



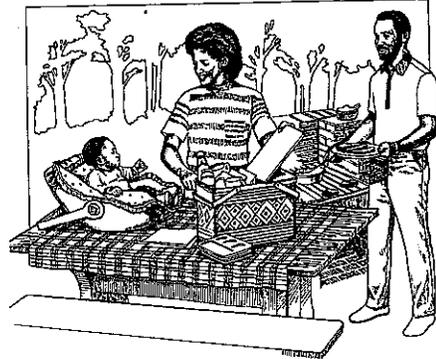
United States Department of Agriculture

Forest Service

Southwestern Region

PR-R3-16-3

# Regulations Governing the Occupancy and Use of Developed Sites on National Forests and Grasslands



## Introduction

---

The Secretary of Agriculture's regulations (36 C.F.R. 261) provide in part for regulating the occupancy and use of developed recreation sites. A violation of these regulations is a Class B Misdemeanor subject to penalty of not more than \$5,000 or 6 months imprisonment, or both.

These regulations have been made by the Secretary of Agriculture to increase the overall enjoyment of recreation in the national forests and national grasslands. They are common sense rules meant to control actions that cause damage to natural resources, property and facilities, as well as actions that cause unreasonable disturbance or pose safety concerns for national forest and grasslands visitors. Observances of these rules make your visit and the visits of others more safe, pleasant and enjoyable.

Additional rules may be established at individual developed sites where determined necessary by the regional forester or forest supervisor.

Such rules will be established by an order that is posted in such locations and in such a manner as to reasonably notify the public of the prohibition.

It is incumbent upon forest users to become aware of additional rules.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TTY). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

## Definitions

---

The following definitions—which appear in 36 C.F.R. 261.2—apply to all regulations in this publication.

**Campfire** means a fire, not within any building, mobile home, or living accommodation mounted on a motor vehicle, which is used for cooking, personal warmth, lighting, ceremonial, or esthetic purposes. **Fire** includes campfire.

**Camping** means the temporary use of National Forest System lands for the purpose of overnight occupancy without a permanently-fixed structure.

**Camping equipment** means the personal property used in or suitable for camping, and includes any vehicle used for transportation and all equipment in possession of a person camping. Food and beverage are not considered camping equipment.

**Developed recreation site** means an area which has been improved or developed for recreation.

**Forest officer** means an employee of the Forest Service.

**Motorized equipment** means any machine activated by a nonliving power source except small battery-powered handcarried devices such as flashlights, shavers, Geiger counters, and cameras.

**Motor vehicle** means any vehicle which is self-propelled, other than:

- (1) A vehicle operated on rails; and
- (2) Any wheelchair or mobility device, including one that is battery powered, that is designed solely for use by a mobility-impaired person for locomotion and that is suitable for use in an indoor pedestrian area.

**National Forest System road.** A forest road other than a road which has been authorized by a legally documented right-of-way held by a State, county, or other local public road authority.

**National Forest System trail.** A forest trail other than a trail which has been authorized by a legally documented right-of-way held by a State, county, or other local public road authority.

---

**Person** means natural person, corporation, company, partnership, trust, firm, or association of persons.

**Permission** means oral authorization by a forest officer.

**Permit** means authorization in writing by a forest officer.

**State law** means the law of any State in whose exterior boundaries an act or omission occurs regardless of whether State law is otherwise applicable.

**Stove fire** means a campfire built inside an enclosed stove or grill, a portable brazier, or a pressurized liquid or gas stove, including a space-heating device.

## Prohibited Acts

---

The following represents a partial listing of acts prohibited on recreation sites on national forests and national grasslands. All of the regulations are published in Title 36 of the Code of Federal Regulations (C.F.R.) and copies of the same are on file at all forest supervisor and district ranger offices. The reference to the particular C.F.R. section is in parenthesis following each listing.

### Sanitation

Failing to dispose of all garbage, including any paper, can, bottle, sewage, waste water or material, or rubbish either by removal from the site or area, or by depositing it into receptacles or at places provided for such purposes. (261.11(d))

Cleaning or washing any personal property, fish, animal, or food, or bathing or washing at a hydrant or water faucet not provided for that purpose. (261.16(c))

Placing in or near a stream, lake, or other water any substance which does or may pollute a stream, lake, or other water. (261.11(c))

Depositing in any toilet, toilet vault, or plumbing fixture any substance which could damage or interfere with the operation or maintenance of the fixture. (261.11(a))

Depositing any body waste except into receptacles provided for that purpose. (261.16(p))

Dumping of any refuse, debris, trash or litter brought as such from private property or from land occupied under permit, except, where a container, dump or similar facility has been provided and is identified as such, to receive trash generated from private lands or lands occupied under permit. (261.11(e))

Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition. (261.11(b))

### Operation of Vehicles

Operating or parking a motor vehicle or trailer except in places developed or designated for this purpose. (261.16(m))

