



# AGENCY RULES AND REGULATIONS



# Table of Contents

Table of Contents .....	2
Overview .....	4
Section 1 – POLICY .....	4
Section 2 – DEFINITIONS .....	5
Section 3 – REGULATIONS AND RULES .....	6
Section 4 – PARK RULES .....	7
<i>Reservations</i> .....	7
<i>Organized Activities</i> .....	7
<i>Temporary Closure, Change in Operating Hours</i> .....	7
<i>Right of Entry</i> .....	7
<i>Fees</i> .....	7
Section 5 – REGULATIONS .....	8
<i>Aircraft and Parachuting</i> .....	8
<i>Alcoholic Beverages and Controlled Substances</i> .....	8
<i>Building and Other Property</i> .....	8
<i>Equestrian Activity</i> .....	8
<i>Fire</i> .....	9
<i>Firearms or Fireworks</i> .....	9
<i>Fishing</i> .....	9
<i>Hunting</i> .....	9
<i>Interference with Personnel</i> .....	9
<i>Literature</i> .....	9
<i>Meeting</i> .....	9
<i>Pollution</i> .....	10
<i>Noise</i> .....	10
<i>Disorderly Conduct</i> .....	10
<i>Removal of Natural Resources</i> .....	10
<i>Rubbish</i> .....	10



*Sales and Solicitation Of Sales* ..... 10

*Signs* ..... 11

*Sleeping, Camping, Lodging*..... 11

*Traffic* ..... 11

*Trees and Vegetation*..... 12

*Trespass* ..... 12

*Utilities* ..... 12

*Violation of a Rule* ..... 12

*Water Activity* ..... 12

*Penalties*..... 12

Section 6 – PARK ENTRANCE FEES ..... 12

Section 7 – PERMITS..... 13

Section 8 – ANIMALS ..... 14

Section 9 – PARK ADMINISTRATION ..... 14

*Park Personnel or Deputies* ..... 14

*Designated Areas*..... 14

Section 10 – SEVERABILITY ..... 14

Section 11 – REPEAL OF CONFLICTING PROVISIONS ..... 15

Section 12 – EFFECTIVE DATE..... 15



# Overview

Pursuant to: Act 1595 of 1972, which provides for the creation of the Charleston County Park, Recreation and Tourist District and enumerates its powers and duties...

The Charleston County Park and Recreation Commission herewith promulgates and publishes the following rules and regulations for the use, protection, regulation and control of all of its services, and scenic areas and preserves and parkways. Amendments may be made to these rules and regulations from time to time in accordance with commission procedures as relates to amendment of commission by-laws.

WHEREAS, the public need and demand for the use of facilities owned and operated by the Charleston County Park and Recreation Commission has dramatically increased; and

WHEREAS, Charleston County Park and Recreation Commission desires to provide for efficient operation and control of its park and recreation facilities while providing a recreation environment which is free from unreasonable hazard or danger; and

WHEREAS, the Charleston County Park and Recreation Commission of Charleston County finds that it is essential to implement uniform policies and procedures for the administration of its facilities; and

WHEREAS, the Charleston County Park and Recreation Commission finds it necessary and useful to designate certain areas for specific activities and to prohibit certain conduct and activities within certain areas;

**THEREFORE, BE IT RESOLVED BY THE CHARLESTON COUNTY PARK AND RECREATION COMMISSION OF CHARLESTON COUNTY, SOUTH CAROLINA**

## Section 1 – POLICY

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It is the general purpose and intent of this resolution to establish uniform procedures for the administration of park and recreation facilities in Charleston County; to establish a system of regulations and rules governing the activities within the parks and recreation facilities; to declare certain activities as being violations of the regulations; to allow expulsion from a park or recreation facility for violation of a rule and to provide a procedure for establishing permits for activities within designated areas; and to set methods for the administration of parks and recreation facilities.



## **Section 2 – DEFINITIONS**

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For the purpose of this resolution the following definitions shall apply in the interpretation, execution and enforcement of this resolution. When not inconsistent with the context, words in the plural include the singular, words in the present tense include the future, words in the singular number include the plural number. The word “shall” is always mandatory, not merely directory.

