

1501:46-5-01

**Permits.**

Upon a finding by the chief that a permit request is consistent with state park use and management objectives, ~~he shall~~ the chief will issue an appropriate permit including any necessary terms and conditions. The terms and conditions of such permit ~~shall~~ will prevail where inconsistent with the provisions of this rule ~~rules herein~~. ~~The~~ No permit ~~shall not~~ will be granted ~~when~~ if it is determined by the chief that the specified activity has a reasonable probability of having any of the following effects:

- (A) Interfering with normal park usage, or
- (B) Endangering the environment unduly, or
- (C) Creating great risk of physical harm to the public present in the park.

A written permit to do any act ~~shall authorize~~ authorizes the same only ~~insofar as to the extent that~~ it may be performed in strict accordance with the terms and conditions ~~thereof~~ specified in such permit. Any act authorized ~~pursuant to~~ by a permit may be performed only by the person ~~named therein~~ or persons specifically authorized by such permit, and any such authorization may not be assigned or delegated, unless and except as provided in such permit. Any violation by its holder, its agents, employees, or guests of any term or condition ~~thereof shall constitute~~ specified in the permit constitutes grounds for its revocation ~~of~~ by the chief whose action immediately invalidates the permit, revokes all authorized exemptions, and terminates any permitted activities or endeavors granted by such permit ~~therein shall be final~~. In case of revocation of any permit, all ~~moneys paid for or on account thereof~~ shall fees collected by the division related to the processing of the permit may, at the option of the division be retained ~~by it~~; and the holder of such permit, together with ~~his~~ any agents, employees, and guests of the permit holder who violated such terms and conditions shall be jointly and severally liable to the division for all damages and loss suffered by it in excess of such money retained; but neither such retention by the division of the whole or any part of such moneys nor the recovery or collection thereby of such damages, or both, shall in any manner relieve such person or persons from criminal liability for violation of any provision of any of these rules or any other state or local law, ordinance, rule or order.

Effective: 11/1/2023  
Five Year Review (FYR) Dates: 8/9/2023 and 11/01/2028

CERTIFIED ELECTRONICALLY

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Certification

10/16/2023

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Date

Promulgated Under: 119.03  
Statutory Authority: 1546.04  
Rule Amplifies: 1546.02, 1546.04  
Prior Effective Dates: 06/14/1975, 07/01/1980, 09/03/2018