

**Blackbird Scenic Overview**  
**Rules and Regulations**  
General Index

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Papio-Missouri River Natural Resources District  
Blackbird Scenic Overview  
Rules & Regulations

Under the provisions of L.B. 861 of the Eighty-Eighth Session of the Nebraska Legislature, the following Rules and Regulations are adopted by the Papio-Missouri River Natural Resources District to govern the administration, use, operation, maintenance and protection of the historic/recreation area under the control of said District at the Blackbird Scenic Overview in Burt County, Nebraska. Under other provisions of L.B. 861, any person

- (a) who camps, picnics, hikes, backpacks, or engages in any other unauthorized activity in a recreation area on land not designated as a camping, picnicking, hiking, backpacking, or similar area by the district or fails to observe the posted conditions governing use of such land; or,
- (b) who lights any type of fire, uses any fireworks, smokes tobacco in any form, or leaves unattended or unextinguished any fire of any type in any location in a recreation area when not permitted by the district; or,
- (c) who brings upon, possesses, grazes, maintains, or allows to run at large any pet, domestic animal, or poultry in a recreation area when not permitted by the district; or,
- (d) who hunts, fishes, traps, harvests fur, or uses firearms, bow and arrow, or any other projectile weapon or device in a recreation area when not permitted by the district; or
- (e) who, without the permission of the district, damages, destroys, uses, or removes any public real or personal property in a recreation area, constructs or installs any privately owned structure in a recreation area, or enters or remains upon all or any portion of a recreation area when appropriate signs or public notices prohibiting such activity have been erected or displayed; or,
- (f) who, abandons any motor vehicle, trailer, or other conveyance in a recreation area; or,
- (g) who sells, trades, or vends any goods, products, or commodities of any type in a recreation area when not permitted by the district,
- (h) who cuts down, or removes in any way, any tree, shrub, bush or plant,

shall be guilty of a Class V misdemeanor, which, according to law, is punishable by a maximum fine of one hundred dollars.

The Rules and Regulations contained hereafter shall apply and be administered to all persons entering, using, residing in, visiting or who are otherwise within the boundaries of the park and recreation area controlled by

the District. These Rules and Regulations are effective as of April 9,  
1992.

### Definitions

District: The Papio-Missouri River Natural Resources District

Board: The Board of Directors of the Papio-Missouri River Natural Resources District

General Manager: The chief executive of the Papio-Missouri River Natural Resources District, hired by the Board of Directors.

Law Enforcement Officer: Any duly constituted and credentialed law enforcement officer, local, state, or Federal, including but not limited to Commission Conservation Officers.

Park Area: Park and/or recreation area controlled and administered by the Papio-Missouri River Natural Resources District.

District Employee: An employee hired by the Papio-Missouri River Natural Resources District.

#### 1. Abandoned Property

- A. Abandonment of any vehicle or other personal property is prohibited and such property may be impounded by the District or law enforcement officer.
- B. Leaving any vehicle or other personal property unattended after visiting hours without prior consent from the General Manager is prohibited and any property so left may be impounded by the District or law enforcement officer. In the event unattended property interferes with the safe or orderly management of the park area, it may be impounded by the District or law enforcement officer at any time and such impoundment will be at the expense of the owner.

#### 2. Aircraft and Powerless Flight

- A. The operation or use of aircraft on park area lands and waters is prohibited.
- B. Except in extreme emergencies involving the safety of human life or threat of serious property loss, the air delivery of any person or thing by parachute, helicopter, or other means without prior written permission of the District is prohibited.
- C. The provisions of this section shall not be applicable to aircraft engaged on official business of the District or used in emergency rescue in accordance with the directions of the General Manager or forced to land due to circumstances beyond the control of the operator.

- D. The operation of aircraft shall be in accordance with current applicable regulations of the Federal Aviation Agency.
- E. The launching or landing of sailplanes, gliders, and other devices designed to carry persons or objects through the air in powerless flight is prohibited.
- F. The launching or landing of radio-controlled hobby aircraft is prohibited.

3. Audio Devices

- A. The operation or use of any audio device including a radio, television set, musical instrument, or a device producing noise such as an electric generating plant, a motor vehicle, a motorized toy, or other equipment driven by a motor or engine in such a manner or at such time so as to unreasonably annoy or endanger persons is prohibited.
- B. The operation or use of a public address system, whether fixed, portable, or vehicle mounted, within the area is prohibited except when such use or operation is in connection with a public gathering or special event for which a permit has been issued.

4. Begging and Soliciting

- A. Begging is prohibited.
- B. Hitchhiking or the soliciting of transportation is prohibited except in emergencies and cases of vehicle breakdown.
- C. Commercial soliciting of any kind is prohibited; provided that this section shall not apply to transactions with authorized concessionaires.

