any purpose; or any mile-board, mile-stone, danger sign or signal, guide sign or post, or any signalling

device, sanctioned, installed or placed by said Commission or by any City, Town or Village within the parks or parkways for the purpose of directing, restricting or regulating traffic, establishing zones or giving information or directions to the public; or interfere with any lamp, lamp post, gas or electric light apparatus, or extinguish the light therein, except upon proper authority; or without a permit, attach, string, adjust, or carry any wire or other object in, on, or over any part of any park.

Section 2. Trees, shrubs and Grass. No person shall destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground, or remove any plant, flower, flower bed, shrub, tree, growing thing, plant growth or any branch, stem, fruit, or leaf thereof; or pile or maintain any material or debris of any kind against or upon the same; or attach any rope, cable or other contrivance thereto; or set fire or assist another to set fire to any timber, trees, shrubs, plants, flowers, grass or plant growth, or suffer any fire upon other land to extend onto park or parkway lands; or hitch any horse or other animal to or leave the same standing near enough to injure any lawns or grass plot; or go upon the same, except at such times when permission to do so shall have been given by the Commission to the public.

Section 3. Animals and Fish. No person, except under a lawful permit from the Commission, shall molest, kill, wound, trap, hunt, take, chase, shoot or throw missiles at, remove, or have in his possession any animal, reptile, bird, bird's nest or squirrel's nest, or remove the young of any such animal or the eggs or young of any such reptile or bird; or knowingly buy, receive, have in his possession, sell or give away any such animal, reptile, bird or egg so killed or taken. No fishing shall be permitted in any brook, lake, pond, or other body of fresh water except by special permit; in the ocean, sound or salt water bays, fishing shall be permitted by angling and trolling only, or in the case of shellfish, by devices or instruments operated solely by hand power, except that no fishing shall be permitted in boat channels or bathing areas. No device operated by machinery or by power, or with the aid of power other than hand power, shall be used in taking fish of any kind from waters under the jurisdiction of the Commission.

Section 4. Lost Money or Property. Any person picking up or taking possession of lost or mislaid money or personal property or money or property of which such person is not the owner, shall deliver the same immediately to the Superintendent of the park where the property is found, or to the headquarters of the Long Island State Park Commission at Pelmont Lake State Park, Babylon, Suffolk County, New York. If such articles are not claimed by the owner within 30 days, they will be returned to the finder.

ORDINANCE NUMBER EIGHT

Refuse and Rubbish

Section 1. Pollution of Waters. No person shall, within any park, throw, cast, lay, drop or discharge into or leave in the waters in any park or in any storm sewer, or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

Section 2. Rubbish and Refuse Matter. No person shall take into, carry through, leave in, or throw, cast, lay, drop or discharge into or on, or suffer or permit any servant, agent, employee or person in his or her charge, to take into, carry through, leave in, or throw, cast, lay, drop or discharge into or on any park any ashes, cinders, shells, paper, dirt, sand, oil, grease, clay, loam, stone or building rubbish, hay, straw, oats, sawdust, shavings, or manufacturing trade or household waste, old iron or other metal or objects made therefrom, or rubbish of any sort; or sick, diseased or dead animals, organic refuse, or other offensive matter, including swill, brine, urine, offal, fecal matter, garbage or rubbish.

Section 3. Drains and Sewers. No person shall discharge directly or indirectly, into any opening, or into any gutter leading into any sewer, receiving basin, or drain in or leading into any park any gas or vapor, or any substance which may form a deposit tending to choke same, or any volatile liquid which will emit an inflammable vapor at a temperature below 160 degrees, Fahrenheit, or any steam or hot water above 100 degrees, Fahrenheit.

Section 4. Protection of Bathing Area. No person shall throw, cast, lay or deposit any glass bottle or piece of crockery, nor any glass or glassware or any part thereof, or metallic substance on any bathing area in, on or adjoining any park.

ORDINANCE NUMBER NINE

Payment of Charges

No person shall make, use or gain admittance to, or attempt to use or gain admittance to the facilities in any park for the use of which a charge is made by the Commission, unless he shall pay the charge or price fixed by the Commission.

ORDINANCE NUMBER TEN

Boat Channel

Section 1. The following rules and regulations shall apply to the channel system under the supervision of the Long Island State Park Commission in the south bays of Long Island as shown on map entitled "Sounding Chart Showing State Boat Channel System in the Western Section of the South Shore of Long Island," prepared by the Long Island State Park Commission, Babylon, Long Island, October 1931, and filed in the office of the Long Island State Park Commission, Belmont Lake State Park, Babylon, Suffolk County, New York, copies of which have been filed in the offices of the County Clerks of the Counties of Nassau and Suffolk, and to such additional channel systems as may be shown on maps hereafter filed in the office of the Commission and in the said County Clerks' offices.

Section 2. The term "Channel System" as used in these ordinances shall mean main channels, cross channels connecting with them, basins and bathing areas. The term "Vessel" includes every description of water craft or other contrivance used or capable of being used as a means of transportation in water and in air.

Section 3. All provisions of the Navigation Law of this State, of the inland rules enacted by Congress and governing the navigation of the inland waters of the United States and of the Pilot Rules for United States inland waters, applicable to the Channel Systems relative to the rules for vessels passing each other, as to lights on vessels and other matters consistent with the proper use of the Channel Systems, shall be complied with by all vessels navigating said systems.

Section 4. Selling or soliciting or conducting any trade or business in the Channel Systems is prohibited.

Section 5. Discharging of toilets is prohibited in areas designated as basin, dock or bathing areas.

Section 6. Vessels shall not moor or anchor except at the edge of the channel and in no case shall vessels moor to or anchor within 50 feet of channel markers or so as to interfere with the full use of the channel. Vessles tied up to docks or other State property for more than twenty-four hours will be charged wharfage at the rate of \$1.00 per day. Any vessel which becomes a menace to navigation or to park property or the use thereof, or unseaworthy, or sinks, grounds or becomes otherwise disabled, shall be removed by the owner or person in charge thereof on order of the park superintendent or any park patrolman. If the said boat is not removed within 24 hours after orders to so remove it, it may be removed by the Long Island State Park Commission at the expense of the owner or person in charge thereof.

Section 7. The dumping of oil, refuse, garbage or waste in the Channel Systems is prohibited.

Section 8. Every person operating a vessel shall at all times operate the same in a careful and prudent manner and at such a rate of speed as not to disturb the reasonable comfort, or endanger the property of another or the life or limb of any person, or so as to interfere with the free and proper use of the waters of the said channel. Throwing up a dangerous wake when approaching or passing another boat is prohibited by this ordinance.

Section 9. No vessel shall be operated at a greater speed than twelve miles per hour in channels nor at a greater speed than four miles per hour in areas designated as basin, dock anchorage or bathing areas.

Section 10. No person shall operate a vessel propelled wholly or partly by an engine operated by the explosion of gas, gasoline, naphtha or other substance without having the exhaust from the engine run through a muffler so constructed and used as to muffle the noise of exhaust in a reasonable manner.

Section 11. Long Island State Park patrolmen shall have charge of enforcing the foregoing ordinances, and shall regulate and control the use of the Channel Systems and the speed, direction and conduct of boats therein, and every person in charge of a vessel navigating or using the Channel Systems shall at all times obey orders or directions of such patrolmen. Such patrolmen shall have the right to stop any vessel navigating or using said Channel Systems and to board the same for the purposes of examination or for the purpose of enforcing any of the foregoing ordinances.

