



National Park Service  
U.S. Department of the Interior

Independence National  
Historical Park

Independence NHP  
143 S. 3<sup>rd</sup> Street  
Philadelphia, PA 19106

**Superintendent's Compendium**  
Of Designations, Closures, Permit  
Requirements and Other Restrictions  
Imposed Under Discretionary Authority.

215-597-8787 phone  
215-597-1003 fax

Approved:

*Cynthia MacLeod*

Cynthia MacLeod, Superintendent  
Date: **May 5, 2008**

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Independence National Historical Park. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

**I. VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES**

**(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:**

A. The following are buildings or portions of buildings that are closed to **Public Visitation**:

Independence Hall:

- All basement areas and all access ways to said area.
- All closets.
- The area behind the railings in the Supreme Court Chamber and Assembly Room on the first floor.
- The area behind the railings in the Governors Council Chamber & Committee Room on the 2nd floor.
- The attic & tower, levels 2 through 7 & the stairs from the 2nd floor.

East Wing of Independence Hall:

- All basement areas and all access ways to it.
- All closets on the first floor.
- All areas above the first floor.

West Wing of Independence Hall:

- All basement areas and all access ways to it.
- All closets on the first floor.
- All areas above the first floor.

Congress Hall:

- All basement areas and all access ways to said area.
- All closets.
- The area behind the roped off seating area on the first floor.
- The balcony between the first and second floors and the balcony in the Senate Chamber.

- All areas with the exceptions of the corridor, the Committee Rooms viewing areas and the viewing area in front of the barrier in the Senate Chamber.
- The attic and cupola.

Old City Hall:

- All basement areas and all access ways to it.
- All closets.
- The area behind the rail in the Supreme Court Chamber, on the first floor.
- The balcony between the first and second floors.
- All second floor areas and the stairway to it. Persons having business in the second floor offices are permitted to enter this area with prior approval of the NPS.
- Attic and cupola.

Second Bank of the United States:

- All areas other than the portrait gallery and the handicap accessible entrance to the gallery are closed to the public..

Philosophical Hall And Library Hall:

- Although located within the boundaries of INDE, these American Philosophical Society Buildings are not managed (including closures) by the National Park Service. Various cooperative agreements may allow both entities to achieve common goals.

First Bank of the United States:

- All areas with the exceptions of the Architectural Exhibit in the basement, which is by guided tour only
- All other areas are closed to the public. Entrance requires prior approval of the NPS.

Bookstore (Pemberton House):

- All basement areas.
- The closet and the south storage room, on the first floor.
- All areas above the first floor.

Military Museum (New Hall):

- All basement areas, with the exception of the public restrooms and the stairway and hallway leading to them.
- All closets and areas behind exhibits, on the first floor.
- All closets, areas behind exhibits, and rooms not containing exhibits, on the second floor.
- All areas above the second floor.

Carpenters' Hall:

- Although located within the boundaries of INDE, Carpenter's Hall is not owned or managed by the National Park Service. The building's owners establish closures. Various cooperative agreements may allow both entities to achieve common goals.

Todd House (343 Walnut St.):

- Todd House is open to the public by guided tour only. Visitors will be instructed as to which portions of the building they may enter by park staff giving the tour. All other areas are closed to the public.

339-341 Walnut St.:

- This is an office building and is closed to visitation. Persons having business within are permitted to enter.

315-325 Walnut St.:

- This is the Independence Park Institute (IPI) and is open to those having business within.

311-317 Walnut St.:

- This is an office building & is closed to visitation. Persons having business within are permitted to enter.

Bishop White House (309 Walnut St.):

- Bishop White House is open to the public by guided tour only. Visitors will be instructed as to which portions of

the building they may enter. All other areas are closed to the public.

St. Joseph's Church:

- Although located within the boundaries of INDE, St. Joseph's Church is not owned or managed by the National Park Service. The building's owners establish closures. Various cooperative agreements may allow both entities to achieve common goals.

St. George's Church:

- Although located within the boundaries of INDE, St. George's Church is not owned or managed by the National Park Service. The building's owners establish closures. Various cooperative agreements may allow both entities to achieve common goals.

Philadelphia Merchants Exchange (Park Headquarters)(143 S. Third St.):

- This is an office building. Persons having business within are permitted to enter. A visitor exhibit area is open to the public during business hours.

