

CODE OF FEDERAL REGULATIONS

TITLE 36, CHAPTER 1

Compendium of Designations, Closures, Request
Requirements and Other Restrictions imposed under the
discretionary authority of the Superintendent.

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, authorized by Title 16, United States Code, Section 3, the following regulatory provisions are established for the proper management, protection, government and public use of the portions of Stones River National Battlefield under the jurisdiction of the National Park Service.

Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1.



Superintendent

10.24.2011

Date

1.5 Closures and Public Use Limits

(a) (1) Stones River National Battlefield, Stones River National Cemetery and Visitor Center will remain open for public use from 8:00 a.m. to 5:00 p.m. The park may be accessed by pedestrian or non-motorized bicycle traffic from the Stones River Greenway until sunset. Parking is permitted at the Hazen Brigade Monument from 5:00 p.m. until sunset for pedestrian access to the main park tour road. The National Cemetery will remain open until 7:00 p.m. on Memorial Day. All park areas will be closed to the public at sunset.

(a) (1) The park tour road may be left open to vehicular traffic after 5:00 PM during months when sunset occurs well after that time. If the gate will be locked later, the closing times will be posted at the entrance to the park and in the visitor center.

(a) (1) The area across the Old Nashville Highway from the main Battlefield, used for the park maintenance operations and storage is closed to the general public.

(a) (1) Non-emergency repair of, or waxing and washing of motor vehicles is not allowed in areas open to the general public.

(a) (1) During emergency situations such as flooding, ice, snow, etc., park roads may be temporarily closed for short periods of time without advance public notice.

(a) (1) All areas under agricultural special use permits, shall be closed to the public during the growing season (between planting and harvesting), usually April through October. The period of closure is extended when winter crops are grown.

(a) (1) All cedar glades within the park are closed to the public.

(a) (2) Recreational activities including, but not limited to football, baseball, frisbee, sun-bathing or any like activity are not permitted on any portion of the Battlefield except an area set aside for incidental picnicking near the visitor center parking lot. Kite flying is not permitted within park boundaries.

(a) (2) Visitors may use area parking lots for their vehicles only while using the park area immediately adjacent to the lot with exception of visitors accessing the Stones River Greenway from the Artillery Monument, Redoubt Brannan and Fortress Rosecrans. Parking at the tour stop lots will be limited to 15 minutes. Visitors may park in the Hazen Brigade Monument lot to access the main battlefield by foot or bike after 5:00 p.m., and they may park in the lot at Fortress Rosecrans until dark to access the earthwork's trail or the Stones River Greenway.

(a) (2) Parking is not permitted in front of any closed access gate nor at the intersections of Van Cleve Lane (closed road) with the Old Nashville Highway and Wilkinson Pike.

(a) (3) Individuals with mobility disabilities may use any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility

disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair on all paved trails and roadways.

Individuals may not use the above described devices on the boundary trail and must yield the right of way to vehicles on the park tour road.

Section 1.6 Permits

(c) In accordance with Title 36 CFR 1.7, the following Special Park Uses require a permit:

- Collecting Research Specimens in accordance with 36 CFR 2.5
- Special events that meet the requirements of 36 CFR 2.50
- Public assemblies, religious services, and other exercises of First Amendment Rights in accordance with the provisions of 36 CFR 2.51 (see below)
- Sale or distribution of printed matter in accordance with the provisions of 36 CFR 2.52 (see below)
- Display of commercial notices or ads in accordance with 36 CFR 5.1
- Business operations in accordance with 36 CFR 5.3
- Commercial photography in accordance with 36 CFR 5.5
- Any construction on Federal property in accordance with 36 CFR 5.7
- Memorialization or scattering of human ashes in accordance with 36 CFR 2.62

Applications for permits can be obtained from the Superintendent upon request. Applications must be submitted so as to reach the Superintendent within 72 hours of the event, but at least 2 weeks notice will allow a more thorough consideration of the application. Permit applications not accompanied by the proper, non-refundable application fee will not be processed. Applications for Public gatherings and other protected rights will not require a fee.

Permittees will be required to compensate the National Park Service for all administrative, monitoring, and restoration costs associated with the permit; except for permits issued for the exercise of protected rights. Fees for the use of NPS lands and facilities may also be charged when appropriate according to Director's Order-53 *Special Park Uses*.

Section 2.1 Preservation of Natural, Cultural and Archeological Resources

(a) (5) Walking upon, climbing, ascending, descending, traversing all earthworks, cannons, cannon carriages, wagons, monuments are prohibited.

(b) Short-cutting on trails and use of unauthorized trails prohibited. A map of authorized trails is on the park brochure.

(c) (1) The following may be gathered by hand for personal use or consumption (not for commercial use):

- Blackberries
- Muscadine
- Wild Plums
- Rose Hips
- Passion Flower Fruit
- Stag Horn Sumac Berries
- Walnuts
- Hickory Nuts
- Acorns
- Pine cones
- Magnolia Seed Pods
- Mustard Greens

(c) (2) Gathering of the items listed above is restricted to areas along authorized trails (see Section 2.1 (b)).