ORDINANCE NUMBER ELEVEN

Penalties - Any person who violates any provision of this code or Ordinances shall be guilty of a MISDEMEANOR and shall, upon conviction, be subject to a fine of not to exceed Fifty Dollars (\$50), or imprisonment for not more than thirty (30) days, or by both such fine and imprisonment.

ORDINANCE NUMBER TWELVE

Time when Ordinances Shall Take Effect: - All Long Island State Park Ordinances adopted the 16th day of January, 1932, and numbered from One to Four and Six to Twelve, inclusive, and Ordinance numbered Five, Sections Two to Eleven, inclusive, shall upon first being posted and published as required by law, be and become effective upon the 1st day of April 1932. Section One of Ordinance Number Five, amended the 29th day of June, 1933, shall upon first being posted and published as required by law, be and become effective upon the 1st day of August, 1933.

The amendment to Section 1 of Ordinance No. 2 and to section 3 of Ordinance No. 7 of the Long Island State Park Ordinances adopted this 16th day of November, 1935, and the amendment to Section 10 of Ordinance No. 4 adopted the 10th day of October, 1934, shall upon first being posted and published, as required by law, be and become effective upon the 15th day of January, 1936.

XXV. THE THOUSAND ISLANDS STATE PARK COMMISSION - REGION 11.

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| Members; appointment; terms; officers. | The Commission is composed of five persons appointed by the Governor, with the advice and consent of the Senate, for five year terms (rotated). All are required to reside in the region; receive no compensation, but are reimbursed actual and necessary expenses incurred in performing the duties of office. A Chairman, Vice-Chairman, and Treasurer are selected from its members; also selects a Secretary, who may be from its members; if a Commissioner is so selected he may also act as Treasurer (L. 1932). |
| Powers and duties. | Powers and duties of the Commission are as follows: (L.1932): |
| Jurisdiction. | Have immediate control and management of any State park or reservation now established in the eleventh park region; |
| Acquire additional lands by purchase or condemnation. | Acquire lands for additional State parks and reservations when moneys have been appropriated therefor; such lands to be acquired by purchase, condemnation, or by entry and appropriation; |
| Rules and regulations. | Make and enforce rules and regulations necessary to effect the purposes thereof not inconsistent with law; |
| Employ personnel. | Employ such persons as may be provided for by appropriation to assist in the management and to care for the parks and reservations, and fix their compensation within the amounts appropriated therefor; |
| Fix prices transportation, guide service. | Fix the price to be charged by drivers of public conveyances for carrying persons for hire within the limits of such parks, and the price to be charged by guides for their services; |

- Conservation
power. Provide for the protection and propagation of fish and game in the parks, and for the reforestation of the areas;
- Gifts of property. Real and personal property may be granted, conveyed, bequeathed or devised to and taken by the State for the purposes of such reservations and parks, or to increase the same, and on such trusts and conditions as may be prescribed by the grantors or devisors, provided the same be accepted by the Commission; all such property to be maintained and controlled by the Commission, and the net rents, issues, income and profits to be paid into the State Treasury;
- Appropriations. Moneys appropriated for the care and maintenance of such reservations and parks and for carrying out the provisions of law is to be paid out of the State Treasury to the Treasurer of the Commission.
- Purposes of parks. Such parks and reservations are to be forever reserved and maintained by the State for the use and enjoyment of the public; it being the duty of the Commission to preserve the same in their natural condition so far as may be consistent with their use and safety, and to improve them in such manner as not to lessen their natural scenic beauty.

XXVI. RULES AND REGULATIONS - THOUSAND ISLAND STATE PARK COMMISSION.

UNDER THE AUTHORITY GRANTED BY THE CONSERVATION LAW AND OTHER LAWS OF THE STATE OF NEW YORK TO MAKE AND ENFORCE RULES AND REGULATIONS IN CONNECTION WITH THE MANAGEMENT OF THE THOUSAND ISLANDS STATE PARKS, THE THOUSAND ISLANDS STATE PARK COMMISSION HEREBY GIVES NOTICE THAT THE FOLLOWING RULES AND REGULATIONS HAVE BEEN ENACTED AND ARE NOW IN EFFECT. THESE RULES AND REGULATIONS SHALL APPLY TO ALL PARKS, PARKWAYS, LANDS AND WATERS UNDER THE JURISDICTION OF THIS COMMISSION, AND ARE IN ADDITION AND SUPPLEMENTARY TO ALL EXISTING STATE AND LOCAL LAWS. ANY ACT PROHIBITED BY THESE RULES AND REGULATIONS SHALL BE DEEMED LAWFUL WHEN DONE UNDER AUTHORITY OF A PERMIT ISSUED BY THE COMMISSION.

No. 1 - ADVERTISING AND SOLICITATION

No person or organization shall post or distribute advertising matter or orally advertise or sell or offer for sale any tickets or service; or solicit within the park areas in connection with things to be sold or provided outside the park. No person or organization shall solicit alms or contributions for any purpose.

No. 2 - DISORDERLY CONDUCT

No person shall disobey any order of a park patrolman, superintendent, caretaker, state trooper, local policeman or constable when such officials are engaged in enforcing State or Local Laws or the Rules and Regulations of this Commission, or use threatening, abusive or insulting language to such officials. No person shall injure, steal or molest park property, do any obscene act, throw stones or missiles, obstruct roads, walks or docks, engage in brawls or fights, annoy or insult other persons, be under the influence of intoxicants, throw or deposit bottles, glass, cans, garbage, refuse or litter in any place except the recep-

tales provided for that purpose. No person shall park vehicles in any place except the duly designated parking areas and in accordance with the instructions of the park official in charge, or do any other act that may be a source of danger to park property or annoyance and interference with the public using the parks.

No. 3 - HUNTING AND FIREARMS

No person shall carry or have in his possession any gun, firearms, ammunition or explosives, and no person shall hunt or trap within or from the park area except when especially authorized by the Commission to do so.

No. 4 - FIRE DANGER

No person shall start or maintain a fire except in the fireplaces provided for that purpose or at places especially indicated by the official in charge of the park and all fires shall be continually under the care of a competent person. No person shall allow any fire to injure or destroy any shrub, tree or branches thereof or discard or throw away lighted matches, cigarettes or cigars in such a manner as to create a fire risk of any sort. In addition to the fines or penalties provided for the violation of these Rules and Regulations, any person responsible for fire damage or loss of park property, shall pay to the Commission the full cost of restoring such property to its original condition.

No. 5 - SPORTS

Bathing without proper bathing suits, or undressing or dressing outside of duly provided bath-houses or in public view is prohibited. No camp shall be maintained in any park except under permit obtained from the park caretaker and at such places and for such periods as he may designate.

No. 6 - MEETING

No person or organization shall hold or conduct any meeting involving ceremonies, speeches, religious services, performances or entertainments except after obtaining a permit to do so.

No. 7 - OMNIBUSES, TAXIS AND TRUCKS

No omnibuses, taxis, trucks or peddlers shall operate within property controlled by the Commission except by duly authorized permit and the procedure and conduct of persons operating such vehicles shall at all times be strictly in accordance with the instructions of the park official in charge. The rate of speed for any motor vehicle being operated within the park shall not be such as will endanger the public and in no case in excess of 20 miles per hour.

No. 8 - LOST AND FOUND ARTICLES

Any person finding or taking possession of any personal property of which such person is not the owner, shall deliver the same immediately to the Park Caretaker or to the Headquarters of the Commission at Watertown, N. Y., and losers of property shall apply for restoration of such articles.

No. 9 - CLOSED PARKS

No person or organization shall attempt to enter or make use of any park or park property after same has been officially closed for the season.