5. Camping is prohibited.

6. Closures

- A. The District may establish a reasonable schedule of visiting hours for all or portions of the area and close to public use all or any portion of the area when necessary for the protection of an area or the safety and welfare of persons or property by the posting of appropriate signs indicating the extent and scope of such closure.
- B. All persons shall observe and abide by officially posted signs designating closed areas.

7. Disorderly Conduct

- A. Disorderly conduct is prohibited.

B. Disorderly conduct is committed when a person causes public alarm, nuisance, jeopardy or violence, or recklessly creates a risk thereof, by:

1. Engaging in fighting or threatening, or in violent behavior; or
2. Using language, an utterance, or gesture, or engaging in a display or act which is physically threatening, or menacing, or done in a manner which is likely to inflict injury or incite an immediate breach of the peace; or
3. Making noise which is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors which would govern the conduct of a reasonably prudent person under the circumstances; or
4. Creating or maintaining a hazardous or physically offensive condition.

C. Persons committing disorderly conduct may be evicted from the area.

8. Dogs, Cats and Pets

- A. Dogs, cats, and other pets are prohibited unless they are crated, caged, or on a leash of no more than 6 feet in length.
- B. Dogs, cats, or other pets running at large and observed by an authorized person in the act of killing, injuring, or molesting humans or wildlife may be disposed of in the interest of public safety and protection of the wildlife.

9. Explosives, Fireworks, Firearms

- A. The use or possession of explosives, firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows and explosive devices of any kind, is prohibited unless in the possession of a Federal, state or local law enforcement officer.

10. Fires

- A. Fires are prohibited except for District-approved controlled burns as a management tool for native vegetation.
- B. Throwing or dropping a lighted cigarette, cigar, pipe heel, match, or other burning materials is prohibited.
- C. The General Manager, during such period of time may prohibit smoking on any recreation lands including roads and trails by the posting of appropriate signs.

11. Hunting, Trapping

- A. Hunting or the use of firearms, bow and arrow, or other projectile devices is prohibited except firearms used by law enforcement officers in performance of their duties.
- B. Trapping furbearers including unprotected species is prohibited.

12. Horses and Other Livestock

- A. Horseback riding and the use of pack animals within the area is prohibited, except in parking areas.
- B. Grazing or ranging domestic animals or poultry is prohibited.

13. Intoxication: Consumption of Alcohol

- A. Consumption of alcoholic beverages on lands owned or controlled by the District is prohibited.
- B. Presence in a park area while under the influence of alcoholic liquor or of any drug, or when that person has ten-hundredths of one percent or more by weight of alcohol in his (her) body fluid as shown by chemical analysis of his (her) blood, breath, or urine, is prohibited.

14. Permits, Special Purpose

- A. Sports events, pageants, reenactments, regattas, entertainments and the like, characterized as public spectator attractions or participant activities, are prohibited unless written permission therefor has been given by the District. Such permits shall be issued only after a finding that the issuance of such permit will not be inconsistent with the purposes for which the area is established and maintained and will cause the minimum possible interference with use of the area by the general public. The permit may contain such reasonable conditions and restrictions as to duration and area occupied as are necessary for the protection of the area and public use thereof.
- B. Public meetings, assemblies, gatherings, demonstrations, parades, religious services, and other expressions of views are prohibited unless written permission has been given by the District in accordance with District policy. Tribal use, upon prior notification to the District of dates and times, for sanctioned activities, i.e. pow wow, ceremonies, etc., is encouraged.
- C. The filming of still or motion pictures of lands and facilities owned or controlled by the District for commercial purposes is prohibited unless written permission therefore has been given by the District.

- D. Applications for a Special Purpose Permit shall be received by the District not later than thirty (30) days prior to the requested special activity and shall set forth the following: the name of the applicant, the date, time, duration, nature, and place of the proposed activity, an estimate of the number of persons expected to attend, and a statement of equipment and facilities to be used in connection therewith. The cost for such a permit shall be determined by the General Manager. Application forms may be obtained by writing to the Papio-Missouri River NRD, 8901 S. 154th St., Omaha, NE 68138.
- E. As a condition to Special Purpose Permit issuance, the District may require the filing of a bond with satisfactory surety payable to the District to cover costs such as restoration, rehabilitation and cleanup of the area used and other costs resulting from the permittee's activity, and also may require the presentation of a certificate in form acceptable to the District showing that the permittee has adequate insurance, in amounts acceptable to the District, covering liabilities associated with the permittee's special activity. In lieu of a bond, a permittee may elect to deposit cash equal to the amount of the required bond.

