

Agenda Item: 6.

**From:** Anthony [<mailto:tswirczek@hotmail.com>]  
**Sent:** Wednesday, March 05, 2014 2:02 PM  
**To:** Winkler, John  
**Subject:** Mobile food vending request

Dear John Winkler and NRD members,

John, as requested here is a quick synopsis of mobile food vending proposed for Elkhorn access sites at West Dodge and West Maple.

My goal is to work synergistically with the NRD and Tubing and Adventures providing safe, quality hot dogs, chips and soda to river access tubers and visitors. Our timeline will predominately coincide with Tubing and Adventures'. We will begin on Memorial weekend and finish on Labor Day weekend. As with Tubing and Adventures we will focus, but not limited to, weekends from Friday through Sunday. We propose one mobile hot dog cart at each above mentioned site with two persons managing cart.

All health department cart specifications will be satisfied as with applicable permits and inspections of cart, commissary kitchen and food handler's certificates. Omaha health department requires one to visit their office to obtain cart requirements. However, if you visit [www.willydogs.com](http://www.willydogs.com) and select the New Yorker you can easily review the cart.

I understand NRD's conservative stance with park, river conservation with commercial ventures. However, I feel we can find solid ground. Reading through NRD's rules and regulations appendix, I see that "vending" such as "mobile vending...is permitted in recreation area". Also, I see NRD rules states the board can limit commercial ventures. I am requesting to be added to the agenda for NRD's next board meeting. This platform will allow for ample questions and answers, as well as, a perfect time for us (NRD members and Tony Swirczek) to introduce ourselves.

Sincerely,

Tony Swirczek

## APPENDIX K

### PAPIO MISSOURI RIVER NATURAL RESOURCES DISTRICT

<b>RULES AND REGULATIONS FOR ALL DISTRICT RECREATION AREAS</b>
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<b><i>Chalco Hills Lake and Recreation Area</i></b>	<b><i>Elkhorn River Access at Graske Crossing  West Maple Elkhorn River Access</i></b>	<b><i>Prairie View Lake And Recreation Area</i></b>
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<b><i>Elkhorn Crossing Recreation Area</i></b>	<b><i>Platte River Landing Recreation Area</i></b>	<b><i>Waterford Recreation Area</i></b>
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Papio-Missouri River NRD

Recreation Areas Rules and Regulations

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**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT  
RECREATION AREAS RULES AND REGULATIONS**

**Chalco Hills Recreation Area –  
Elkhorn River Access at Graske Crossing  
Prairie View Recreation Area – Elkhorn Crossing Recreation Area  
Platte River Landing Recreation Area  
Waterford Recreation Area  
West Maple Elkhorn River Access**

WHEREAS, Nebraska Revised Statutes Sections 2-3290, et seq., provides that the board of directors of a natural resources district which owns land or has a lease or an easement permitting the use of land for public recreational purposes may adopt and promulgate rules and regulations governing the public use of such land, as provided in sections 2-3292 to 2-32,100; and,

WHEREAS, in accordance with said Section 2-32,101,<sup>1</sup> the Papio-Missouri River Natural Resources District relies entirely upon the law enforcement officers identified therein for enforcement of Nebraska laws and the District's own rules and regulations within the District's recreation areas, to-wit:

Chalco Hills Lake and Recreation Area in Sarpy County  
Elkhorn River Access at Graske Crossing in Douglas County  
Prairie View Lake and Recreation Area in Douglas County  
Elkhorn Crossing Recreation Area in Douglas County  
Platte River Landing Recreation Area in Douglas County  
Waterford Recreation Area at PL 566 Site D-17 in Douglas County  
West Maple Elkhorn River Access in Douglas County

Now, therefore, pursuant to the provisions L.B. 861 of the Eighty-Eighth Session of the Nebraska Legislature, and Sections 2-3290 through 2-32,101 Revised Statutes of Nebraska 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 recreation areas under the control of said District. Under such statutes, 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,

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<sup>1</sup> **2-32,101 District; recreation area; enforcement; procedures.** Any law enforcement officer, including, but not limited to, any Game and Parks Commission conservation officer, local police officer, member of the Nebraska State Patrol, or sheriff or deputy sheriff, is authorized to enforce the provisions of sections 2-3292 to 2-32,100 and any rules and regulations adopted and promulgated pursuant to such sections. A district shall not employ law enforcement personnel and shall be prohibited from expending any funds for such purpose. Each district shall provide a copy of its rules and regulations to the appropriate law enforcement officer. Any law enforcement officer may arrest and detain any person committing a violation of the rules and regulations in a recreation area or committing any misdemeanor or felony as provided by the laws of this state.

