

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 issue an appropriate permit including any necessary terms and conditions. The terms and conditions of such permit shall prevail where ~~inconsistent~~ inconsistent with the rules herein. The permit shall not be granted when 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 the same only insofar as it may be performed in strict accordance with the terms and conditions thereof. Any act authorized pursuant to a permit may be performed only by the person named therein, 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 grounds for its revocation of the chief whose action therein shall be final. In case of revocation of any permit, all moneys paid for or on account thereof shall, at the option of the division be retained by it; and the holder of such permit, together with his agents, employees, and guests 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:

Five Year Review (FYR) Dates: 6/19/2018

Certification

Date

Promulgated Under: 119.03
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