No. 10 - PENALTIES

Any person who violates any provision of these Rules and Regulations shall be guilty of a MISDEMEANOR and shall, upon conviction be subject to a fine of not to exceed One Hundred Dollars or imprisonment for not more than Thirty Days, or both such fine and imprisonment, and in addition thereto, shall be liable to a penalty of not less than TEN nor more than ONE HUNDRED DOLLARS.

XXVII. ORDER ASSIGNING HISTORIC AND SCIENTIFIC PLACES.

Central New York State Parks Commission:

Montcalm Park
Spy Island

Finger Lakes State Park Commission:

Newtown Battlefield Reservation
Squaw Island

Division of Lands and Forests:

Bennington Battlefield
Crown Point Reservation
Fort Cralo
Fort Stanwix
Grant Cottage
Guy Park House
Herkimer Home
Johnson, Sir William, Mansion
Lake George Battlefield
Lester Park
Lower Landing
Oriskany Battlefield
Saratoga Battlefield
Saratoga Monument
Schuyler Mansion
Senate House
Starks Knob

Taconic State Park Commission:

Clinton House

Palisades Interstate Park Commission:

Knox Headquarters
Temple Hill
Washington's Headquarters

The places so designated to be under the immediate supervision, control and jurisdiction of such Regional Park Commission, or Division, or Officer, subject to the powers of the Commissioner (Order of 1928).

XXVIII. BOARD OF COMMISSIONERS OF THE LAND OFFICE.

General control
of State lands.

The Board is vested with the general care and superintendence of all State lands, the superintending of which is not vested in some officer or in a State department or a division, bureau or agency thereof;

Sale of unappropriated
State lands.

The Board may direct the sale of unappropriated State lands, the proceeds to be turned over to the Conservation Commissioner and maintained as a Park Fund to be expended for the acquisition of lands to establish and extend State parks; the Commissioner in turn being authorized to allot and pay over to the governing board of any State park, reservation, regional park commission or other State agency any part of said fund to be used for State park purposes (L. 1928).

Transfer of State
lands.

The Board is further empowered, upon application, to transfer to any State department, or a division, bureau or agency thereof, the jurisdiction over any State lands, including lands under water, upon such terms and conditions as it may deem just and proper (L. 1929).

Canal lands for
State parks.

The Board may also set apart for State park or parkway purposes a part or all of any parcel or parcels of land taken or acquired for the purpose of the Black river or Oswego canals abandoned for canal purposes, upon certification by the Conservation Commissioner made upon the recommendation of the State Council of Parks, that such parcel or parcels are useful for State park purposes. When so set apart, the lands are to be under the direction and control of the State Council of Parks, subject to the approval of the Conservation Commissioner; and the Council, with like approval, may allocate any part or all of such lands to the commission or other authority having jurisdiction over the park region in which such land is situated (L. 1930).

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Acquisition of
Federal lands
for State parks.

The State of New York may acquire from the United States by gift, lease, purchase or otherwise, and subject to such conditions as may be prescribed by the United States, lands for reforestation, game management, fish propagation, park purposes, and/or any other activities permitted by the conservation law; and may by written order of the Conservation Commissioner, filed in the office of the Conservation Department, assign and transfer at any time, wholly or in part, the direct jurisdiction and control of any such lands

to one or more Divisions of the Conservation Department, to be administered in connection with any of the various activities permitted by the conservation law. Upon the assignment of such lands to a Division, and notwithstanding any other provision of law, such Division may expend any funds appropriated for such activities in the development, maintenance and operation of lands so acquired (L. 1934).

XXIX. ADVERTISING ADJACENT TO STATE PARKS.

Restricted.

In order to conserve the natural beauty of, and the investment of the State in State parks and parkways by preserving and regulating them for public uses, for the resort of the public for recreation, transportation, pleasure, air, light and enjoyment by keeping them in good order for the welfare of society, and to prevent the unrestricted use of signs and advertising structures and devices immediately adjacent to them, no person shall erect or maintain within 500 feet of the border of any State park or parkway any advertising sign or advertising structures or devices of any kind, except under written permit from the regional State park commission in which the park or parkway is located. The provisions of this section shall not apply to signs erected or maintained on property in connection with a business connected thereon, provided that such signs have an area of not more than twenty-four square feet, do not extend more than fifteen feet above the ground level, and are placed on the fronts of buildings. The provisions of this section shall apply to all parkways constructed within the limits of a city with State funds and/or Federal highway and by or with the approval of a regional State park commission charged with responsibility for the maintenance of such parkways. In the event that jurisdiction is transferred pursuant to law from such regional State park commission to a municipal park commission or department, the provisions of this section shall remain effective as to such parkways, and shall thereafter be enforced by the local park commissioner or commission to whom the jurisdiction is transferred (L. 1934, as amended L. 1935).

XXX. REGULATIONS GOV'NING ADVERTISING SIGNS ADJACENT TO STATE PARKS AND PARKWAYS ADOPTED BY THE STATE COUNCIL OF PARKS PURSUANT TO CHAPTER 44 OF THE LAWS OF 1934.

I. ADMINISTRATION OF THE LAW

1. In each of the several park regions throughout the State, one employee shall be duly authorized to see that the provisions of this law are enforced, and to issue permits for signs allowed by these regulations.

2. A survey shall be made of all signs near State parks and parkways and steps shall be taken as hereinafter provided to secure the removal of those in violation of the law, or the licensing of such as are not objectionable.

3. Periodic reports shall be made to the Commission on the enforcement of the law.

II. SIGNS REQUIRING NO PERMIT

Permits will not be required for the following classes of signs, providing they contain no advertising matter.

1. The name plate of a professional person, such as an engineer, architect, doctor, dentist or lawyer; or the name plate of a practitioner of some home occupation such as teacher of music, dancing or art, seamstress, etc., providing these signs are not larger than 12" x 24" and give in words only the name and profession or vocation of the person.

2. Temporary danger or warning signs, such as signs giving notice to the public of construction, excavation or blasting in the vicinity.

3. Legal signs forbidding trespassing or the dumping of refuse, etc., provided such signs are not larger than 12" x 12".

4. Necessary direction signs of a proper size and shape.

III. PERMISSIBLE SIGNS

Upon application revocable permits will be issued for signs of the following classes:

1. Real estate signs advertising the sale or letting only of the premises on which they are located, provided such signs are not larger than 12" x 24", face on a marginal or side street and are located at least 100 feet from the boundary line of the park or parkway. Not more than one such sign should be allowed for any one piece of property.

2. An advertising sign not larger than 6' x 10' fronting on a business street, zoned for business, when between the location of the sign, and the park or parkway, there are woods or buildings sufficient to obscure completely the sign from the view of patrons of the park or parkway.

In no case shall a permit be issued for a sign to be nailed to a tree, or a bridge, or to be painted or pasted on the side or roof of a building, or to be erected more than ten feet above the ground.

In zoned municipalities permits, if issued, shall be on the condition that the applicant obtains a building permit from the local zoning authorities.



IV. PROCEDURE

Existing Signs

1. When a survey of signs existing in violation of the law has been completed, letters shall be forwarded to the owners of these signs advising them that the signs must be removed within ten days of the date of the notice unless a permit has been obtained from the regional park commission under whose jurisdiction the sign is located. These notices will be sent by registered mail and an acknowledgment of receipt will be requested. If, upon receipt of an application for a sign, it is found that the sign does not comply with these regulations, then the permit will be refused and notice of such refusal given to the applicant in writing, by registered mail. Such notice of refusal will order the removal of the sign within ten days. If the sign is not removed within the time allowed, the matter will be referred to the police assigned to park patrol or to a local peace officer, who should handle the case in the same manner as a violation of the traffic law or of park ordinances.