Independence Living History Center/Chilled Water Plant:

- The Chilled Water Plant
- The Independence Park Institute three learning lab spaces are open by prior arrangement through an appointment process only.
- The Independence Park Institute second floor office area is closed to visitation. Persons having business in the second floor offices are permitted to enter this area with prior approval of the NPS.
- The following, limited, first floor areas are open to the public: the public area of the archeological artifact lab, the Once Upon A Nation Gift Shop, and the west theatre.

City Tavern (138 S. Second St.):

- City Tavern is a restaurant operated by a concessionaire.
- All areas in the basement are closed to the public with the exception of the dining area, stairway and corridor leading to the restrooms and the restrooms themselves.
- All first floor areas are open to the public except: the area behind the bar, the kitchen, the fire stairs, and all closets.
- All second floor areas are open except: all closets, the kitchen area, and the fire stairway (excluding fire emergencies).
- All areas above the second floor are closed to public visitation with the exceptions of the third floor restrooms, and for persons having business in the third floor office area.

Franklin Court:

314 Market Street (Book Store):

- All areas of this building are closed to public visitation with the exception of the bookstore (when open) on the first floor, the corridor leading to said area and the access to the second floor Postal Museum. Persons having business in the upper floor offices are permitted to enter.

316 Market Street (Post Office and Postal Museum):

- This building is leased and operated by the U.S. Postal Service. All areas of this building are closed to the public with the following exceptions: the first floor Post Office, (the area behind the sales desk is not open to the public), & the second floor Postal Museum.

318 Market Street (Architectural-Archeological Exhibits):

- All floors of this building are open to the public, however, only within designated viewing areas.

320 Market Street (Print Shop):

- All areas of this building are closed to the public with the following exceptions: the viewing area in front of the railing in the first floor Print Shop. Persons having business in the second floor offices are permitted to enter this area with prior approval of the NPS.
- The fire tower behind this building is closed to the public except during emergency egress situations.

322 Market Street (Book Bindery and Aurora Office):

- All areas of this building are closed to the public except: the designated public viewing area in the first floor Book Bindery and the corridor alongside the Aurora Office.

Underground Museum Area:

- The following areas are open to the public: access ramp, restrooms, gallery viewing area, theater, phone and World Stage exhibit areas and the corridors connecting these areas to the exit stairwells. All other areas, including the World Stage and display cases, are closed to the public.

Declaration House:

- All basement areas are closed with the exception of the restrooms, and access to them (opened upon request).
- On the first floor, all areas are open to the public with the exception of closets, areas behind displays, the area behind the sales counter, and the projection booth in the theater.
- On the second floor all areas are open except: closets, areas behind exhibits, and exhibit rooms.
- All areas above the second floor are closed to the public.
- The area directly West of the building is closed except as an emergency exit.

Thaddeus Kosciuszko National Memorial:

- In the basement all areas are closed with the exception of the public restrooms and the corridor leading to them.
- On the first floor all areas are open to the public with the exception of closets, and the area behind the information desk.
- On the second floor all areas are open to the public with the exception of closets, the projection booth in the theater, and the enclosed exhibit area.
- All areas above the second floor are closed to the public.

Deshler-Morris House (5442 Germantown Ave.):

- Deshler Morris House is closed for renovations. It is scheduled to re-open in 2009.

Bringhurst House (5448 Germantown Ave.):

- This building is closed for renovations. It is scheduled to re-open in 2009.

Gloria Dei Church:

- Although located within the boundaries of INDE, Gloria Dei Church is not owned or managed by the National Park Service. The building's owners establish closures. Various cooperative agreements may allow both entities to achieve common goals.

Christ Church:

- Although located within the boundaries of INDE, Christ Church is not owned or managed by the National Park Service. The building's owners establish closures. Various cooperative agreements may allow both entities to achieve common goals.

Locust Street Buildings (408, 410, 415, 421 & 423 Locust St.):

- Park Residences. All areas are closed to the public.

Leithgow Street Buildings (230 & 232 Leithgow St.):

- Park Residences. All areas are closed to the public.

Maintenance Facility (275 S. Fifth St.):

- The maintenance building is closed to the public. Persons having business within the facility are permitted to enter.

Liberty Bell Center:

- The following areas of the Liberty Bell Center are closed to the public:
  - Restroom
  - Storage Room
  - Utility Room
  - Multi-media Room
  - Basement

1<sup>st</sup> Block Restroom Facility (corner of 5<sup>th</sup> & Chestnut Streets):

- The central service room is closed to the public.