- (b) who lights any type of fire, uses any fireworks 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 swims, bathes, boats, wades, water-skis, uses any flotation device, or engages in any other water-related recreational activity in a recreation area when not permitted by the District; or,
- (f) 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,
- (g) who, abandons any motor vehicle, trailer, or other conveyance in a recreation area; or,
- (h) who sells, trades, or vends any goods, products, or commodities of any type in a recreation area when not permitted by the District,

shall be guilty of a Class V misdemeanor, which, according to law, is punishable by a fine of one-hundred dollars (\$100.00).

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 recreation areas controlled by the District.

<b>Definitions</b>
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**District:** The Papio-Missouri River Natural Resources District

**Board:** The Board of Directors of the District

**Day Use Area** The portion of a Recreation Area that is designated for public use between 6:00 o'clock, A.M., and 10:00 o'clock, P.M.

**General Manager:** The chief executive of the District, hired by the Board of Directors

**Park Superintendent:** The District employee in charge of a District recreation area.

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

**Recreation Area:** A Park and recreation area controlled and administered by the District.

**Special Use Permit:** A Permit issued by District for special events.

**District Employee:** An employee of the Papio-Missouri River Natural Resources District.

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**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 in a recreation area after visiting hours without prior consent from the Park Superintendent 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 recreation 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 general aviation licensed aircraft and ultra light aircraft on recreation area lands and waters is prohibited, with the exception of hot air balloons and non-powered model gliders by permit only.
- 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 in a recreation area 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 Park Superintendent or forced to land in a recreation area 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, hot air balloons and other devices designed to carry persons or objects through the air in powerless flight is permitted by permit, issued by the District.
- F. The launching or landing of radio-controlled, non-gas powered hobby aircraft or watercraft is permitted by permit, issued by the District.

**3. Audio Devices**

- A. The operation or use of any audio device including a radio, television, electronic game callers, 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 in campgrounds, picnic areas, or at other public places or gatherings is prohibited.
- B. The operation or use of a public address system, whether fixed, portable, or vehicle mounted, within the recreation 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 in a recreation area is prohibited.
- B. Hitch-hiking or the soliciting of transportation in a recreation area is prohibited except in emergencies and cases of vehicle breakdown.
- C. Commercial soliciting of any kind in a recreation area is prohibited; provided that this section shall not apply to transactions with authorized concessionaires.

**5. Boating and Other Watercraft or Vessels**

- A. The term watercraft shall mean canoes, kayaks, air boats and other mono-hull and multi-hull boats, tanks, tubes and other vessels and devices, whether powered or not, that are intended or used by persons for flotation or water-borne transportation.
- B. Docks installed adjacent to boat ramps in a recreation area shall be used only for launching and recovery of watercraft and the embarking and disembarking of passengers. The mooring of watercraft at such docks for any other reason is prohibited. Watercraft shall not be left in recreation area day use parking areas at any time between the hours of 10 o'clock P.M and 6:00 o'clock A.M. Unattended watercraft shall not remain beached, moored, anchored or parked in any part of the recreation area, or in waters within the legal boundaries thereof, for longer than thirty (30) consecutive minutes at a time.
- C. Persons using watercraft within the legal boundaries of the recreation area shall at all times carry or otherwise have in their possession a U.S. Coast Guard approved PFD (personal flotation device) appropriate for such activity.
- D. The sport of wind surfing is permitted at Chalco Hills Recreation Area only.
- E. All motorized vessels and watercraft in a recreation area are restricted to a no-wake speed limit, except river corridors governed by state or federal regulations (i.e. Platte River Landing, Elkhorn River Access at Graske Crossing, Elkhorn Crossing, West Maple Elkhorn River Access).
- F. The operation of water craft in a recreation area in a careless, negligent or reckless manner so as to endanger any property or person (including the operator and/or user(s) thereof is prohibited.
- G. Vessels or other watercraft may be operated on recreation area waters, except in prohibited or controlled areas, in accordance with all posted regulations, including buoys, and applicable federal, state and local laws, as regulated by authorized enforcement officers. All vessels or watercraft so required by applicable federal, state and local laws shall display an appropriate registration on board whenever the vessel is operated on recreation area waters.
- H. Vessels or other watercraft in a recreation area are not to be used as a place of habitation or residence.
- I. The use of jet skis on recreation area waters is prohibited, except river corridors.
- J. In the Elkhorn River Access at Graske Crossing, and the West Maple Canoe Access, only hand propelled craft may use the boat ramp.
- K. There shall be no landing, embarkation, disembarkation, loading, unloading, repair, operation or use of any watercraft, or any engine or other component thereof, in a recreation area, or in waters within the legal boundaries thereof, at any time between the hours of 10:00 o'clock, P.M., and 6:00 o'clock, A.M.
- L. There shall be no movement, parking, loading, unloading, repair, operation or use of any automobile, truck, motorcycle, or other vehicle, or any engine or other component thereof, in the day use area parking lot or on the boat ramp of a recreation area at any time between the hours of 10:00 o'clock, P.M., and 6:00 o'clock, A.M.