New Signs

2. Requests for permits for new signs shall be made on a special form prepared for this purpose. This application form will require all information necessary to determine whether the sign complies with these regulations. No permit will be issued for any sign until an inspection of the proposed location has been made.

NAME OF APPLICANT

ADDRESS TELEPHONE

OWNER OF LAND ON WHICH SIGN WILL BE LOCATED

.

ADDRESS

PRESENT USE OF LAND

PROPOSED SIGN WILL BE LOCATED FEET FROM

. STATE PARK OR PARKWAY, ON

. STREET, AVENUE, BOULEVARD, ROAD, PLACE

SIZE OF SIGN TOTAL HEIGHT ABOVE GROUND

MATERIAL OF WHICH SIGN WILL BE CONSTRUCTED

COLOR OF BACKGROUND

COLOR OF LETTERING OR SYMBOL

SIGN WILL ADVERTISE:

AND WILL BE WORDED AS FOLLOWS:

.

.

THIS PERMIT IS REQUESTED FOR A PERIOD OF MONTHS

REMARKS

.

.

DATE:

Signature of Applicant

PROPERTY OWNER'S CONSENT:

Consent is hereby given for the erection of the above sign on my property.

.
Signature of Property Owner

Show on the reverse side hereof, a sketch of the proposed sign and also a sketch showing the location of the sign and the direction in which it faces.

XXXI. PRINCIPLES GOVERNING THE NEW YORK STATE PARK AND PARKWAY SYSTEM AND RULES FOR THE EXTENSION OF THE SYSTEM ADOPTED BY THE STATE COUNCIL OF PARKS, 1929

Principles Governing Parks

The State is committed to the development of a unified park system developed on a regional basis. There are eleven park regions including the forest preserve region. These park specifications apply to all regions except the forest preserve, the development of which is governed by totally different considerations. The State program for each region is based primarily upon scenic attraction and recreational needs. An even geographical distribution of "a park every 50 miles" or "a park for every county" is manifestly impossible on account of scenic, recreational and other requirements, and because it is fundamentally unscientific.

A park site should possess both conspicuous scenic and recreational value, or at least some scenic value and very unusual recreational possibilities.

By conspicuous scenic value is meant rare natural scenery which is unlikely to be preserved for enjoyment by the public of this and future generations if the property remains in private hands, and which is sufficiently distinctive to attract and interest people from distant parts of the State as well as local people.

By conspicuous recreational value is meant topography, trees, vegetation, streams, lakes or ocean shore, which will attract and interest people of a wide surrounding area and which would not be available to the public if the property remained in private hands.

In the absence of striking scenic value, this may be compensated for by very unusual recreational value such as is represented by a very fine bathing beach or by an exceptional location with respect to population centers and main arteries of travel.

The State Parks should be sufficient in number to meet the prospective demands of the people of each region over and above facilities which are or should be provided by local, city, county, town and village parks, and without requiring a state park budget which is unreasonable or excessive in the light of other financial demands.

XXXII. RULES GOVERNING THE ESTABLISHMENT OF ADDITIONAL STATE PARKS AND EXTENSION OF EXISTING PARKS.

Minimum area. Except in extraordinary cases the site should include not less than 400 acres of land well adapted for park use and development. Existing parks of smaller area should be extended to at least this minimum acreage.

Group of smaller units. In certain special cases, a group of smaller units may be desirable when the several sites are close enough together for a central management and it is not practical to acquire the land between units. This situation is illustrated by

the several sites comprising the Niagara Reservation. Even here the ultimate objective should contemplate the connection of these units by a parkway or wide boulevard under park management. Small units along a State parkway for parking or picnicking are always desirable.

Nearness to cities and large villages.

The site generally should be well beyond the limits of cities or large villages. A State park should be "out in the country," attractive to tourists and to the people of the State in general, or should serve a great metropolitan area.

The large park compared to smaller parks.

It is better to concentrate on one large fine park than to scatter efforts over a number of smaller parks in the same neighborhood.

Requirements for new parks to be increasingly strict.

The establishment of new parks must not be carried to an extent which will interfere with the proper development of existing parks. For this reason the requirements for new park sites must become increasingly strict. A State park should be developed in a dignified and substantial manner and park funds should not be scattered over so many sites as to result in partial or improper development.

Historic and scientific features.

The value of a State park site is enhanced if it contains historical and scientific features which are interesting and educational, but such factors are incidental and not controlling like scenic and recreational requirements.

Sites which are primarily historical and scientific should not be administered by the park authorities who lack the interest and knowledge to care for them. No new sites of this kind should be acquired, and those now in existence should be transferred to the Education Department as soon as the Legislature can make provision for a Bureau of Historic and Scientific Places in that department.

Type of land to be taken.

In general, the policy is not to take unattractive, open farm lands for park purposes, but to utilize property which cannot be farmed economically. However, this should not be construed to prevent taking necessary open lands to provide entrances, parking areas, recreational fields, etc., as adjuncts to the main park area.

Woods and water.

A site possessing a fair percentage of wooded area is to be preferred. A stream, lake or ocean shore with water of sufficient purity for bathing is practically indispensable. Parks without bathing facilities or the possibility of such facilities, or without water views are not desirable.

Cost of land.

The cost of land should be relatively low considering the section of the State in which the park site is located. Other things being equal, a site involving a small number of present owners is to be preferred.

Cost of development. The park site must eventually have entrance and other roads drinking water, sanitary facilities, central building, clearing of grounds, etc. A site which necessitates unusually large expenditures to provide for basic developments should be avoided.

XXXIII. RULES GOVERNING THE ESTABLISHMENT, EXTENSION AND DEVELOPMENT OF PARKWAYS.

Definition. A parkway is a narrow landscaped park with a pavement for motor vehicles running through it. Crossings at grade are eliminated and access is afforded only at fixed and specific entrances which are spaced a considerable distance apart and are not opposite each other.

Location. The State should establish parkways as distinguished from wide boulevards only through attractive country.

Width. In future the minimum width of a parkway right of way should be 300 feet. The average and maximum width, should, of course, depend upon topography, cost and other factors.

Crossings. No crossings at grade should be permitted, excepting over little-traveled roads, and even in the case of such roads, sufficient land should be acquired in the beginning for ultimate elimination. The question of whether a parkway should be elevated over a local or cross-road, or whether the local or cross-road should be elevated over the parkway should depend upon topography and cost. In flat country and especially in suburban centers every effort should be made to keep the parkway down. Other conditions being equal, the cost of elevating the parkway will be greater than the cost of elevating a narrower crossroad, but the damage to adjacent property may be greater in the latter case. Sufficient land should be obtained at crossings so that no private property will be damaged by the elevation and to afford adequate space for planting and landscaping and for entrances.

Entrances. Public entrances should normally be constructed in connection with the elimination of crossings. There should never be less than two entrances in connection with a crossing, and these should be diagonally opposite each other. Entrance roads should approach the parkway pavement as nearly as possible at right angles, and of course, at grade. Private entrances should be granted only where substantial dedications of rights of way are made by private owners, or where land is sold by such owners to the State at considerably below market price, or where the absence of such private entrances affecting a considerable acreage of land would work a real hardship on the owner.