1. **ALCOHOLIC BEVERAGES** means any beer, wine, fortified wine, or liquor or alcoholic beverage.
2. **COMMISSION** means Charleston County Park and Recreation Commission of Charleston County, South Carolina.
3. **CONTROLLED SUBSTANCES** means all drugs defined in S. C. Code as “Controlled Substances”.
4. **CLOSING HOURS** means that period which a park or recreation facility is closed to the general public.
5. **COUNTY** means the County of Charleston, State of South Carolina.
6. **CHIEF OPERATING OFFICER** means the person appointed by the Executive Director of the Charleston County Park and Recreation Commission to direct the operations of all parks and recreation activities owned or operated by the Commission.
7. **DESIGNATED AREA** means that geographical area which has been designated by the Commission wherein a specific activity or activities within a park or recreation area takes place.
8. **DIVISION** means the Executive Division of the Charleston County Park and Recreation Commission.
9. **EXECUTIVE DIRECTOR** means the person appointed by the Commission to direct the operations of the Charleston County Park and Recreation Commission.
10. **GOVERNMENTAL UNIT** means any governmental body which exercises police jurisdiction over a park or recreation facility.
11. **GUN** means any instrument capable of firing a projectile or bullet or shot at a high velocity, including but not limited to, any firearm, air gun, “BB Gun”, pellet gun, sling or slingshot. Included are bow and arrows.



12. **VEHICLE** means any wheeled conveyance, whether motor powered or animal driven, including but not limited to motorbikes, mopeds, and motorcycles; except self-powered bicycles, wheel chairs and similar vehicles, baby carriages, and vehicles in the service of the Commission.
13. **PARK** means a park, reservation, playground, recreation center, beach or other land area owned, leased or used by the Charleston County Park and Recreation Commission and devoted to active or passive recreation.
14. **PASS** means a park entrance permit.
15. **PERMIT** means a written document issued by the Chief Operating Officer granting permission for a specific activity.
16. **PERSON** means any person, firm, partnership, association, corporation, company, entity or organization of any kind.
17. **RECREATION FACILITY** means a facility for recreation purposes on property owned, leased or used by the Charleston County Park and Recreation Commission.
18. **REGULATION** means a regulation approved by the Commission which governs the use of park and recreation facilities. The violation of which may also subject the offender to criminal penalties and/or civil penalties.
19. **RULE** means a rule approved by the Commission which governs the use of park or recreation facilities. The violation of which may subject the offender to ejection or expulsion from park or recreation facilities.
20. **VEHICLE** means any conveyance, whether motor powered, animal drawn, or self-propelled. The term “vehicle” shall also include any trailer in tow of any size, kind, or description.

### **Section 3 – REGULATIONS AND RULES**

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The Commission, by resolution, shall adopt Rules and Regulations governing the use of parks and recreation facilities owned, leased or operated by Charleston County Park and Recreation Commission which include but are not limited to the use of supplies and equipment, the charge and payment of fees, the hours of operation, the use and parking of vehicles, the conduct and overall safety of persons within the park and general use of parks and recreation facilities for each such park and recreation facility as may be necessary.



Any person violating a rule may be expelled or ejected from any park or recreation facility, to be determined by the Park Manager or his designated representative. At the discretion of the Executive Director, an individual may be denied entrance privileges.

Any resolution adopted by the Commission as a rule shall constitute a public record.

## **Section 4 – PARK RULES**

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The Commission hereby adopts rules for parks and recreation facilities as follows.

### *Reservations*

Any group or organization seeking the use of any park or recreation facility for a picnic or other recreation purpose shall normally be required to register in advance following the operational procedure applicable for desired facility.

### *Organized Activities*

No person shall play or participate in any game or organized activity including but not limited to football, baseball, basketball, or any such game, in any park or recreation facility except in areas designated for such use.

### *Temporary Closure, Change in Operating Hours*

The Commission or its authorized representative may order temporary closure or change in operating hours of facilities and exclude the public from any park areas, buildings, facilities, or program events. Such closure or change in operating hours may be required as the result of renovation and/or construction projects, public interest, public health, public safety, public morals, weather emergency, or other operational situation, and shall not be considered a permanent change in the operating hours.