## **6. Camping**

- A. Camping is defined as the temporary outdoor lodging for recreational purposes, presupposing the occupancy of a shelter designed for that purpose such as a sleeping bag, tent, trailer, recreational vehicle, etc. Sleeping in a vehicle that is not designed for camping is prohibited.
- B. Camping within the Prairie View, Chalco Hills, Platte River Landing Recreation Areas, Elkhorn River Access at Graske Crossing, is prohibited unless a Special Use Permit is authorized by the Park Superintendent.
- C. Primitive camping is allowed at Elkhorn Crossing Recreation Area on a limited 14 day stay basis, and all campers are required to register at the campground registration facility. Camper registration shall not be deemed to be complete without all portions of the registration form provided by the District being truthfully completed and each portion thereof placed, displayed or deposited as designated or indicated on or by such form.
  - (1) A family may camp in the designated camp area for up to 14 consecutive days and then must vacate the campground prior to the end of the 14<sup>th</sup> day. After vacating, members of that family cannot resume camping in the recreation area for at least 15 days.
  - (2) When vacating the campground, all camping equipment, vehicles, trailers and other possessions must be removed and the camping site cleaned.
  - (3) Camping equipment vehicles or shelters left in the recreation area after the day the campsite is required to be vacated may be removed from the campground and impounded by the District or a law enforcement officer.
  - (4) The District shall allow camping in the designated campground from April 1<sup>st</sup> to November 1<sup>st</sup>. The remainder of the year the campground will be closed, except at the discretion of the Park Superintendent.
  - (5) Not more than two motorized vehicles shall be parked at any individual camp site at any time between the hours of 10:00 o'clock, P.M., and 6:00 o'clock, A.M.
  - (6) Violation of these rules may result in exclusion from the campground for such period as the District determines reasonable.

## **7. Closures**

- A. The District may establish a reasonable schedule of visiting hours for all or portions of a recreation area and close to public use all or any portion of a recreation 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. A recreation area shall be closed to all persons except registered campers between the hours of 10:00 o'clock, P.M., and 6:00 o'clock, A.M. Campers intending to stay overnight in a recreation area must register between the hours of 6:00 o'clock, A.M., and 10:00 o'clock, P.M.
- B. All persons shall observe and abide by officially posted signs designating closed areas and visiting hours.
  - Chalco Hills Lake and Recreation Area - Open 6:00 a.m. to 10:00 p.m. (Gates Close)
  - Prairie View Recreation Area - Open 6:00 a.m. to 10:00 p.m.



- Elkhorn Crossing, Platte River Landing Recreation Area, Elkhorn River Access at Graske Crossing, and West Maple Elkhorn River Access – Seasonal – April 1<sup>st</sup> to November 1<sup>st</sup>, 6:00 am to 10:00 pm.
- C. Walk-on traffic, after closing of recreation area to vehicular traffic, is not permitted.
- D. Vehicles left after closing hours are subject to towing at the owners expense, and owners of the vehicles may be issued a citation for trespass.

## **8. 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.

## **9. Dogs, Cats and Pets**

- A. Dogs, cats, and other pets are prohibited in a recreation area unless they are crated caged, or on a leash of no more than six feet (6') in length, unless they are in a designated fenced dog exercise area set aside by the District. Dog exercise areas are available at Chalco Hills Recreation Area.
- B. Dogs, cats, or other pets running at large and observed by a District employee 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.