- Pavements. The parkway should be paved with concrete or other hard surface pavement. In order to avoid the glare and the whitish coloring of concrete, a surface treatment with a dark emulsion may be used, or a coating of bituminous macadam or some other similar material may be added.
- Bridges. Bridges should be designed not only for strength but for appearance. Architects and landscape architects are fully as important in the design of parkway bridges as structural engineers.
- Planting. Planting and landscaping of parkways is fully as important as pavements and bridges. No State parkway should be constructed without assurance of adequate funds for planting and landscaping as well as for maintenance after the initial planting is done.
- Lighting. The lighting system on a parkway should be designed on the theory of silhouette illumination. The poles and fixtures should be appropriate and should blend with and fit into the landscaping and other parkway structures. The feed for the lighting system should be underground and no overhead wires of any description should be permitted.
- Structures. There should be no structures along a State parkway excepting those purely incidental to its normal use as a driveway. If any filling stations are authorized they should be attractive in appearance and constructed from appropriate designs.
- Zoning restrictions. The area adjacent to State parkway should be zoned wherever possible for the best type of private residences. This can be accomplished through cooperation with local governmental bodies. A State park commission entrusted with the care of parkways should follow every change in zoning ordinances affecting adjacent territory and all actions by the local board of appeals. Normally the State should attempt to have zoning restrictions established governing an area within at least 300 feet of the parkway. In some cases it may be found possible for the State to restrict adjacent private property by agreement with the owners, such restrictions to run with the land. This is a most desirable procedure where the owners will agree.
- Other restrictions. Normally all State parkways should be restricted to passenger cars other than buses. Only in the most exceptional cases should any other vehicles be permitted on the parkways.

Curves, grades,
walks, bridle paths,
etc.

Normally there should be no curve on a parkway with a radius of less than 1500 feet through flat topography; there should be no grade of more than 4 per cent through flat topography or of more than 6 per cent in rolling country. Wherever the right of way is sufficiently wide bridle paths and walks should be considered.

Adopted April 29, 1930

State Council of Parks

XXXIV. BUREAU OF STATE PUBLICITY.

Director.

Laws of 1935 created a Bureau of State Publicity, to be under the direct charge of the Commissioner of Conservation and who is directed to appoint a person to be known as Director of Publicity, to perform such duties as the Commissioner from time to time prescribes. The Commissioner may also transfer to such Bureau or assign to its work any employees of the Department and, subject to appropriations, may appoint or employ such other persons as he may find necessary for the work of the Bureau.

Functions of
Bureau.

The Commissioner, acting through the Bureau, is directed to

1. Collect, compile and distribute information and literature as to the facilities, advantages and attractions of the State, its historic and scenic points and places of interest, and the transportation and highway facilities;
2. Plan and conduct a program of information and publicity designed to attract tourists, visitors and other interested persons from outside the State to the State, and also encourage and co-ordinate the efforts of other public and private organizations or groups of citizens to publicize the facilities and attractions of the State for the same purposes.
3. Publicize the material and economic advantages of the State which render it a desirable place for business and residence.

In aid of his duties, the Commissioner may cooperate with the organizations and groups described in paragraph two in the preparation, dissemination and distribution of literature and other material published or collected by them, and may seek their cooperation in carrying out his publicity program.

XXIV. STATE PLANNING.

A State Planning Council was established by Laws of 1935, empowered and directed as follows:

- | | |
|-----------------------------------|--|
| Preparation of plans. | To prepare or cooperate with existing State departments and agencies in the preparation and coordination of plans and policies for State development and for the use and conservation of its resources insofar as such use, conservation or development may be appropriately directed or influenced by State agency; |
| Furnish advice. | Upon request, furnish advice or reports to any State officer or department on any problem falling within its duties, and may advise the Governor on programs for public improvements and the financing thereof; and on request of the Council, any State department or division or agency thereof, may be called upon to supply the Council with available information and plans in relation to proposed improvement projects or such other matters as it may require in connection with its work. |
| Cooperate with local commissions. | To advise and cooperate with municipal, county, regional and other local planning commissions within the State for the purpose of promoting coordination between State and local plans and development; |
| With the U.S. and States. | May confer and cooperate with the executive, legislative or planning authorities of the United States and neighboring States; |
| Adoption of measures. | May adopt such measures as may be calculated to promote public interest in and understanding of the problems of State planning, and to that end may publish and distribute copies of any plan or any report, and may employ such other means of publicity and education as it may determine; |
| General authority. | Shall have such other powers as may be necessary to enable it to carry out its duties under this or any other law and to promote State planning; |
| Cooperation by other departments. | The head of any department may be called upon for cooperation in the preparation of special surveys under the direction of the Council, and may assign temporarily to the division officers, experts or employees of his department or may direct any division or agency of his department to make any special study or survey requested by the Council. |

NORTH CAROLINA

I. STATE PARKS AND FORESTS.

- Jurisdiction.** State parks are under the jurisdiction of the Department of Conservation and Development (Acts of 1925).
- Objects of Department.** The objects of the Department are defined to be, by investigation, recommendation and publication, to aid
- In the promotion of the conservation and development of the State's natural resources;
- In promoting a more profitable use of lands, forests and waters;
- In promoting the development of commerce and industry;
- In coordinating existing scientific investigations and other related agencies in formulating and promoting sound policies of conservation and development; and,
- To collect and classify the facts as a source of information easily accessible to the public generally, setting forth the natural, economic, industrial and commercial advantages of the State.
- Board; members; appointment; terms.** The Department is administered by a Board composed of the Governor, as ex-officio Chairman, and twelve members by him appointed, with the advice and consent of the Senate, for six years. Terms of four members expire biennially. Members are reimbursed actual traveling expenses, and may be paid in addition a per diem of \$4 while in attendance on Board meetings (as amended 1927).
- Director.** The Governor appoints a Director, to be in charge of the work of the Department under the supervision of the Board. Such other personnel as is deemed necessary to carry on the work of the Department is appointed by the Director.
- Divisions.** Administrative divisions have been established within the Department as follows, each under the immediate jurisdiction of a Commissioner or other State Officer:

Division of Forestry

Sub-Division of State Forests and State Parks
Division of Water Resources and Engineering
Division of Geology and Mineral Resources
Division of Inland Fisheries
Division of Commercial Fisheries
Division of Game

| | |
|--|--|
| Powers and duties of Board. | Powers and duties of the Board are as follows (Acts of 1915, through 1935): |
| Regulate Department. | To control the work of the Department, making such rules and regulations as it may deem advisable to govern the work and duties of employees; |
| Investigate resources. | To make investigations of the natural, industrial and commercial resources of the State, and to take such measures as may be deemed best suited to promote the conservation and development of such resources; |
| Forest maintenance. | To have charge of the work of forest maintenance, forest fire prevention, reforestation, and the protection of lands and water supplies by the preservation of forests; |
| Investigate water supplies. | To make investigations of water supplies and water power, with recommendations and plans for promoting their more profitable use; and to take such measures as it may consider necessary to promote their development; |
| Surveys. | To examine, survey and map the geology, mineralogy and topography of the State, including their industrial and economic utilization; |
| Publish data. | Take such measures as it may deem advisable to obtain and make public a more complete knowledge of the State and its resources; cooperating with other departments and agencies of the State in obtaining such information; also to arrange and classify the facts derived from its investigation so as to provide a general source of information in regard to the State, its advantages and resources; |
| Cooperate with other agencies. | To arrange for and accept aid and cooperation from the United States Government bureaus and other sources as may assist in completing topographic surveys and in carrying out the other objects of the Department; also to cooperate with authorized agencies of the State; |
| Issue publications. | Cause to be prepared for publication reports and statements, with illustrations, maps and other descriptions, which adequately set forth the natural and material resources of the State; |
| Designated as State agency in cooperative matters. | Is delegated as the agency to represent the State in any agreements, negotiations and conferences with authorized agencies of adjoining or other States, or agencies of the Federal Government, relating to the joint administration or |

control over waters passing or flowing from one State to another;

Cooperate with counties, etc.