### *Right of Entry*

The Commission or its authorized representatives shall have the right at all times to enter the premises of any building, structure or enclosure of any park or recreation facility including such grounds, buildings, structures or enclosures as may be leased, set aside for the private or exclusive use of any individual or group.

### *Fees*

The Commission or its authorized representatives are authorized to lease the use of equipment and Commission property and charge a fee for the use of facilities to



individuals, private or public organizations. The Commission shall set the charge and fees for the use of Commission equipment, Commission property and facilities.

## **Section 5 – REGULATIONS**

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The Commission hereby adopts regulations for park and recreation facilities as follows:

### *Aircraft and Parachuting*

No person shall ascend or land any aircraft, glider, or parachute over or into any park or recreation facility without a permit.

### *Alcoholic Beverages and Controlled Substances*

Alcoholic beverages may not be brought into a Commission park facility by a visitor for consumption other than at a designated area and with the required permit. Alcoholic beverages purchased at Commission park facilities may be consumed only in those areas approved by the PRC Commission. No controlled substance may be possessed in any park or recreation area unless the possessor has a valid prescription therefore on his or her person.

### *Building and Other Property*

No person in any park or recreation facility shall willfully mark, deface, disfigure, injure, tamper with, misplace or remove any building, bridge, table, bench, fireplace, railings, paving or paving materials, water lines, or other public facilities or parts appurtenances thereto, signs, notices, or place-cards, whether temporary or permanent monuments, stakes, posts or other structures or equipment or any part of any aforesaid facilities, park property or appurtenances whatsoever, either real or personal, in any park or recreation facility.

### *Equestrian Activity*

No person in any park or recreation area shall ride horseback except on roadways and bridle paths within designated areas for such purposes. No person shall be permitted to ride horseback in any park or recreation facility after dark and before daylight, unless a permit is granted. It shall be a violation for any person to fail to maintain control of any horse which such person is riding or to ride a horse in a reckless manner. It shall also be a violation for any person to tie up, leave or otherwise allow a horse to be in any portion of the park that is not specifically designated for that use.





## *Fire*

No person, firm or corporation in any park or recreation facility shall ignite, set or maintain any fire for cooking or any other purpose unless such fire is within a designated area for such purpose.

## *Firearms or Fireworks*

No person in any park or recreation area shall carry, fire, or discharge any gun, pistol or firearm, or any rocket, torpedo or other fireworks of any description without a permit and then only in a designated area for such purposes.

## *Fishing*

No person shall fish in any park or recreation facility except in such waters permitted for fishing or during special scheduled events.

## *Hunting*

No person in any park or recreation area shall hunt, catch, harm, kill, trap, chase, tease, shoot, or throw missiles at any animal, reptile, or bird except poisonous snakes. No person in any park or recreation area shall remove or have in his possession the young of any wild animal or eggs or nest of young of any reptile or bird.

## *Interference with Personnel*

Any person who interferes with, hinders, or opposes any officer, agent or employee of the Commission in the discharge of his duties or with the enforcement of the park regulations and rules shall be subject to suspension from the use of parks and recreation facilities.

## *Literature*

No person in any park or recreation area shall distribute any handbill, circular, booklet, leaflet, flyer, card, pamphlet, written or printed matter without a permit.

## *Meeting*

No person shall conduct or participate in any public meeting, assemblies, entertainment, tournaments, religious gatherings, demonstrations, parades, processions or meetings on any subject, religious, social, political, or otherwise in any park or recreation area unless a permit has been issued for such meetings, assemblies, entertainment, tournaments, religious gatherings, demonstrations, parades, processions or meetings.



## *Pollution*

No person in any park or recreation area shall throw or place or cause to be thrown or placed, any dirt, filth, or foreign matter into the waters of any lake, pond, pool, river, tank or reservoir in any park or recreation facility.

## *Noise*

No person shall use any loud speaker, public address system or other amplifying equipment nor shall any person play any loud musical instrument in any park or recreation area without a permit.

## *Disorderly Conduct*

Any person(s) who shall engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb or annoy others, or who shall publicly appear in a state of nudity, or shall make any indecent exposure of himself or herself, shall be subject to immediate suspension from the use of park and recreation facilities.

