National Park Service
U.S. Department of the Interior

Fort McHenry National Monument & Historic Shrine

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Superintendent's Compendium
Of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority.

Approved:

Tina Orcutt Date: 12-3-12
Tina Orcutt, Superintendent

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Fort McHenry National Monument and Historic Shrine. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours, public use limits, and closures are established:

Visiting Hours:

- The park, or a portion of the park, may be closed at any time for emergency or security reasons in order to protect the welfare of staff and visitors.
- Entering or remaining in the park outside of posted hours is prohibited.
- The park is closed to the public from 5:00 p.m. until 8:00 a.m. daily during the winter season and from 8:00 p.m. until 8:00 a.m. during the summer season. The date of the extended season hours is approximately Memorial Day through Labor Day and will be posted on the park website, main gate, and park events brochure.
- The park will be closed Thanksgiving Day, Christmas Day, and New Year's Day.

Public Use Limits:

- The maximum speed for bicycles and authorized vehicles on the Seawall Trail is 10 mph.
- To provide for public safety all persons and vehicles entering the park are subject to search for explosive or terrorist devices and illegal weapons.
- Competitive events are only permitted under a permit issued by the Superintendent in accordance with §2.50(a).

Closures:

- The seawall is closed to all entry into or exit from the park. Standing on, sitting on, boat docking, fishing from, launching watercraft, crabbing, swimming or beachcombing from the seawall is prohibited.

- All administrative roads are closed to motorized vehicles unless their operators have received appropriate authority from the Superintendent or his/her representative. This includes mopeds operating under power of a motor. Handicapped visitors are authorized to use motorized wheelchairs or segways in this area.

- Parking areas are closed to all buses other than those arriving loaded, with Fort McHenry NM&HS as a destination for their occupants.

- Parking areas are closed to all vehicles whose passengers leave the monument grounds for more than two hours.

- The Visitor Center, Star Fort, and grounds may be closed to entry by the general public carrying backpacks, daypacks, large handbags, packages, coolers, or other large containers. These items are subject to search and inspection for weapons or items hazardous to visitors or staff. These provisions addresses terrorist concerns following the attacks of September 11, 2001 and recent terrorist activity.

- The park is closed to the following activities:
    - Racing
    - Skating (including inline skating)
    - Skateboarding
    - Rock climbing
    - Model airplane flying
    - Volleyball, badminton, and other net games
    - Golf practice
    - Horseshoes
    - Lawn darts
    - Other games or activities that damage park resources or present public safety hazards
    - Competitive events are only permitted under a permit issued by the Superintendent in accordance with §2.50(a).

(a)(2) The following areas are designated for a specific use or activity and/or the following conditions or restrictions are imposed on a specific use or activity:

- For purposes of regulation of activities within the Historic Zone as indicated on the attached map, the historic zone will be defined as the following: "The area within the split rail fence encompassing the Star Fort." Within the Historic Zone, the following activities are prohibited:
    - Picnicking
    - Recreational Activities
    - Bicycling

- Kite flying is restricted to the West Lawn as indicated on the attached map. Kite flyers and kites must remain in this area. Kites may not be tied to any cultural resource, natural resource, or any other object or left unattended. Kites must be under the physical control of the operator at all times.

- Organized games or team sports such as baseball, softball, football, soccer and rugby, variations of such games or derivations of such games using frisbees or similar devices are prohibited except on the West Lawn.

- Bicycles are only permitted on paved surfaces and prohibited within the historic zone as designated on the attached map.

- Motor vehicles must shut down their engines when not underway. This condition is adopted from Maryland State Vehicle Code § 21-1101 -- Unattended motor vehicle.

(a)(3) The following restrictions, limits, closures, designations, conditions, or visiting hour restrictions imposed under §§(a)(1) or (2) have been terminated:

- N/A

36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit.

Applications for Special Use permits can be obtained by contacting the Permit Office:

Fort McHenry NM&HS
c/o: Permit Office
2400 East Fort Avenue
Baltimore, MD 21230
410-962-4290 x205.

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(a)(4) Using or possessing wood gathered from within the park area is prohibited.

(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archaeological or cultural resource, monument, or statue is prohibited except in designated areas.

(a)(7) Possessing or using a mineral or metal detector, magnetometer, side scan sonar, other metal detecting device, or sub-bottom profiler is prohibited.

Under § 2.1(a), collecting natural materials from the park is generally prohibited. However, pursuant to §2.1(c), the following fruits, nuts, berries or unoccupied seashells may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or possession and consumption restrictions:

- Crab apples, acorns, and pinecones may be gathered by hand from the ground for personal consumption. One peck per person per day may be gathered. Leaves and pinecones may be collected from the ground for educational purposes. Tree climbing is prohibited.