Is authorized to cooperate with the counties of the State in any surveys to ascertain the natural resources of the county; also with cities and towns, boards of trade and other like civic organizations in examining and locating water supplies, and in advising and recommending plans for other municipal improvements and enterprises;

Investigate waterways, etc.

Is designated as the official agency to investigate and cause investigations of the coasts, ports and waterways of the State, and to cooperate with agencies of the Federal and State governments and other political subdivisions in making such investigations;

Reports to Governor.

Is directed to prepare a report to be submitted by the Governor to each General Assembly, showing the nature and progress of the work and the expenditures of the Department;

Purchase forest and park lands.

Is empowered to purchase lands for State forests, educational, park and protection purposes, using any special appropriations or funds available;

Gifts of land.

May accept gifts, donations or contributions of land suitable for forestry and park purposes;

Acquire land from U. S.

May also accept as gifts to the State such forest and sub-marginal farm land acquired by the Federal Government as may be suitable for the purpose of creating and maintaining State controlled parks, forests, game refuges, public shooting grounds, lakes and other recreational areas; or to enter into long term leases with the Federal Government for such areas and administer them with such funds as may be secured from their administration in the best interest of long-time public use, supplemented by such necessary appropriations as may be made by the General Assembly;

Sell products; use of revenue.

To sell or dispose of products from such lands, using the revenue for acquisition, development and management purposes until all obligations have been paid in full. Thereafter 50% of all net profits accruing from administration are to be applicable for such purposes as the General Assembly may prescribe, and 50% is to be paid into the school fund to be used in the counties in which lands are located;

Sell or exchange lands.

May sell, exchange or lease lands under its jurisdiction when advantageous to the State to do so in the highest orderly developments and management of parks and forests, and

subject to the terms of any contract which it has entered into;

Rules and regulations.

May make reasonable rules for the regulation of the use by the public of all State forests, parks, lakes, game refuges and public shooting grounds;

Control of lakes.

Is vested with jurisdiction of all State lakes reserved from sale and dedicated for the use and benefit of all the people of the State;

Note: Acts of 1911 provide that White Lake, Black Lake, Waccamaw Lake, and any other lake in Bladen, Columbus or Cumberland counties, containing 500 acres or more, are never to be sold, but are to always be and remain the property of the State for the use and benefit of all the people of the State. Acts of 1929 further provide that all lakes belonging to the State having an area of 50 acres or more are to always be and remain the property of the State for the use and benefit of all the people of the State, to be administered as provided for other recreational areas owned or to be acquired.

Grants to certain area prohibited.

The Secretary of State is directed (Acts of 1935) to withhold grants to any and all vacant and unappropriated lands lying within or immediately adjacent to the boundaries of any and all national forest purchase areas; also to lands within or near State parks and forests, and such other areas as the Department may request, to be held for dedication to public use as State parks, forests, game refuges or other recreational areas; also to furnish the Department all available information on such tracts or parcels. The Department may then request the dedication of the lands to the State as parks, forests, game and wildlife refuges, or other type of economic or recreational areas;

Consolidation of publicly-owned parks.

Should the Department decide that the lands in question are too small or in other ways unsuitable for administration as State parks and forests, but are more suitable for the consolidation of public owned parks, etc., it may, upon approval of the Governor, direct the Secretary of State to issue a grant for said land to such agency as may have the direction and supervision over such publicly-owned parks, forests, etc. It may also enter into agreements with Federal or other public or private agencies for exchange of such lands for the purposes of consolidation.

Reservation of swamp lands.

When it is reported to the State Board of Education, after investigation by the Department, that any part of the lands now known as "swamp lands" should be retained and reserved from sale in the public interest because of the suitability

of the waters thereupon for ovster culture, or for game refuge, or for other purposes consistent with public use, the Board, if upon examination it is found that the reservation of the said lands for such purpose is proper and to the public interest, is to reserve the same and make such disposition as will best conserve the public interest, by lease or sale to the Department, as may be thought proper. Such lease or sale may be upon such terms as may be determined upon by the Board of Education; and, further, no lands now belonging to the Board upon which there is any natural oyster bed are to be subject to sale without first giving to the Department an opportunity to investigate and to report to the Board as to whether it is desirable to make a reservation thereof.

II. STATE LAND SURVEY - POLICY AND PROGRAM.

Use of vacant and unappropriated lands.

Acts of 1927 directed the Department to investigate and locate all vacant and unappropriated lands now subject to entry and grant and determine what parcels of land among them seem suitable for State parks, forests, game refuges or shooting grounds, and report the result of their investigation to the Governor, together with their findings thereupon, and such recommendations as to the disposition of the particular parcels of land within the meaning of the Act as they may determine best. If upon such report the Governor should determine that it is to the interest of the State that any particular parcel of such land should be devoted to such purposes, he is directed to recommend to the next succeeding session of the General Assembly the withdrawal of such parcel or parcels of land from entry, and upon publication of such proclamation such parcel or parcels of land are to be devoted to the public purpose designed and specified, under the administration of the Department.

Study of forest and shore lands.

Acts of 1929 further directed the Department to make a special study of the forest, cutover, open and shore lands of the State, and to report its finding to the Governor and succeeding General Assembly; it being the sense of the General Assembly that such State-owned forest and shorelands would not only be of great educational and recreational value, but would yield increasing revenue from the sale of timber and use of privileges. The Act formulated and endorsed a policy and program with respect to such lands, both privately and publicly-owned, as follows:

State policy and program.

(a) That such lands, as soon as possible, be brought up to and maintained at their highest productive use, for timber or other forest products, for recreation, education, stream protection or other public benefits;

(b) That the State should plan to retain, or acquire by gift or purchase, certain lands which might be classed as follows:

1. Forested or cutover land with young growth and some possibilities of production, suitable for State forests, for timber production, for demonstration in forestry methods, and for experiments in forest management. Such areas to be located in the different counties and containing the varied conditions of soil, drainage, climate, cover types and topography necessary for such public uses.
2. Lands suitably located and specially adapted for use as game refuges, public hunting grounds, and other uses contemplated in the game and inland fisheries laws.
3. Lands surrounding the State lakes which are or may be necessary for the proper administration of said lakes for the future protection of the public's interest.
4. Shore or marsh lands bordering the ocean, sounds or rivers specially suitable for wildlife refuges, public hunting grounds, camping or other public purposes.
5. Specially scenic areas containing waterfalls, high mountain peaks, unique forest or other growth, or other areas of outstanding interest or beauty of primary public value.
6. Lands containing unique historic or sentimental value, Indian mounds or early settlement.

III. PUBLIC HUNTING GROUNDS.

In addition to the use of public lands, or lands acquired by gift, as public hunting grounds, the Department is authorized (Acts of 1927, 1935):

Acquire by purchase, condemnation, etc.

To acquire by purchase, condemnation, lease, agreement or devise, and to develop and maintain the same, lands or waters suitable for the protection and propagation of game and for public hunting and trapping;

Exchange.

To consolidate by exchange lands or waters suitable for such purposes;

Reservations.

May also purchase or lease lands from which the ownership of mineral, oil or gas, and the right to mine or drill for the same, have been excepted.

Auxiliary public hunting grounds.