## **10. Fireworks**

- A. Fireworks are prohibited in a recreation area.

## **11. Fires**

- A. Fires in a recreation area are prohibited except in District-provided fireplaces and grills located in designated picnic grounds, and except in commercially-manufactured stoves or lanterns using gasoline, propane, butane gas, or similar fuels. No ground fires or burn barrel ground fires will be allowed anywhere in the recreation area including the campground.
- B. Fires must be kindled in such manner that no trees, shrub, grass, or other combustible matter will be set on fire or caused to be set on fire.

- C. Only natural wood (including commercially-manufactured fire place logs and charcoal) may be burned in a Recreation Area fireplace or grill.
- D. Wood products containing creosote or other chemical additive, CCA treated lumber, food waste, trash, green vegetation, plastic, rubber, metal, paper products (other than paper used in kindling (starting) a fire, and other man-made products not approved elsewhere in these rules, may not be burned in a Recreation Area fireplace or grill.
- E. Natural wood burned in a park fireplace or grill must be cut to such a length as to fit entirely within the confines of the fireplace or grill in which it is being burned.
- F. Fires must be observed and controlled at all times, and not be allowed to burn to a height or volume that poses a danger to others or to any private or public property from flames, hot embers, or ash.
- G. Fires will be maintained at all times so as to not create undue smoke or simulate smudge pots.
- H. Fires may not be kindled or started by the use of gasoline, diesel fuel or any other combustible liquid or fuels except starters, liquids or other materials manufactured for the express purpose of facilitating starting of fires in fireplaces, stoves, grills and the like.
- I. When no longer needed, the fire shall be completely extinguished. Leaving a fire unattended is prohibited.
- J. Throwing or dropping a lighted cigarette, cigar, pipe heel, match, or other burning materials is prohibited.
- K. The kindling of fires in a recreation area may be prohibited by the Park Superintendent by posting signs when an increased fire hazard makes such action necessary.
- L. The Park Superintendent, during such period of time as he may prescribe, may prohibit smoking in any recreation areas, including roads and trails, by the posting of appropriate signs.
- M. Fires in a recreation area are prohibited after closing hours (except at campsites at the Elkhorn Crossing Recreation Area), in the absence of a Special Use Permit from the District.

## **12. Fishing, Hunting, Trapping**

- A. Fishing is permitted in a recreation area subject to state fishing regulations and to specific local regulations.
- B. Any area or portions of a recreation area may be closed to all or any form or method of fishing by posting of appropriate signs.
- C. Fishing from bridges, or within 20 yards of any public boat ramp or boat dock is prohibited, provided, however, fishing shall be permitted from handicapped-accessible fishing piers or from a feature or other improvement in the recreation area designed to facilitate fishing access by handicapped persons.
- D. Bank lines or set lines shall not be used in the recreation area including in any submerged portions thereof..
- E. Holes made for ice fishing shall not exceed 10 inches in diameter.
- F. 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.
- G. Trapping of fur-bearing animals or other species is prohibited except when special permits are issued by the State of Nebraska and the District for animal control purposes.

- H. Only when engaged in the sport of fishing, shall wading and the use of float tubes be allowed in the Recreation Area.

### **13. GEOCACHING REGULATIONS**

#### **I. TERMS DEFINED:**

- a) *GEOCACHING* means an adventure game for users of GPS devices whereby individuals and organizations set up geocaches and share the locations of these geocaches on the internet. Other users of GPS devices then use such location coordinates to find the geocaches. Once found, a geocache may provide the finder with a variety of rewards. The finder often is asked leave something for the geocache.
- b) *GPS DEVICE* means an electronic device that can determine an approximate location on the planet using the federal satellite Global Positioning System.