36 CFR §2.2 - WILDLIFE PROTECTION

(d) Removal of wildlife from the park or transportation of wildlife through the park is not allowed.

36 CFR §2.3 – FISHING

(a) Fishing is not allowed within the boundaries of the park.

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:

- Firearms are prohibited in federal facilities pursuant to 18 U.S.C. § 930. Federal facilities are defined as "buildings or parts thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties." Federal facilities are marked with signs at the public entrances.
- Park visitors who can legally possess and carry firearms under federal, state, and local law are allowed to carry them in the Park. The role of the responsible gun owner is to know and obey the federal, state, and local laws appropriate to the Park they are visiting. However, weapons cannot be used in the park except by authorized federal, state, or local law enforcement officers in the performance of their official duties.
- Traps and nets are prohibited except as permitted by the Superintendent or his/her designee.

(a)(2)(ii) Use of weapons, traps, or nets for target practice is not allowed within the park.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) Camping is not allowed within the boundaries of the park.

36 CFR §2.11 – PICNICKING

As listed in 36 CFR § 1.5 of this document, picnicking is prohibited within the Historic Zone (designated on the attached map) of the park.

36 CFR §2.12 – AUDIO DISTURBANCES

(a)(1) Idling bus engines when parked is prohibited.

(a)(2) Operating a power saw in developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine in undeveloped areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(4) Operating a public address system is prohibited, except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is prohibited, except when authorized by the Superintendent.

(a)(2) The use of stoves or lanterns is prohibited, except when authorized by the Superintendent.

36 CFR §2.14 – SANITATION and REFUSE

(a)(2) Using park refuse receptacles or facilities for dumping household, commercial or industrial refuse is prohibited.

(b) Conditions for the disposal, containerization, or carryout of human body waste have been established as follows:

- All waste must be disposed of in designated human waste facilities.

36 CFR §2.15 – PETS

(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following structures and/or areas is prohibited.

- Pets are not permitted in the Historic Zone. Pets may be walked in other parts of the park, including the Seawall Trail, but must be kept on a leash not to exceed six feet in length.
- Service animals are permitted in all public areas.

(a)(3) Leaving a pet unattended and tied to an object is prohibited.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- Owners/handlers shall place pet excrement in an appropriate refuse container.

(b) The use of dogs in support of hunting is not allowed within the park.

(e) Pets may be kept by park residents under the following conditions:

- Pets may be kept by residents of government quarters in accordance with park pet policy.

36 CFR §2.16 – HORSES and PACK ANIMALS

(b) The use of horses or pack animals is prohibited except with written permission from the Superintendent. No trails, routes, or areas are designated for their use.

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent through written authorization.

36 CFR §2.18 – SNOWMOBILES

(c) The use of snowmobiles is prohibited.

36 CFR §2.19 – WINTER ACTIVITIES

(a) Skiing, snowshoeing, ice skating, sledding, innertubing, tobogganing, and similar winter sports are prohibited on park roads and in parking areas open to motor vehicle traffic.

(b) The towing of persons on skis, sleds, or other sliding devices by motor vehicle or snowmobile is prohibited.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited.

36 CFR §2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking as noted:

- Smoking is prohibited within of all park buildings, including in the Star Fort buildings. Permanent employee residences are excluded.
- Smoking is prohibited immediately adjacent of any park building doors.

These restrictions are consistent with federal law and have been determined to protect park resources, reduce the risk of fire, and prevent conflicts among visitor use activities.

36 CFR §2.22 – PROPERTY

(a)(2) Leaving property unattended for longer than 24 hours is prohibited, except with the permission of the Superintendent.

36 CFR §2.23 – RECREATION FEES

(b) Recreation fees, and/or a permit, in accordance with 36 CFR part 71, are established for the following entrance fee areas, and/or for the use of the following specialized sites, facilities, equipment or services, or for participation in the following group activity, recreation events or specialized recreation uses:

Entrance Fee Areas:

- The 2004 Federal Lands Recreation Enhancement Act (FLREA) is the authority under which a recreation fee is authorized to be charged to enter the historic area of Fort McHenry National Monument and Historic Shrine.
- Visitors pass through a Visitor Center where each visitor is screened individually to determine their category for entrance fee purposes.
- Adult Daily Fee (16 years of age and older) - $7.00 – (Seven-day pass)
- Children (15 years of age and younger) – free
- Senior Pass – Lifetime - (62 years of age+) - $10.00
- Access Pass – Lifetime – free

- Federal Recreation Lands Annual Pass - $80.00
- Fort McHenry Annual Pass - $30.00
- 2012 Annual Pass – Active Duty Military – free
  This pass provides free entrance to all national parks for active-duty members of the U.S. military and their dependents.
- Entrance fees may be paid for and passes may be purchased using cash, personal check, commercial check, traveler's check, credit card, or voucher.
- Groups from recognized educational institutions whose visit is educational in purpose and related to its curriculum may be granted a waiver from the entrance fee. Such groups must go through an approved application process in advance of the visit to be granted a waiver.
- No entrance fee is charged to any visitor on National Public Lands Day, which is usually the last Saturday in September.
- No entrance fee is charged to United States Veterans, members of the Armed Forces, or their families on Veterans' Day, November 11.