Operating a bicycle, motorbike, or motorcycle on a trail unless designated for this use. (261.16(n))

Operating a motorbike, motorcycle, or other motor vehicle for any purpose other than entering or leaving the site. (261.16(o))

Placing a vehicle or other object in such a manner that it is an impediment or hazard to the safety or convenience of any person. (261.10(f))

Failing to stop a vehicle when directed to do so by a Forest Officer. (261.10(m))

Blocking, restricting, or otherwise interfering with the use of a road, trail, or gate. (261.12(d))

### Building Fires

Building, attending, maintaining, or using a fire outside of a fire ring provided by the Forest Service for such purpose or outside of a stove, grill or fireplace. (261.16(b))

Leaving a fire without completely extinguishing it. (261.5(d))

### Camping

Occupying between 10 p.m. and 6 a.m. a place designated for day use only. (261.16(e))

Failing to remove all camping equipment or personal property when vacating the area or site. (261.16(f))

Placing, maintaining, or using camping equipment except in a place specifically designated or provided for such equipment. (261.16(g))

Without permission, failing to have a least one person occupy a camping area during the first night after camping equipment has been set up. (261.16(h))

Leaving camping equipment unattended for more than 24 hours without permission. (261.16(i))

---

### **Destruction of Property**

Cutting or otherwise damaging any timber, tree, or other forest product, except as authorized by a special use authorization, timber sale contract, or Federal law or regulation. (261.6(a))

Damaging any natural feature or other property of the United States. (261.9(a))

### **Disorderly Conduct**

Engaging in fighting. (261.4(a))

Addressing any offensive, derisive, or annoying communication to any other person who is lawfully present when such communication has a direct tendency to cause acts of violence by the person to whom, individually, the remark is addressed. (261.4(b))

Make statements or other actions directed toward inciting or producing imminent lawless action and likely to incite or produce such action. (261.4(c))

Causing public inconvenience, annoyance, or alarm by making unreasonably loud noise. (261.4(d))

### **Pets and Animals**

Bringing in or possessing an animal, other than a seeing eye dog, unless it is crated, caged, or upon a leash not longer than 6 feet, or otherwise under physical restrictive control. (261.16(j))

Bringing in or possessing in a swimming area an animal, other than a seeing eye dog. (261.16(k))

Bringing in or possessing a saddle, pack, or draft animal except as authorized by posted instructions. (261.16(l))

### **Business Activities**

Selling or offering for sale any merchandise or conducting any kind of work activity or service unless authorized by Federal law, regulation, or special use authorization. (261.10(c))

When commercially distributing printed material, delaying, halting, or preventing administrative use of

---

an area by the Forest Service or other scheduled or existing uses or activities on National Forest System lands; misrepresenting the purposes or affiliations of those selling or distributing the material; or misrepresenting the availability of the material without cost. (261.10(h))

Commercial distribution of printed material without a special use authorization. (261.10(g))

### **Audio Devices**

Operating or using in or near a campsite, developed recreation site, or over an adjacent body of water without a permit, any device which produces noise, such as a radio, television, musical instrument, motor or engine in such a manner and at such a time so as to unreasonably disturb any person. (261.10(i))

Operating or using a public address system, whether fixed, portable or vehicle mounted, in or near a campsite or developed recreation site or over an adjacent body of water without a special use authorization. (261.10(j))

### **Fireworks**

Discharging or igniting a firecracker, rocket or other firework, or explosive. (261.16 (d))

Discharging or igniting a firecracker, rocket or other firework or explosive into or within any cave. (261.10(o))

### **Firearms**

Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property as follows:

(1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, or

(2) Across or on a National Forest System road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result in such discharge.

(3) Into or within any cave. (261.10(d))

## For Additional Information . . .

---

---

### **Interfering with a Forest Officer**

Threatening, resisting, intimidating, or interfering with any forest officer engaged in or on account of the performance of his official duties in the protection, improvement, or administration of the National Forest System is prohibited. (261.3(a))

### **Other Prohibited Acts**

Constructing, placing, or maintaining any kind of road, trail, structure, fence, enclosure, communications equipment, or other improvement on National Forest System lands or facilities without a special use authorization, contract, or approved operating plan, unless such authorization, contract, or operating plan is waived pursuant to §251.50(e) of this chapter. (261.10(a))

Occupying any portion of the site for other than recreation purposes. (261.16(a))

### **Abandoning Personal Property**

Abandoning any personal property. (261.10(e))

Contact your local Forest Service office or the following address:

USDA Forest Service  
Attn: Public Affairs Office  
333 Broadway Blvd., SE  
Albuquerque, NM 87102  
Phone: (505) 842-3292  
TTY: (505) 842-3198

Or Visit:

[www.fs.fed.us/r3/](http://www.fs.fed.us/r3/)