#### **II. GEOCACHE PERMITS:**

- a) Placement of a geocache on District property must be preceded by the securing of a Special Use Permit. District property allowing the permitted placement of geocaches includes: Park and Recreation Areas, Management Areas, Conservation Corridors and Wildlife Management Areas. Permits may be obtained by contacting the District's office at (402) 444-6222, on-line at [www.papionrd.org](http://www.papionrd.org) or in person at 8901 S. 154<sup>th</sup> Street, Omaha, Nebraska 68138.
- b) The applicant for a permit must provide a valid address, telephone number, e-mail address, vehicle license number, driver's license number, and the web site address(es) on which the geocache location will be posted.
- c) The location of the geocache must be pre-approved by the General Manager or Park Superintendent, whose main concerns will be public safety and the prevention of undesirable impacts to natural and cultural resources. The General Manager or Park Superintendent will advise of any off-limits areas, other permitted geocaches and possible prescribed burn areas for the calendar year.
- d) Once a geocache is placed, the applicant must return to the District office to record the exact geocache location, including GPS coordinates, which then will be endorsed on the permit.
- e) All permits will be in effect for a calendar year. A new permit will need to be applied for and authorized each calendar year. If during the effective period of a permit, a permit holder wants to change the location of a geocache, a new permit must be issued and the effective permit cancelled.
- f) Upon the expiration of a permit, the permit holder is responsible for removing the geocache and for deleting the geocache location from all web sites and any other information sources. If the permit holder fails to remove the geocache, it will be removed by District staff and held for ten (10) days after which staff will dispose of the geocache and its contents. Confiscation and disposal by staff will be recorded and filed.

#### **III. GEOCACHE CONTAINERS AND CONTENTS:**

- a) Geocache containers must be approved by the District.

- b) Geocache containers must be non-breakable, waterproof and have some form of latch or other closing mechanism to prohibit content exposure to wildlife.
- c) Geocache containers must be marked "Geocache Container" on the outside of the container.
- d) Geocache may not contain inappropriate or dangerous items, such as food, medications, personal/hygiene products, pornography, or weapons of any type. Log books are encouraged in lieu of exchange items.
- e) All geocaches are subject to random inspection by District staff, which may immediately remove any item held in a geocache deemed unacceptable.
- f) Non-permitted geocaches will be removed by District staff and held for 30 days. An attempt will be made to locate the geocache owner. If the geocache is not claimed in 30 days, staff will dispose of the geocache container and contents.

#### **IV. GEOCACHE LOCATIONS:**

- a) The location of a geocache must be pre-approved by the General Manager, or Park Superintendent.
- b) Physical geocaches are prohibited inside, or attached to, any District facility or structure.
- c) Geocaches may not be placed in locations that may lead to the creation of spur trails.
- d) Geocaches may not be placed in dangerous, inappropriate, or protected areas and habitats, on cliffs, underground or underwater.
- e) No digging is permitted. Geocaches cannot be buried, nor may soil, vegetation or stones be disturbed to place a geocache.
- f) It's up to the geocache owner to periodically inspect the cache and the area to ensure that its impact on the area is minimal, if not nonexistent.

#### **V. COMPLIANCE**

- a) The use of metal detectors in geocache searches is expressly prohibited.
- b) If geocaching activities as a whole are found to have negative impact on park resources, or if safety becomes an issue in geocache searches, the General Manager, or Park Superintendent may ban geocaching from certain areas of District property.
- c) Failure to comply with District guidelines will result in the revocation of effective geocaching permits. Continued failure to comply with these guidelines will prevent the issuance of any further geocaching permits to the non-compliant group or individual.
- d) All individuals participating in geocaching must park in designated parking lots. No off road parking is allowed.

**Reference:** [www.geocaching.com](http://www.geocaching.com)

#### **14. Horses and Other Livestock**

- A. Horseback riding and the use of pack animals within any recreation area is prohibited.

- B. Grazing or ranging domestic animals or poultry in a recreation area is prohibited without prior written authorization by the District.
- C. Riding and hitching of horses or other saddle or pack animals in campgrounds or picnic areas, or within the immediate vicinity of trail shelters, eating or sleeping establishments, or other areas or public gatherings, except where trails and facilities are provided for such use, are prohibited.

**15. Intoxication: Consumption of Alcohol**

- A. Consumption of alcoholic beverages in a recreation area is prohibited; and, the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken, or the contents of which has been partially removed also is prohibited; provided, however, such prohibitions do not apply to an open container stored in the trunk of a motor vehicle or, in the case of a motor vehicle without a trunk, an open container stored in a portion of the vehicle designed for the storage of luggage and not normally occupied by or accessible to the operator or passengers while the vehicle is in motion; nor do they apply to an open container stored in the living quarters of a motor home or camper.
- B. Presence in a recreation area while under the influence of alcoholic liquor or of any drug, or when that person has .08 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.