## *Removal of Natural Resources*

No person in any park or recreation facility shall remove any rock, stone, plant, wood, or other materials or make any excavation by tools, equipment, blasting or other means or agency.

## *Rubbish*

No person in any park or recreation facility shall throw, place, cast, deposit, dump or cause to be thrown, any ashes, refuse, offal, vegetables, garbage, dross, cinders, shells, straw, shavings, paper, scrap, dirt or like matter, filth or rubbish of any kind in any park, playground, roads, ground, recreation area, except to place the same in cans or receptacles deposited in any can or receptacle provided for park use.

## *Sales and Solicitation Of Sales*

No person shall sell, keep or offer for sale any tangible or intangible object, merchandise or thing or solicit for any trade, occupation, business or profession for any consideration, engaging in commercial activity, providing a service for compensation without a permit.



## *Signs*

No person shall post or affix to any tree, shrub, plant, fence, building, structure, monument, wall, table, apparatus, bridge, post, bench, gate or any other physical object, any sign, poster, or other printed or written matter in any park or recreation area without a permit.

## *Sleeping, Camping, Lodging*

No person shall sleep, camp, lodge, or park a vehicle overnight in any park or recreation area except in such areas as designated for such purposes, and then only with a permit.

## *Traffic*

- A. No person shall operate, drive, or park any motor vehicle or other vehicle upon any road, driveway, path, parking area or other area unless such road, driveway, path, parking area or other area has been designated for such purpose. No person shall cause any vehicle for hire to stand upon any part of a park or recreation area for the purpose of soliciting passengers.
- B. No person shall operate an off-the-road motor-driven vehicle including but not limited to a mini-bike, motorcycle, dune mobile, amphibious vehicle or any motorized device except on designated roads, trails, or areas posted for such use without a permit.
- C. No person shall leave any vehicle standing or parked at night without lights clearly visible at least 200 feet upon said vehicle except in legally established parking areas or designated areas.
- D. No person shall drive a vehicle at a rate of speed exceeding five (5) miles per hour in any county park unless the roadway has a sign posting a greater speed limit. No person shall disobey traffic signs.
- E. No person shall enter or exit from any park or recreation facility in any vehicle except on entrances and exits established for such purpose.
- F. Any vehicle stopped or standing in any manner in violation of existing parking rules shall be guilty of a violation and such vehicle may be towed and/or impounded at the owner's/operator's expense.
- G. When a motor vehicle is found parked in a county park or recreation area, the registration plate displayed on the vehicle shall constitute prima facie evidence that the owner of the vehicle was the person who parked it on the location where found.



## *Trees and Vegetation*

No person(s) in any park, or recreation area shall remove, damage, cut, carve, or transplant, any tree, shrubbery, lawn, plant or injure the bark or pick the flowers. It is unlawful for any person(s) to remove, cut, break or otherwise destroy sea oat plants or any part thereof. No person shall attach any rope, wire, or other contrivance to any tree or plant in any park or recreation facility.

## *Trespass*

No person shall enter or remain on park or recreation facilities without a permit during closing hours, if the closing hours are posted at the entrance of the park or recreation facility. No person shall enter or remain on park or recreation facilities without a permit after such person receives notice of the closing hours from a Commission employee.

## *Utilities*

No person, firm or corporation shall locate any utility upon any park or recreation facility without receiving a permit.

## *Violation of a Rule*

No person who has violated a rule shall remain in a park or recreation facility after a Commission employee, police officer, or sheriff's deputy requests such person to leave or vacate a park or recreation facility.

## *Water Activity*

No person(s) shall swim, dive, fish, or use boats or surfboards in any area in any park or recreation area unless such area is specifically designated for such purpose.

## *Penalties*

Any person who violates any of the rules or regulations shall be subject to suspension of access to recreation facilities and parks, as determined by the Chief Operating Officer.

## **Section 6 – PARK ENTRANCE FEES**

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No one shall enter a park or recreation facility without first obtaining an entrance pass or pay the proper fee.