Daily Site Use Fee Areas:

- Fort McHenry has no daily use fees apart from those which fall under the Special Use Permit

Special Recreation Permit Fee (Such as but not limited to, group activities, recreation events, and the use of motorized recreation vehicles):

- Special Use Permit Application Fee - $50
- Land use for parades, rallies, ceremonies, celebrations, pageants

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- The Historic Zone as designated on the attached map is closed to the consumption of alcoholic beverages and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed without approval of the Superintendent.

This closure is implemented following the determination that the consumption and possession of alcohol in the Historic Zone would be inappropriate considering other uses of the location and the purpose for which it is maintained and was established.

36 CFR §2.37 – NONCOMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR §2.38 – EXPLOSIVES

(b) Fireworks, firecrackers, and sparklers may be possessed and/or used in the following areas, under the conditions noted:

- Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit. When permitted, the use, possession, storage and transportation shall be in accordance with applicable Federal, state, and local laws.

36 CFR §2.50 – SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the Superintendent.

36 CFR §2.51 -- DEMONSTRATIONS

(b) Demonstrations of more than 25 people are allowed within designated park areas when the Superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- The West Field and the area east of the Visitor Center, as indicated on the attached map. These areas are in prominent view of the visiting public and will not interfere with public access to the park.

36 CFR §2.52 – SALE OF DISTRIBUTION OF PRINTED MATTER

(c) The sale or distribution of printed matter by 25 people or less is allowed within the park areas designated as available under §2.51(c)(2) (see above). The sale or distribution of printed matter by more than 25 persons is allowed within designated park areas when the Superintendent has issued a permit.

- These activities are also allowed in the West Field and the area east of the Visitor Center, as indicated on the attached map.

36 CFR §2.61 – RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.

36 CFR §2.62 – MEMORIALIZATION

(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit and according to the following conditions:

- A permit is required for the scattering of ashes from cremated human remains in the monument.
- The remains to be scattered must have been cremated and pulverized.
- The scattering of remains by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility, or body of water.
- No scattering of remains from the air is to be performed.
- No scattering of remains from the seawall is permitted.

36 CFR §3.3 – VESSEL PERMITS

No access to the park via water vessel is allowed except pursuant to the terms and conditions of a permit.

36 CFR §3.21 – SWIMMING AND BATHING

(a)(2) No access to the water for swimming, bathing, or other aquatic recreation is allowed from the park.

36 CFR §4.2 – STATE LAW APPLICABLE

(a) Unless specifically addressed by regulations in this chapter, traffic and the use of vehicles within a park area are governed by State law. State law is now or may later be in effect is adopted and made a part of the regulations in this part.

(b) Violating a provision of State law is prohibited.

36 CFR §4.21 – SPEED LIMITS

(b) The following speed limits are established for the routes/roads indicated:

- Main Road – 15mph
- Seawall Trail – 10mph

36 CFR §4.30 – BICYCLES

(a) The use of a bicycle is permitted on park roads and in parking areas that are otherwise open for motor vehicle use by the general public. As listed under 36 CFR § 1.5(a)(2) of this document, bicycles are prohibited in the Historic Zone.

(b) Bicycle use is permitted on the following administrative roads:

- Seawall Trail
- Orpheus Trail

(d)(3) Riding a bicycle abreast of another rider is not allowed in the park.

36 CFR §4.31 – HITCHHIKING

Hitchhiking or soliciting transportation is prohibited.

36 CFR PART §5.1 - ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

§5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas requires a permit, contract or other written agreement with the United States, or must be specifically authorized under special regulations.

§5.5 - COMMERCIAL PHOTOGRAPHY/FILMING

(a) Before any motion picture, television production, or sound track may be made within the park by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b)Taking photographs of vehicles, models, or other articles of commerce for the purpose of commercial advertising requires a written permit from the Superintendent.

36 CFR PART §5.6 - COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited, and requires permission or a permit issued by the Superintendent.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

Such activities, including the use of tents, canopies, and other ground penetration, are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

NPS Boundary
Federal Land
Restricted
Parking Areas
1st Amendment Area
1st Amendment Area
East Lawn
Restricted
Restricted
West Lawn
Picnic Area
2400 E Fort Ave, Baltimore, MD 2123
Historical Zone
Cherry Groves
Whetstone Point
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