15. Preservation of Public Property

- A. The gathering, possession, destruction, injury, defacement, removal, or disturbance in any manner of any building, sign, equipment, monument, statue, marker, or other structures or, of any animal or plant matter and direct or indirect products thereof including but not limited to wood, flower, mushroom or other fruit, egg, nest or nesting site, or any soil, rock or mineral formation, artifact, relic, historic or prehistoric feature, or of any other public property of any kind is prohibited.
- B. The destruction, defacement, cutting, spraying, alteration, excavation, removal, relocation, transplantation, transportation or possession of all or any part of any tree, shrub, or plant, located in or on any of these lands, by any persons other than authorized District employees or contractors, is prohibited.
- C. Entering, climbing upon, or tampering with District-owned motor vehicles and motorized or power equipment is prohibited.
- D. No person shall enter upon any area or portion of any area which is temporarily closed to general public access and which is posted with appropriate signs.
- E. Digging for any purpose on District owned or controlled areas is prohibited.

16. Property, Authorized Installation

- A. No structure shall be permanently or semi-permanently installed except by written consent of the District, except as stated below.

- B. District employees are specifically authorized to remove structures and facilities in accord with applicable regulations.

17. Sanitation

- A. All garbage, papers, cans, bottles, waste materials, and rubbish of any kind must be deposited in containers designated for the disposal thereof or removed from the area.
- B. Draining or dumping refuse or wastes from any trailer or other vehicle is prohibited.
- C. Depositing any body waste in or on any portion of the area or other public structure is prohibited.
- D. Using District refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought as such from private property is prohibited.

18. Traffic

- A. It shall be unlawful to park, tow, or otherwise operate any motor vehicle, trailer, or cabin trailer within the confines of the area which does not bear valid license plates and is not registered in accordance with applicable state laws. All such vehicles not properly licensed and registered shall be in violation and may be impounded by the General Manager or law enforcement officer.
- B. It shall be unlawful for any person not possessing a valid motor vehicle operator's license to operate a motor vehicle of any type within the confines of the area.
- C. It shall be unlawful for any person to park, tow, drive or otherwise operate any motor vehicle, trailer, or cabin trailer in the area other than on roadways, and parking areas designated by the District for such operation.
- D. The speed of motor vehicles allowable shall be 5 mph, or less, unless otherwise posted.
- E. The operation and use of snowmobiles if prohibited in the area.

19. Vending

- A. The vending of any goods and services, including mobile vendors, products and commodities without written authorization of the District is prohibited.
- B. No park area shall be used as a headquarters or residence by any person or group engaged in commercial or professional activities without prior written authorization of the District.
- C. Persons engaged in the sale or distribution of printed matter shall not obstruct or impede pedestrians or vehicles, harass par...



visitors with physical contact or persistent demands, misrepresent the purposes or affiliations of those engaged in the sale or distribution or misrepresent whether the printed matter is available without cost or donation.

20. Hours, Visiting

- A. The area will be closed from one hour after sundown to one hour before sun up.

21. Standards

- A. The standards established in these regulations are in furtherance of the preservation and protection of the natural, scenic, historic, pastoral, and wildlife values and provide for the enhancement of the recreation values of the area.
- B. Use and development of property will be in conformance with applicable Federal, State, and Local laws, regulations, and ordinances.
- C. Development, improvement, and use of the property will not materially detract from the scenic, natural, historic, pastoral, and wildlife values of the area.
- D. All new utilities will be underground when feasible.

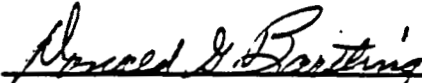
22. Exceptions to Regulations

- A. Nothing in the foregoing shall be construed as prohibiting the Papio Natural Resources District or their duly appointed agents or employees from the conduct of their assigned duties in the administration, maintenance, and development of areas owned or controlled by the District.
- B. In the event of natural disaster, state or national emergency, civil disorder, accident, or other situation where in the conduct of activities otherwise permitted under these regulations may constitute a hazard to the public health, safety, or welfare, or inhibit rescue, recovery, post-disaster, or development operations, management personnel of the District are herewith specifically empowered and directed to take such measures at their disposal to preserve the public health, safety, and welfare and to expedite rescue, recovery, and operations, to include the temporary suspension of any or all activities contemplated in these regulations or any area or portion of any area owned or controlled by the District and the temporary closure and/or any such area.

23. Regulation Amendments or Changes

- A. The Board reserves the right to amend or change the Rules and Regulations for the park area as is deemed necessary.

Dated and approved by the Board of Directors of the Papio-Missouri River  
Natural Resources District this 9th day of April, 1992.

  
\_\_\_\_\_  
Chairperson  
P-MRNRD Board of Directors

Attest:

  
\_\_\_\_\_  
Secretary  
P-MRNRD Board of Directors