## **Section 7 – PERMITS**

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The Chief Operating Officer may issue a permit when it has been established...

1. That the proposed activity will occur within an area which is proper for that activity to occur.
2. That the proposed activity or use will not unreasonably interfere or detract from the general public enjoyment of the park or recreation area.
3. That there are adequate facilities, equipment, and personnel in the proposed areas so that the proposed activity will not impair the health, safety, welfare, or recreation of the general public.
4. That the desired facility, equipment or program has not been reserved for other use at the time requested.
5. That the applicant will deposit the proper fee as established for the activity.
6. When the proposed activity entails the distribution of any literature, handbill, program or other printed matter, the Chief Operating Officer may require the posting of sufficient monies or a bond to cover cleaning costs arising from the distribution of the printed matter.
7. All permits shall be approved by the Chief Operating Officer or by his/her duly authorized representative.
8. In the event any proposed activity may constitute a hazard to any person or property, the Chief Operating Officer as a condition to the issuance of a permit may require public liability insurance in an amount appropriate to protect such person or property.
9. In the event any applicant is refused a permit, the Chief Operating Officer shall notify the applicant within a reasonable time period of the reason for refusing such permit.
10. The applicant may appeal the refusal of the permit, after notification of such refusal, by filing a petition with the Executive Director, stating why the applicant should receive a permit.
11. The Chief Operating Officer or its duly authorized representative shall have the authority to revoke a permit upon finding a violation of any rule or regulation.



## **Section 8 – ANIMALS**

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It shall be unlawful to have animals in the areas of County parks where animals are expressly prohibited. The term “animals” includes but is not limited to dogs, cats, primates, snakes, rodents, members of the ferret and weasel family, swine, and any other animal kept in domestication. All snakes, ferrets and rodents must be kept in proper cages at all times. All other animals allowed in parks shall be attended and on a leash not more than six (6) feet long except for dogs in an officially designated “off-leash” area. This section does not apply to seeing-eye dogs or guide dogs for the visually impaired. This restriction shall not apply to Commission employees conducting educational programs or dogs in officially designated “off-leash” areas. Dogs in off-leash areas shall be attended by the owner, have a valid license with required vaccinations, and are subject to operational rules established by the Commission for the designated area. Animal excrements shall be properly disposed of by its owner or agent. Any animal found not in the possession or immediate control of its owner or the owner’s agent, or any animal creating a disturbance or nuisance, may be ejected from the park.

## **Section 9 – PARK ADMINISTRATION**

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### *Park Personnel or Deputies*

The Chief Operating Officer or his/her authorized representative shall appoint park personnel or deputies who shall be responsible for the enforcement of park rules and regulations and shall have the power to eject and expel any person from a park or recreation facility for violation of any park rule or regulation and report the violation of any federal, state, or local law to the proper law enforcement officers.

### *Designated Areas*

The Commission shall have the power to designate areas and facilities in park and recreation facilities for specific activities, and to prohibit other activities within the designated area. Walking on sand dunes is strictly prohibited at all beach parks. The Chief Operating Officer or his/her duly authorized representative shall be the official custodian of a list of all areas which have been designated for specific activities. Such list shall contain a description of the property which is designated for a specific activity and the nature of the activities which are permitted. The Commission is authorized to post designated areas when, in their discretion, such posting is appropriate.

## **Section 10 – SEVERABILITY**

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In the event any section, paragraph or phrase of this Policy is declared invalid by a court of competent jurisdiction, such section, paragraph or phrase shall be deemed a separate provision of this resolution and shall not affect the validity of other parts of this resolution.



## **Section 11 – REPEAL OF CONFLICTING PROVISIONS**

Any and all provisions of Commission policy or rules which conflict with this resolution are hereby repealed.

## **Section 12 – EFFECTIVE DATE**

This resolution shall become effective immediately upon its adoption.

DONE AND ADOPTED, AS AMENDED, in regular session this 16 day of July 2018.

CHARLESTON COUNTY PARK AND RECREATION COMMISSION  
CHARLESTON COUNTY  
SOUTH CAROLINA



BY: \_\_\_\_\_  
Commission Chairman



ATTEST: \_\_\_\_\_  
Executive Director