Section 2.2 Wildlife Protection

(b) (2) Hunting and trapping are not permitted.

(e) The viewing of wildlife with an artificial light source is prohibited in all park areas.

Section 2.3 Fishing

Fishing is permitted in Stones River and shall be in accordance with Tennessee State Fishing Regulations and restricted to areas that can be reached using authorized trails.

Section 2.4 Weapons, Traps, and Nets

In accordance with **P.L. 111-24 Section 512**, members of the public with valid concealed carry permits, may carry loaded weapons (as prescribed by their permit) in the park. Firearms are not permitted in federal buildings, and the use of firearms is prohibited within the park.

Carrying or possession of traps or nets is prohibited, except for employees, agents or cooperating officials in the performance of their official duties. The superintendent may permit NPS personnel and Volunteers-in-the-Parks to carry approved, reproduction Civil War period shoulder weapons, side-arms, swords and belt knives while participating in living history programs.

Section 2.10 Camping and Food Storage

Recreational camping is not permitted on the Battlefield. Living history encampments are permitted at designated sites in conjunction with an approved living history program.

Section 2.11 Picnicking

Picnicking is permitted only in the designated area adjacent to the parking lot near the visitor center. Picnic tables are available. Picnicking is prohibited at all other locations.

Section 2.13 Fires

(a) (1) Charcoal fires in self-contained grilling devices made for such purpose are permitted in the picnic area. Ashes must be cooled and placed in a trash receptacle.

Ground fires (fire pits) are permitted only for interpretive living history encampments at a location approved by the Superintendent or the designee.

- (b) All fires shall be completely extinguished prior to the user leaving the area.
- (c) Upon receiving notice from the Tennessee Forestry Division and without prior public notice, all fires are prohibited during times of high fire danger.

Section 2.15 Pets

- (a) (1) No pets are permitted in the park Visitor Center, except Hearing-Ear and Seeing-Eye Dogs.
- (a) (2) Pets must be crated, caged or restrained on a leash not exceeding 6 feet at all times in the park.
- (a) (3) Leaving a pet unattended and tied to an object is prohibited.
- (a) (5) Pet owners must properly dispose of all pet excrement from the landscaped grounds that surround the Visitor Center, all mowed areas near the parking lots, all parking areas, and on or along all trails. Excrement must be disposed of by placing it in adjacent woods or bushes at least 15 feet from any of the previously mentioned areas.
- (d) Animals found running loose or wild in the park without any identification will be turned over to the Rutherford County Rabies Control/Humane Society.
- (e) Pets may be kept by park employees residing within the park residential area in accordance with the Park Quarters Policy.

Section 2.16 Horses and Pack Animals

- (g) Horseback riding is prohibited in the park. Horses, horseback riding, and pack animals may be used by volunteers-in-the-Park engaged in approved living history demonstrations when this activity is determined to be an essential part of the program.

Section 2.20 Skating, Skateboards, and Similar Devices

The use of skateboards, roller skates, and other coasting devices are prohibited on all park roads, trails, and parking areas.

Section 2.21 Smoking

- (a) Smoking is prohibited in all park buildings and within 50 feet of the powder magazine or gas pumps. Smoking is **not** permitted in park quarters.

Section 2.35 Alcoholic Beverages and Controlled Substances

- (a) (3) Consumption of alcoholic beverages is permitted only in the designated picnic area near the visitor center.

Section 2.51 Public Assemblies, Meetings

- (a) Groups of ten people or less will not be required to obtain a permit for a public gathering. Individuals or small groups may exercise their First Amendment rights provided that all other requirements of this section are met including use of the designated area(s) for public gatherings and distribution of printed matter.
- (e) The designated areas for public gatherings have been designated as the mown areas adjacent to the picnic area.

Sunrise, religious services may be held at the McFadden Farm Unit provided that services will end before 7:30 a.m., and that adequate arrangements have been made to provide parking for large groups.

Section 2.52 Sale or Distribution of Printed Matter

- (a) Groups of ten people or less will not be required to obtain a permit for distribution of printed matter. Individuals or small groups may exercise their First Amendment rights provided that all other requirements of this section are met including use of the designated area(s) for public gatherings and distribution of printed matter.

All individuals or groups must obtain a permit to sell printed matter.

- (e) The designated area for sale or distribution of printed matter has been designated as the mown picnic area adjacent to the visitor center parking lot (see attached map).

Section 4.21 Speed Limits

(b) The maximum speed limits on all public roads in the park are posted.

Section 4.30 Bicycles

(d) Bicycles may be ridden in accordance with Tennessee State law on all paved park roads. Bicycles are prohibited on walkways around the visitor center and tour stops, and all park trails.