#### Independence Visitor Center

- Located within the boundaries of INDE, the Independence Visitor Center is owned by the NPS and managed jointly by the NPS and the Independence Visitor Center Corporation (IVCC). The following are closed to the public:
- All closets, storerooms, mechanical/electrical rooms, equipment areas between exhibits, fire stairs (except in an emergency) and areas behind the information/sales desks and coffee bar counter, on the first floor.
- Theaters, not in use, are also closed to the public.
- All basement areas exclusive of the parking garage.
- The NPS special exhibit area may be closed periodically for exhibit work/installation.
- All areas on the second floor and all areas above the second floor with the exception of the stairs leading to the pre-assembly mezzanine and terraces (terraces may be closed for special event use). Persons having business in the second floor office area are permitted to enter.

#### Underground Parking Garage & Great Room, 2nd Block Of Independence Mall:

- This area is leased to and controlled by the Philadelphia Parking Authority (PPA). The PPA regulates closures and hours of operation. The NPS storage area within the garage is closed to the public.

#### Free Quaker Meeting House:

- Basement area is reserved for use by Once Upon a Nation staff.
- First floor is open to the public during hours when building is staffed by Once Upon a Nation personnel.

#### Electric Power Substation, 2nd Block Of Independence Mall:

- This area is leased to and controlled by the Philadelphia Electric Company (PECO). The PECO regulates closures and hours of operation; however, all areas are closed to the public.

#### National Constitution Center / Independence Transportation Center / Third Block Underground Parking Garage:

- Although located within the boundaries and owned by the National Park Service, the building is not managed by INDE. The National Constitution Center is responsible for operation of Block 3 of Independence Mall in its entirety (with the exceptions of law enforcement and maintenance, in the management of the bus facility, perimeter sidewalks, and garage storage area), subject to an agreement with the NPS.

#### Washington Square Structures:

- The former guard structure in Washington Square is closed to the public.

#### Edgar Allan Poe NHS (530 & 532 N. 7th Streets & the building behind 530 N. 7th St):

- The historic Poe House is open to the public. Visitors will be instructed as to which portions of the building they may enter. All other areas are closed to the public.
- The following areas of 530 & 532 N. Seventh St. are closed to public visitation: the basements of both 530 and 532 with the exception of the public restrooms, and the areas west of the restrooms in 530.
- All closets, storage rooms and the projection room located on the first floor of 530 & 532. Also all stairs leading to other levels of the building with the exception of the stairs leading to the restrooms in 530 or stairs used in conjunction with a tour.

#### Bond House (129 S. 2nd St.):

- The Bond House is a leased building under the Historic Leasing Act and is currently being used as a bed and breakfast Inn. The managers of the Bond House establish closures.

#### Parking Garage and Associated Shops and Theater, 2nd and Sansom Streets:

- This area is leased to and controlled by the Philadelphia Parking Authority (PPA). The PPA and or its subleasees regulate closures and hours of operation.

#### Benjamin Franklin National Memorial:

- Although not located within the boundaries of INDE, the Benjamin Franklin National Memorial is part of the National Park Service. The NPS is responsible for cooperating with the Franklin Institute in the preservation and presentation of the Memorial.



- This memorial statue is in an area open to the public at no charge; however, the Franklin Institute, within whose buildings it sits, regulates the hours of visitation.

**NOTES:**

- Due to the heightened security as a result of the terrorist attacks of September 11, 2001, access to the Liberty Bell Center, Independence Hall, East & West Wings, Congress Hall, and the grounds within the security bollards are restricted. Prior to entry, visitors must be screened. Screening may be accomplished through visual observations or through the use of magnetometers and x-ray equipment.
- Security measures are periodically evaluated and may change at the discretion of park management.
- Because of these changes and other Special Activities which may occur at any time, it may be necessary to revise this section on short notice. In all cases the public will be given as much notice of these changes as possible.
- During the various construction projects, one or more public use areas may be closed to the public.
- All roof areas and building components not designed for visitor use are closed to the public.

Public Use Limits:

During most of the year those buildings and/or portions of buildings whose visitation is controlled by the National Park Service and which have not been designated as closed to the public are open for public visitation. Hours vary and are extended for some facilities. From time to time because of staffing shortages, special activities, severe weather, mechanical failures, or for maintenance purposes buildings may be closed to the public. The public will be notified of this by the posting of appropriate signs, via the Internet at: [www.nps.gov/inde](http://www.nps.gov/inde), by a park representative, or they may call 215-965-2305/215-597-8787 or TDD/TYY 215-597-1785 for information.

