

# STATE PARK SERVICE RULES AND REGULATIONS

(R566 H2740)

**An Act To Amend 554 Of 1978, Relating To Unlawful Acts At Parks under The Jurisdiction Of The South Carolina Department Of Parks, Recreation And Tourism, So As To Provide For Certain Authority Of Park Rangers, Superintendents And Other Officials At Such Parks, To Further Provide For Acts Which Shall Be Unlawful At Such Parks, To Provide Penalties For Violations, And To Provide That Information Concerning Such Prohibited Acts Shall Be Published And Displayed In Conspicuous Places So As To Be Available For Visitors And Employees.**

Be it enacted by the General Assembly of the State of South Carolina:

## **Unlawful acts in state parks**

“SECTION 1 of Act 554 of 1978 is amended to read:

Section 1. It shall be unlawful for any person to commit any of the following acts at any park or facility under the jurisdiction of the Department of Parks, Recreation and Tourism:”

- (A) Destroying, defacing, disturbing, disfiguring or removing any part of any building, sign, structure or equipment.
- (B) Killing, harming or harassing any mammal, bird, reptile or amphibian, except by permit issued by the Department or by permit issued by the South Carolina Wildlife and Marine Resources Department for designated Game Management Areas.
- (C) Hunting in any area, with the exception of those that may be designated as Game Management Areas.
- (D) Destroying, cutting, breaking, removing, defacing, mutilating, injuring, taking or gathering any tree, shrub, other plant or plant part, rock, mineral or geological feature except by permit issued by the Department.
- (E) Building any fire in any place other than those specifically designated for such a purpose.
- (F) Disposing of litter, garbage or other refuse in places or receptacles other than those specifically provided for such purpose. Such unlawful disposing of litter, garbage or refuse shall include:
  - (1) Dumping any refuse or waste from any trailer or other vehicle except in places or receptacles provided for such use.
  - (2) Cleaning fish or food, or washing clothing or articles for household use in any sink or at any faucet located in restrooms.
  - (3) Polluting or contaminating any water used for human consumption.
  - (4) Using park refuse containers or facilities for dumping household or commercial garbage or trash brought as such from private property.
  - (5) Depositing, except into receptacles provided for that purpose, any body waste, or depositing any bottles, cans, clothes, rags, metal, wood, stone or other damaging substance in any fixture in any restroom or other structure.
- (G) Possessing any firearm, airgun, explosive or fireworks except by duly authorized park personnel, law enforcement officers or persons using areas specifically designated by the Department for use of firearms, airguns, fireworks or explosives. Licensed hunters may have firearms in their possession during hunting seasons provided that such firearms are unloaded and carried in a case or the trunk of a vehicle except that in designated Game Management Areas where hunting is permitted, licensed hunters may use firearms for hunting in the manner authorized by law.
- (H) Operating vehicles in a reckless manner, or in excess of posted speed limits, or in areas other than those specifically intended for vehicular traffic. A violation of the following provisions shall constitute the unlawful operating of vehicles:
  - (1) Motorbikes, minibikes, mopeds, motorcycles, motor scooters, go-carts and any other type motorized vehicle shall not be driven in any area or on any trail not intended for their use. Only licensed motorized vehicles shall be allowed on park roads.
  - (2) No motorized vehicle of any kind shall be allowed on horse trails, hiking trails or beach areas.
  - (3) Motor vehicles shall not be driven on roads in developed recreation sites for any purpose other than access into or egress out of the site.
  - (4) No motorized vehicle of any kind shall be operated at any time without a muffler in good working order, or in such a manner as to create excessive or unusual noise or annoying smoke, or using a muffler cut-off, by-pass or similar device.
  - (5) No person shall excessively accelerate the engine of a motor vehicle or motorcycle when such vehicle is not moving or is approaching or leaving a stopping place.
  - (6) Vehicles shall not be permitted in a cabin or camping area unless the operator thereof is a registered guest within the area, except for the expressed intent of renting such area or with prior permission of authorized park officials.
- (I) Using privately owned boats or gasoline motors on any waters lying wholly within the boundaries of the park or facility, except in water where specifically authorized, and in such case boat users shall obey all posted rules and regulations.
- (J) Consuming or displaying in public any beverage of alcoholic content, including beer and wine, except where specifically authorized by the Department.
- (K) Acting in a disorderly manner or creating any noise which would result in annoyance to others. Acting in a disorderly manner shall include inciting or participating in riots, or indulging in boisterous, abusive, threatening, indecent or disorderly conduct. In addition to other authorized penalty provisions anyone in violation of this subsection may be ejected from the park and shall not be entitled to a refund of any fee or rental.