**16. Permits: Special Use Permit**

- A. Sports events, pageants, re-enactment, regattas, entertainments and the like, characterized as public spectator attractions or participant activities, are prohibited in a recreation area 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 recreation 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 recreation area and public use thereof. In the case of a fishing contest, only one permit, per year, shall be issued to any one group or organization, and the number of boats allowed in the contest will be set by the District.
- B. Public meetings, assemblies, gatherings, demonstrations, parades, religious services, and other expressions of views are prohibited in a recreation area unless written permission has been given by the District in accordance with District policy.
- C. The filming of still or motion pictures for commercial purposes is prohibited in a recreation area unless written permission therefore has been given by the District.
- D. Applications for a Special Use 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 South 154<sup>th</sup> Street, Omaha, NE 68138.

- E. As a condition to Special Use 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 recreation 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.
- F. Soccer – Soccer activities will be conducted on the recreational site within the boundaries of the soccer complex at Chalco Hills and under the rules and adopted regulations as per the District's contract with the Nebraska State Soccer Association.

#### **17. Preservation of Public Property**

- A. The 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 petrified wood, flower, cane 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 in a recreation area.
- B. The gathering or possession for personal consumption or use of only such fruits and berries as the Park Superintendent may designate is permitted. All such fruits and berries shall be picked by hand. The gathering or collecting of such objects for the purpose of sale is prohibited.
- C. 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 recreation lands or waters, by any persons other than authorized District employees or contractors, is prohibited; provided however that dead and down wood found on the ground may be collected for use as fuel for permitted fires in picnic areas except as posted by appropriate signs.
- D. Entering, climbing upon, or tampering with District-owned motor vehicles and motorized or power equipment is prohibited.
- E. No person shall enter upon any recreation area or portion thereof which is temporarily closed to general public access and which is posted with appropriate signs.
- F. Digging or seining for any purpose in a recreation area is prohibited.

#### **18. Property, Authorized Installation**

- A. No structure shall be permanently or semi-permanently installed in a recreation area except by written consent of the District, except as stated below.
- B. Ice fishing shelters are prohibited. However, a temporary shelter, which is erected and removed daily by the owner or occupant, is permissible and will not require a permit or written consent from the District.

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

**19. 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 recreation area, (pack-in, pack-out). Glass containers are prohibited in all NRD recreation areas.
- B. Draining or dumping refuse or wastes from any trailer or other vehicle except in receptacles provided for such use is prohibited.
- C. Cleaning food, fish, or fowl or washing clothing, vehicles, campers, or articles of household use at campground hydrants is prohibited.
- D. Polluting or contaminating in any manner any watershed, water supplies, or water used for drinking purposes is prohibited.
- E. Depositing any body waste in or on any portion of any comfort station or other public structure except into fixtures provided for that purpose is prohibited. Placing any bottle, can, cloth, rag, metal, wood, or stone substances in any of the plumbing fixtures of such structure or station is prohibited.
- F. Using District refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought as such from private property is prohibited.

**20. Scuba Diving, Swimming, Snorkeling and Wading**

- A. Scuba diving, wading, snorkeling and swimming is prohibited in recreation area waters. Wading while fishing is, however, permitted.

**21. Traffic**

- A. It shall be unlawful to park, tow, or otherwise operate within the confines of a recreation area any motor vehicle, trailer or cabin trailer 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 Park Superintendent 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 a recreation area.
- C. It shall be unlawful for any person to park, tow, drive or otherwise operate any motor vehicle, trailer, or cabin trailer in recreation area other than on roadways, and parking areas designated by the District for such operation.
- D. All traffic laws and District recreation regulations governing operation of motor vehicles on roadways of the recreation area shall further apply to motor vehicle operation on those off-road portions of the recreation areas, including but not limited to campgrounds, beaches, and parking areas, as may be designated by the District for motor vehicle operation.
- E. The speed of motor vehicles allowable shall be 20 mph, unless otherwise posted.
- F. No motorized vehicles shall be allowed on recreation area trails except authorized handicap wheelchairs.

**22. Vending**

- A. Vending, including mobile vendors, of various goods and services, products, and commodities, is permitted in the recreation area with the prior written authorization of the District. The vending of any such goods and services, products and commodities without written authorization of the District is prohibited.
- B. No recreation 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. The sale or distribution of printed matter is permitted within recreation areas provided a permit to do so is issued in advance by the District.
- D. Persons engaged in the sale or distribution of printed matter shall not obstruct or impede pedestrians or vehicles, harass recreation area visitors with physical contact or persistent demands, misrepresent the purposes of affiliations of those engaged in the sale or distribution or misrepresent whether the printed matter is available without cost or donation.