Some considerations are:

- Unless hereinafter noted, normal public use building hours are from 9:00 a.m. to 5:00 p.m., however some lesser visitor facilities have restricted hours of operation. Access into the higher security portions of the Mall begins at 8:45 a.m. at the designated screening locations.
- Between June 24 and August 19 and depending upon funding, Independence Hall and Liberty Bell Center may be open from 9:00 a.m. to 8:00 p.m.. (NOTE - The actual hours and the beginning and ending dates may vary from year to year)
- Except for the changes listed herein, the Independence Visitor Center is open daily from 8:30 a.m. to 5:00 p.m.
- On **Thanksgiving** only Independence Hall and the Liberty Bell Center are open for public visitation. On these days, the minimum open hours are from 11:00 a.m. to 4:00 p.m.
- On Christmas Eve, the park closes at 2:00 p.m.
- On **Christmas** the park will be closed.
- On **New Years Day** only Independence Hall and the Liberty Bell Center are open for public visitation. Hours of operation may vary.
- On **Veteran's Day** only Independence Hall, the Liberty Bell Center, the Independence Visitors Center and the Military Museum are open for public visitation. On these days, the open hours are from 9:00 a.m. (8:30 a.m. for the Independence Visitor Center) to 5:00 p.m.
- On **Martin Luther King's Birthday** and on **Presidents' Day** only Independence Hall, the Liberty Bell Center and the Independence Visitors Center are open for public visitation. On these days, the open hours are from 9:00 a.m. (8:30 a.m. for the Independence Visitor Center) to 5:00 p.m.
- The Deshler-Morris House is closed for renovations at this time. It is expected to reopen in the Spring of 2009.
- The City Tavern hours are controlled by the Concessionaire (215-413-1443). Generally it is open from 11:30 a.m. to 10:30 p.m.
- Edgar Allan Poe NHS is open from 9:00 a.m. to 5:00 p.m. Wednesday through Sunday.
- Thaddeus Kosciuszko National Memorial is open from 12:00 p.m. to 4:00 p.m. Wednesday through Sunday.

NOTE - Because of special activities that may occur at any time it may be necessary to make changes to what is shown in this section on short notice. In all cases the public will be given as much notice of these changes as possible.

Closures:

All grounds areas within the established boundaries of Independence National Historical Park are open to the public on a 24-hour per day basis except as listed in exceptions below:

Exceptions:

- (a) All construction staging areas are closed to the public. These areas are fenced with green painted plywood, chain link or orange snow fencing.
- (b) The Jefferson Garden area north of Library Hall is closed to the public.
- (c) The grounds area directly behind the Todd House and 339 Walnut Street offices bounded on the north by the south sidewalk of Harmony St. is closed to the public between midnight and 5:00 a.m.
- (d) The 18th Century Garden located west of 325 Walnut Street is closed to the public whenever the gates are closed.
- (e) The areas behind the fences located directly behind the Bishop White House, 313 Walnut Street & 325 Walnut Street are closed to the public.
- (f) The Benjamin Rush Garden located just east of the Bishop White House is closed to the public whenever the gates are closed.
- (g) The St. Joseph's Church grounds located on the southeast corner of 4th and Walnut Streets are closed to the public whenever the gates are closed.
- (h) The St. George's Church grounds located behind St. George's Church are closed to the public whenever the gates are closed.
- (i) The Franklin Court Courtyard is closed to the public whenever the gates are closed.
- (j) The Declaration House Courtyard is closed to the public whenever the gates are closed. The grounds area immediately to the west of the Declaration House is closed to the public at all times.
- (k) The grounds at the Deshler-Morris and Bringhurst Houses are closed to the public during the renovation of the houses.
- (l) The Gloria Dei grounds are closed from 11:00 p.m. to 5:00 a.m.
- (m) The Christ Church grounds, Burial Grounds and Garden are closed to the public whenever the gates are closed
- (n) The grounds areas behind 230 & 232 Leithgow St. & 413, 415, 421 & 423 Locust St. are closed to the public.
- (o) The parking area north of 230 Leithgow St. is closed to the public for NPS residence parking only.
- (p) The parking area west of 423 Locust St. is closed to the public.
- (q) The Rose Garden located between Walnut & Locust Streets in the 400 block is closed to the public whenever the gates are closed.
- (r) The grounds behind 408 & 410 Locust St. is closed to the public.
- (s) The Magnolia Garden in the 400 block of Locust St. is closed to the public whenever the gates are closed.