In order to improve hunting, to open to the public lands well stocked with game, and to give landowners some income through game protection and propagation, the Department is authorized to recognize, list and assist the owners in protecting their lands which are a part of the public hunting grounds under the provisions of the Game Law (Acts of 1935), subject to the following conditions and stipulations, and such rules as the Board may adopt for the regulating of the hunting grounds:

Minimum area.

The minimum area recognized is 1,000 acres;

Owners required to organize.

Owners of land included in a public hunting ground so formed must organize, adopt rules and regulations for the operation of the hunting grounds, and be recognized by the Department before such hunting grounds are put into operation;

Listing and posting of grounds.

The Department will list and assist in advertising such public hunting grounds, subject to its regulations and the State game laws, and will furnish at cost posters to be used in posting such lands. In case of withdrawal of recognition by the Department, the posters are required to be removed from the land affected within ten days after notice;

Licenses required; private fees.

Owners of public hunting grounds must require of all hunters the prescribed State hunting license, and may require a per day rate for hunting, to be approved by the Department, and not to exceed \$4; and in addition may charge a dog hire when landowners furnish dogs; when any group of owners of a public hunting ground decide to promote the hunting of certain kinds of game, the owners may charge hunting fees approved by the Board;

Regulations.

No hunter may quit the hunting grounds without seeing the authority and paying all accounts due; and no person may hunt or discharge firearms upon any such public hunting grounds without being accompanied by an authority, or after securing, on the day of the hunt, or day preceding the hunt, written permission to hunt, such permission to bear the name in full, age and address of the hunter, under penalty of being fined for such offense;

Cancellation.

When hunting grounds or any part thereof are used for purposes not consistent with Federal, State and local laws, the Department is required to withdraw recognition from the area or such parts thereof as are deemed advisable and report the case to the civil officials.

IV. GENERAL.

Federal E.C.W. reimbursement.

When and if upon the sale of State land or its products the Director determines that the State has derived a direct

profit as a result of work done under the Federal Emergency Conservation Work Act, one-half of the profit from the sale of such land, or from the sale of products therefrom, or such lesser amount as may be sufficient, is to be applied to or toward reimbursing the United States for monies expended by it under such Act to the extent and at the rate of \$1 per man per day, but not exceeding in the aggregate \$3 per acre (Acts of 1935).

Taxation.

State forests are subject to county taxes assessed on the same basis as are private lands.

Hunting prohibited in certain parks.

It is declared to be unlawful to hunt, trap, capture, willfully disturb, or kill any animal or bird of any kind whatever, or take the eggs of any bird within the limits of any park or reservation in that part of the State situated west of the main line of the Southern Railway running from Danville, Virginia, by Greensboro, Salisbury, Charlotte, and Atlanta, Georgia, for the protection, brooding, or keeping of any animals, game or other birds, including buffalo, elk, deer and such other animals or birds as may be kept therein, by any person or persons either in connection with the United States Government, or/and department thereof, or held or owned by any private person or corporation, without the permission or authority of the owner or manager of such association (Acts of 1921). Nor may any person carry a pistol, revolver or gun in any such park or reservation without first having obtained written permission to do so.

Rights of way for Federal parkways.

Acts of 1935 authorize the State Highway and Public Works Commission to acquire all rights of way and easements necessary to comply with the rules and regulations of the United States Government, for the construction of Federal parkways in the State; and to convey such title as acquired to the United States free and clear of all claims for compensation.

V. STATE PLANNING.

The State Planning Board was created by Acts of 1935, and is designated as an advisory agency of the State, under the direction of the Governor.

Duty.

The defined duty of the Board is to collect and arrange data concerning various projects in the State that in its opinion may constitute proper and useful projects for development within the scope of the various State or Federal agencies for which funds are now or may hereafter be made available; also to make investigations and to correlate information on all such matters as may be referred to it by the Governor or the various agencies of the State.

VI. PUBLIC USE REGULATIONS - STATE LAKES.

1. Waccamaw and the Bladen Lakes, including White, Singletary, Black, Jones, and Salters Lakes, are the property of the State and in charge of the Department of Conservation and Development. All of these lakes are wild-life sanctuaries, and the killing or taking of game or other birds and animals upon, in, or above any and all of them is unlawful. (The term "lake" includes the property up to high-water mark, whether covered with water or not.)
2. Waccamaw and White Lakes are used extensively by the public for recreation. No boat, canoe, or other water craft may operate, be, or remain upon these two lakes without having a proper license plate of the current year fastened and plainly showing upon the outside of the gunnel or stern.
3. Every gasoline or other internal combustion engine operated for propulsion of a boat must be equipped with a regular muffling device in good working order sufficient to prevent excessive or unusual noise. No person shall operate such engine or boat with the cut-out open or muffler removed except during a regularly organized daylight regatta.
4. No boat must be operated during the hours of darkness without an adequate light carried where it is plainly visible from all directions.
5. No speed boat or other boat traveling at high rate of speed must approach within 300 feet of any regular public or private bathing place except when approaching or leaving the boat landing, at which time the boat must be slowed down so that it is under full control.
6. No boat operated for profit may land at any pier without first having obtained the written permission of the permittee operating such pier.
7. Parties boating or bathing after midnight must maintain proper quiet.
8. Owners and operators of boats (licensees) will be held responsible for the behavior of the passengers, and the Department will look to them for the proper observance of all regulations governing the use of the lake.
9. The throwing of glass, tin cans, razor blades, or other dangerous material into the lake is strictly forbidden.
10. No garbage, offal, or other material which will pollute the water shall be thrown into the lake.
11. The erection or repair of docks, piers, pavilions, boat houses, bathing house, or other structures may not be made on the floor of any of the State lakes or floating upon it without a permit from the Department of Conservation and Development.
12. No existing dock or other structure may be maintained or operated either for private or commercial purposes without a special permit from the Department.

13. All piers, docks, or other structures upon the floor of or floating in the lake, if used for commercial purposes must in addition to the maintenance fee pay an annual operation fee.

14. In order to prevent so far as possible pollution of the water in White and Waccamaw Lakes, no permit will in the future be issued for the construction of any closed building in or on the floor of these lakes. Those already existing will be gradually removed as they fall into disrepair.

15. Fishing is encouraged in these State lakes, but the fishing regulations exhibited on a companion poster must be observed.

BY ORDER OF DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

Note: An attempt to enforce a recently enacted law prohibiting a speed limit in excess of 14 miles per hour for motor boats on White Lake was unsuccessful because no way was found to determine accurately the speed of boats on the lake.

VII. FISHING REGULATIONS IN STATE LAKES.

In order that the fish in this and other lakes owned by the State of North Carolina may be conserved and increased and the fishing for the people of the State thereby improved, making the lake more attractive as a recreation resort, the following regulations will be enforced by the State Department of Conservation and Development, which has charge of the administration of this and other State lakes:

1. No fish shall be caught or taken from this lake except with rod, line, and hook; line to be attached to rod, and rod held in the hand, except under special departmental permit.

2. No one fishing in this lake shall use more than one rod and line at one time, nor more than one hook to the line when natural bait is used.