**23. Water Skiing**

- A. The towing of persons on water skis, surfboards, and similar devices by vessels is prohibited on recreation area waters.

**24. Water Sports – General**

- A. Recreation areas on which water related recreational activities are permitted may be zoned to separate or define activities. Such zoning may prescribe the area in which the public may engage in any such activities, or may limit the hours during which the public may engage in any such activities. Such zoning shall be clearly indicated by such signs, markers, buoys, or other appropriate devices.
- B. The number of participants engaging in any permitted water-related recreation activities in a recreation area may be limited by District employees when conditions warrant such limitations in the interests of public health, safety, or welfare.
- C. District employees are herewith specifically authorized and empowered to declare emergencies and to require the participants in any or all of the water related activities mentioned in the foregoing on any such recreation areas, to cease such activity and to temporarily vacate the water area or a portion of the water area, in the event of a water accident, severe weather, or similar emergency. No person shall have permission to engage in any such activity in any such recreation areas or portion thereof during such declared emergency.
- D. Prohibited: mooring, landing, or departing under power or running motors or power units during quiet hours, except emergency law enforcement.

**25. Winter Sports**

- A. Skiing, sledding, tobogganing, snow-shoeing, ice skating, ice fishing, and similar winter sports are permitted in recreation areas except upon roads and parking areas when such roads and parking areas are open to motor vehicle traffic and in other places where these activities are prohibited by appropriate regulations and/or posted signs.



- B. The District shall not forecast or advise the public or any person concerning ice conditions, and skating, ice fishing, and other ice related activities shall be at the participant's own risk.
- C. The towing of persons on skis, sleds, or other devices by a motor vehicle or snowmobile is prohibited in a recreation area.
- D. The sport of ice sailing is prohibited in a recreation area.
- E. The operation and use of snowmobiles is prohibited in all recreation areas.

**26. Concession Areas**

- A. Written permission must be secured from the Board prior to the establishment of concession activities in a recreation area.

**27. Standards**

- A. The standards established in these regulations are in furtherance of the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and provide for the enhancement of the recreation values of the recreation 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 a recreational area shall not materially detract from the scenic, natural, historic, pastoral, and fish and wildlife values of the recreation area.
- D. There will be adequate provision for disposal of solid and liquid waste originating on or resulting from the use of the recreation area.
- E. All new in a recreation area utilities will be underground when feasible.
- F. No structures or other improvements will be constructed in or encroaching upon streambeds, banks, and flood plains of live or intermittent streams in a recreation area. Streambeds, banks, and flood plains in a recreation area will not be disturbed, except as may be necessary to construct, operate, and maintain irrigation, fisheries, utilities, roads, and similar facilities or improvements. Any such necessary encroachment will avoid impeding water flow, sedimentation of streams, or entrance of deleterious materials into streams.

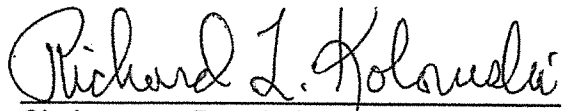
**28. Exceptions to Regulations**

- A. Nothing in the foregoing shall be construed as prohibiting the District or its 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 emergency management, 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.

**29. Regulation Amendments or Changes**

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

Adopted by the Board of Directors of the Papio-Missouri River Natural Resources District on,  
and effective as of, this 12th day of July, 2012.

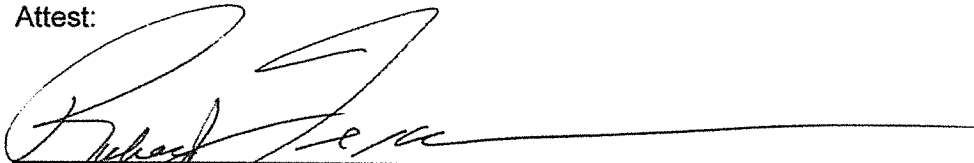


Chairperson, Board of Directors  
Papio-Missouri River Natural Resources District



General Manager  
Papio-Missouri River Natural Resources District

Attest:



Secretary, Board of Directors  
Papio-Missouri River Natural Resources District