

## After Hours Use Policy for DuPont State Recreational Forest

November 2014

**Definition of After Hours Use:** legitimate activities on the Forest between the hours of 10 p.m. and 5 a.m. that do not violate the most current version of State Forest Rules (Title 2 of NC Administrative Code, Sub-chapter 60 B , subsections .1000-.1033). In addition to compliance with Forest Rules, After Hours uses will primarily be activities that require moving from one location in the Forest to another. Activities that are particularly dangerous or promote Forest Rule violations during the night-time will be ineligible with the After Hours permit.

Examples of legitimate activities:

- Biking
- Hiking
- Horseback riding
- Other Approved Trail Use
- Photography

Examples of activities **not eligible** for an After Hours permit:

- Camping
- Swimming and wading in lakes, rivers, and streams
- Cooking
- Shelter or Facility Use
- Boating
- Fishing
- Use of Motorized Vehicles
- Commercial Use

The Forest Supervisor or a NCFS designee will determine what activities will be permitted. Activities not typically allowed under an After Hours permit may be considered under a Special Use permit or Commercial Use permit.

### **Permit Application**

- (1) Email application to [afterhours.dsrf@ncagr.gov](mailto:afterhours.dsrf@ncagr.gov)
- (2) Applications will be processed in order received. At least 48 hours will be required from emailed application and issuance of authorized permit. Expectation should be that no more than 10 permits can be processed within a week.
- (3) Incomplete applications will be returned and will lose order-received status.
- (4) Approved permit will be emailed to permit holder and printed by permit holder.
- (5) Permit holder needs to sign and date the permit to be valid.
- (6) Persons accompanying permit holder will display copy of valid permit in vehicles parked on DSRF.

**Permit periods** - Permits will be valid for one (1) year from date of issuance. Permit holder is responsible for applying for renewal within 30 days of permit expiration.

**Multiple Users per Permit** – Up to three (3) additional users may be eligible under the permit and accompany the permit holder. Named permit holder must be present and within the immediate vicinity of the group while on the Forest. The permit holder will be held responsible for the actions of all persons on DSRF under the permit.

**Permit Display and Possession**- An authorized permit must be displayed on the dashboard of the front windshield of vehicles parking in Forest Access Areas or anywhere on DSRF property. Permits will be placed face-up so that Forest Rangers and sworn law enforcement officers can read the information on the permit. Vehicles in the Forest after 10 p.m. without a permit are subject to having vehicle information recorded and reported to local law enforcement agencies.

A copy of the After Hours Use Permit must be:

- in the possession of permit holder while on DSRF
- provided for inspection upon request by DSRF Rangers, NCDA&CS officials, or other sworn law enforcement officers.
- prominently displayed in vehicle of permit holder and the vehicles of users accompanying the permit holder

**Consequences of Failure to Comply with Permit Conditions:** Failure to comply with After Hours permit conditions shall be grounds for immediate permit revocation and be grounds for denying future permit applications. Permit revocations will be documented in writing by the Forest Supervisor or his designee. Failure to obtain permit and use the Forest between 10 p.m. and 5 a.m. is a violation Forest Rule “Hours of Operation” (02 NCAC 60B, .1031), which is a Class III Misdemeanor.

#### **Permit Conditions**

1. The permittee and participants will be familiar with and abide by the DSRF Administrative Rules.
2. The permittee agrees to exercise the privileges granted in this permit, subject to the supervision of representatives from the NC Department of Agriculture and Consumer Services and the NC Forest Service.
3. The permittee agrees to comply with Federal Laws and regulations and all the laws, ordinances and regulations of the State and County.
4. The permittee is responsible for removing all trash generated by the activities. Garbage must be removed from the forest.
5. No building or structure shall be altered, erected or constructed except as specified in the permit.
6. The permittee shall use said premises only for authorized recreational purposes, and shall not operate any concession or profit making enterprise, which involves sales to the general public, unless authorized by a Commercial Use permit.
7. The permittee shall not transfer or assign this permit, nor sublet said premises or any part thereof or grant use of any part of this permit to any person(s) not subject to this permit.
8. The Permittee shall and hereby does waive and release any and all claim against the State of North Carolina, the NC Department of Agriculture and Consumer Services, the NC Forest Service or its employees for any and all damages, loss, cost to person or property arising either directly or indirectly from the use of said premises and/or the exercise of privileges granted by this permit.

9. Permits are not valid until an authorized and signed copy is in possession of the permit applicant.
10. Permits may be terminated in writing by the Forest Supervisor prior to the expiration date, if the permit holder or user accompanying the permit holder do not follow the terms of the permit or other reasons.