- (L) Entering or remaining within the limits of the park or facility while in an intoxicated or drugged condition.
- (M) Operating or using any audio device, including radio, television, musical instruments or any other noise producing devices, such as electrical generators, and equipment driven by motor engines, in such a manner and at such times as to disturb other persons and no person shall operate or use any public address system, whether fixed, portable or vehicle mounted, except when such use or operation has been approved by the Department.
- (N) Engaging in or soliciting business within a park or facility except where authorized by the Department and no person shall distribute, post, place or erect any bills, notices, paper or advertising device or matter of any kind without consent of the Department.
- (O) Swimming in areas not designated for that purpose and failing to obey all posted rules while swimming.
- (P) Bringing a dog or any other animal into the park or facility unless it is crated, caged or upon a leash not longer than six feet or otherwise under physically restrictive control at all times. For this purpose:
  - (1) No person shall keep in the park or retain in the park a noisy, vicious or dangerous dog or animal or one which is disturbing to other persons after he has been asked by a park official to remove such animal.
  - (2) No person shall bring saddle, pack or draft animals into a site which has not been developed to accommodate them.
- (Q) Entering a facility or area without regard to restrictions on public use. These restrictions on public use shall include the following provisions and violation of such provisions shall be considered to be a violation of this subsection:
  - (1) Parks shall be open during daylight hours except where otherwise specifically authorized and no person shall be admitted to or allowed to remain in the park after the designated closing hour except for the purpose of cabin rentals or camping unless such person has permission of the Department.
  - (2) No person shall make, use or gain admittance to or attempt to use or gain admittance to facilities within any park, for which a charge is made, without paying the fee.
  - (3) No person shall remain within any facility if he refuses to pay the required fee to enter and use the facility or service in a posted, designated fee area.
  - (4) No person shall enter any park or any park area or facility when it is closed to the public.
  - (5) No person shall willfully provide erroneous information for any campsite or cabin registration.
  - (6) Minors under eighteen years of age shall register for a cabin or campsite only as agents acting for their parent or guardian.
  - (7) No person or persons shall occupy a campsite for a consecutive period longer than fourteen days without permission from the Department.
  - (8) No person or persons shall occupy a cabin or lodge room for a consecutive period longer than seven days without permission from the Department.”

## **Park rangers, etc., powers**

SECTION 2. Act 554 of 1978 is amended by adding:

“Section 1A. Park rangers, superintendents, and other officials, who shall be designated by the Department of Parks, Recreation and Tourism and who have been appointed by the Governor as state constables, shall in the exercise of their duties have the following authority:

- (A) Each designated park ranger, superintendent or other official shall have the authority to issue an official summons to any person apprehended for violating any law, the enforcement of which by a state constable is authorized by law, and such summons duly served shall give the proper judicial official jurisdiction to dispose of the matter after trial upon the date set in the summons.
- (B) When any person is apprehended by a designated park ranger, superintendent or other official upon a charge of violating any law, the enforcement of which by a state constable is authorized by law, the persons so being charged, upon being served with the official summons issued by such arresting officer and in lieu of being immediately brought before the proper judicial official to enter into a formal recognizance or make direct the deposit of a proper sum of money in lieu of a recognizance or incarceration, may deposit with the apprehending officer a sum of money as bail, not less than the minimum nor more than the maximum fine but in no case to exceed the sum of two hundred dollars. Such sum shall be turned over to the judicial official as money for bail, in lieu of entering into a recognizance for his appearance for trial as set in the aforesaid summons or being incarcerated by the arresting officer and held for further action by the appropriate judicial official. A receipt for such sum so deposited shall be given to such person by the arresting officer. The summons duly served as herein provided shall give the judicial official jurisdiction to dispose of the matter. Upon receipt of the fixed sum of money, the arresting officer may release the person so charged for his further appearance before the proper judicial official as provided for and required by the summons.”

## **Penalties**

SECTION 3. Section 2 of Act 554 of 1978 is amended to read:

“Section 2. Any person violating the provisions of Section 1 of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars nor more than two hundred dollars or imprisoned for not more than thirty days. “

## **“Prohibited acts to be published and displayed”**

SECTION 4. Act 554 of 1978 is amended by adding:

“Section 2A. The articles and acts prohibited by Section 1 of this act shall be published and displayed in conspicuous places so as to be available for visitors and employees.”