3. No fishing shall be done after sunset or before sunrise during any season of the year. Night fishing is prohibited.

4. No one shall sell or offer for sale any fish taken in this lake.

5. No one person shall take more than a total of 20 fish of all kinds in one day. No person shall take in any one day more than the maximum number of fish of any kind or any fish less than the minimum size. Any and all fish accidentally taken smaller than the minimum size must immediately be returned to the water with the least possible injury to the fish. The hand must be wet before grasping the fish. The maximum number allowed and the minimum size limits of the principal lake fish are as follows:

| Kind of Fish | Maximum Number | Minimum Size |
|----------------------------------|----------------|--------------|
| Large-Mouth Black Bass | 6 | 12 inches |
| Goggle Eye and Crappy | 6 | 8 " |
| White Perch | 12 | 8 " |

| | | |
|--|----|----------|
| Red Fin or Raccoon Perch | 12 | 8 inches |
| Red Breast or Robin | 12 | 7 " |
| Blue Bream | 12 | 7 " |
| Grass Perch or Yellow Breast | 12 | 6 " |

6. In compliance with legislative action and the ruling of the Board of Conservation and Development, fishing will be allowed in these waters on Mondays, Fridays, and Saturdays during the breeding season from May 1 to June 10, 1932.

7. **TRIBUTARIES OF WACCAMAW LAKE.** In accordance with a ruling of the Department of Conservation and Development, the above regulations also apply to and will be enforced in Big Creek, First, Second, and Third Little Creeks, emptying into Waccamaw Lake as far up as boats can navigate, and in Waccamaw River from the North Carolina Lumber Company's trestle up to the lake.

8. No non-resident of the county shall fish in this lake or its tributaries without first having procured the legal State license. Such license must be kept about the person of the licensee while fishing, and must be exhibited upon request of the proper official. Said licensee must also wear the license button in accordance with State law. Under the State law a license is necessary for all non-residents of the county who fish with hook and line, rod and reel, or by casting.

9. Waccamaw Lake, White Lake, and the other State lakes are wild-life sanctuaries. No birds or mammals may be killed, trapped, or otherwise molested over, upon, or in these lakes. (The term "lake" includes all property below the high-water mark, whether covered with water or not.)

BY ORDER OF DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

VIII. REGULATIONS FOR BOATS ON WHITE LAKE.

1. No boat, canoe or other water craft may operate, be or remain upon the lake without having a license plate of the current year fastened and plainly showing upon the outside of the gunnel on bow or stern.

2. Application for license should be made to local warden of Department of Conservation and Development who will make charges as follows:

A. Boats, canoes, or other water craft propelled by oars, paddles, sails or motors (not including speed boats) capable of carrying not to exceed eight persons: Private 25¢; Commercial \$1.25.

B. All boats capable of carrying eight or more persons up to twenty persons, Private \$1.25; Commercial, \$5.25.

C. Boats carrying twenty or more persons; \$10.25 up.

D. Speed boats capable of carrying four persons or less, \$2.25. Speed boats capable of carrying more than four persons, \$5.25.

3.a. All boats carrying passengers for hire must be equipped with approved life-saving devices in accordance with State laws and regulations.

b. Every gas engine operated for the propulsion of a boat must be equipped with a regular muffling device in good working order sufficient to prevent excessive or unusual noise. No person shall operate such engine or boat with the cut-out open or muffler removed except during a regularly organized daylight regatta.

4. No boat must be operated during the hours of darkness without an adequate light carried where it is plainly visible from all directions.

5. All boats operating within 300 feet of any boat landing, dock, pier, or bathing place must be slowed down so that they are under full control.

6. No boat operated for profit may land at any pier without first having obtained the written permission from the permittee operating such pier.

7. Parties boating or bathing after midnight must maintain proper quiet.

8. Owners and operators of boats (licensees) will be held responsible for the behaviour of the passengers and the Department will look to them for the proper observance of all regulations governing the use of the lake.

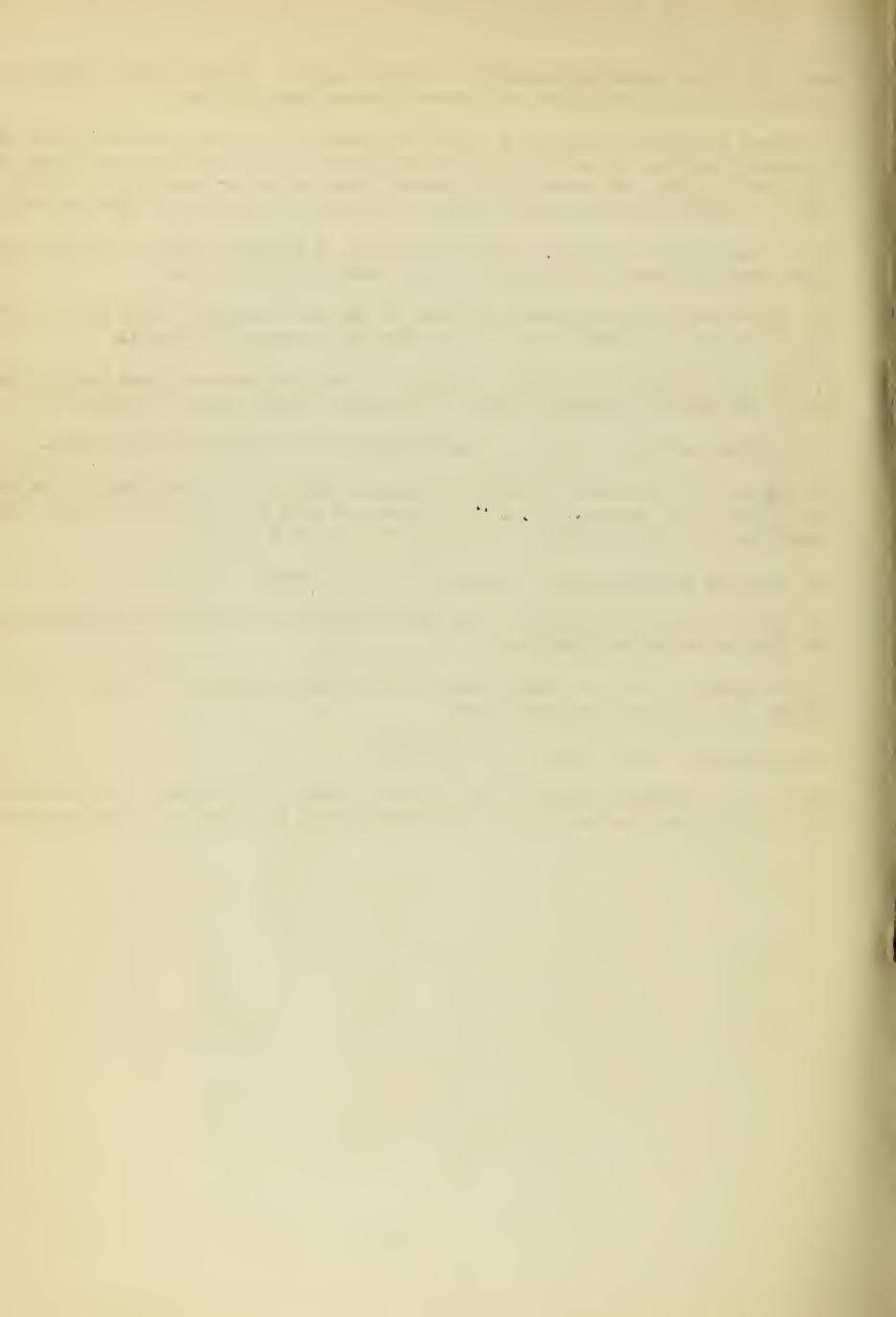
9. All boat permits expire December 31 of each year.

10. The throwing of glass, tin cans, razor blades or other dangerous material into the lake is strictly forbidden.

11. No garbage, offal or other material which will pollute the water shall be thrown into the lake from the boat.

BY ORDER BOARD CONSERVATION AND DEVELOPMENT

Note: The Department reserves the right to revoke any license if on investigation it is found that the licensee is violating any of the boat or fishing regulations.



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