- (t) The Maintenance Facility courtyard located at the corners of 5th and Manning Streets is closed to the public.
- (u) The equipment area at The Free Quaker Meeting House grounds are closed to the public.
- (v)..The Poe House grounds located just west of Seventh St. & between Spring Garden and Green Streets, are closed to the public except when admitted by the Poe House Staff.
- (w) The City Tavern grounds are closed to the public from the close of business to 5:00 a.m.
- (x) The storage area immediately north of the Bond House is closed to the public.
- (y) The grounds area of the Mikveh Israel Cemetery located between 8th and Darian Sts, and between Spruce and Locust Sts are closed to the public except when admitted by a person designated by the Mikveh Israel Trust.
- (z) All fountains other than water drinking fountains are closed to the public.
- (aa) Except during church services, the parking area west of the Christ Church Garden is closed to the public.
- (bb) The following streets located within the park boundaries are closed to vehicular traffic, except for authorized administrative use, or unless a special permit has been issued by the Superintendent.
  - a. The access road located behind Congress Hall.
  - b. Library St., located behind the Second Bank of the United States, running east from 5th St.
  - c. The access road leading to Carpenters' Hall.
  - d. Harmony St., located north of Walnut St. and south of Chestnut St., running from 4th to 5th Streets.
  - e. Orianna St., running from the gates of Franklin Court on Market St. to said areas intersection with Harmony St. to the south.
  - f. Dock St., located north of Walnut St. and south of Chestnut St., running from 3rd St. to Walnut St.
  - g. Sansom St., located north of Walnut St. & south of Chestnut St., running from 2nd St., east to said areas intersection with Hancock St.
  - h. Church St., located north of Market St. and south of Filbert St., running from American St. to 2nd St.
  - i. Moravian St., located north of Walnut St. and south of Chestnut St., running from its intersection with Dock St. to 2nd St.

NOTES:

- Because of special activities that may occur at any time or as a result of various construction projects, it may be necessary to make changes to what is shown in this section on short notice. In all cases the public will be given as much notice of these changes as possible.
- Due to the heightened security as a result of the terrorist attacks of September 11, 2001, grounds areas between the Commodore Barry Statue on Independence Square and south curb of Chestnut Street are restricted. Access follows a security screening by NPS authorized personnel. This is subject to change.

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During hazardous conditions or emergency situations some areas may be closed on short notice. These closings will be denoted by closed gates, posted employees, caution tape, signs &/or "Do Not Enter" flagging.

**II. ACTIVITIES THAT REQUIRE A PERMIT**

**(a) The following is a compilation of those activities for which a permit from the superintendent is required:**

The below sections all refer to sections within the Code of Federal Regulations, which is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the federal government (36 CFR).

- §2.4(a)(2)(iii) & (d)(3) To carry or possess a weapon.



- §2.13(a)(1) Lighting or maintaining a fire.
- §2.22(a)(2) Property.
- §2.35(a)(3) The consumption of alcoholic beverages. Exemptions to the permit requirement are listed under 36 CFR §2.35(a)(3)(i)
- §2.37 Noncommercial soliciting
- §2.38(b) Using or possessing fireworks and firecrackers.
- §2.50(a) Pageants, public spectator attractions, parades, entertainments, ceremonies, and similar events.
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other activities for public expressions of views. Permits for public expression may be issued verbally on the day of the event or demonstrations may occur within the park without a permit if the activity does not interfere with the government's operation, with other events already in progress, or with authorized permitted events.
- §2.52(a) The sale or distribution of printed matter.
- §2.62(b) The scattering of human ashes from cremation.
- §5.1 Commercial notices or advertisements.
- §5.3 Business Operations.
- §5.5 Commercial Photography.  
Motion pictures and Television.  
Still Photography.

### **III. GENERAL REGULATIONS**

- Park residents may not install outdoor radio or TV antennas.
- The playing of Frisbee, baseball, soccer, football, golf, basketball and any other sports activity by is prohibited if it reasonably could endanger other park users, or if the activity is damaging resources, i.e., turf areas.
- Kite flying is prohibited within 220 feet of NPS structures.
- Parking in the park is prohibited at all times, except by special permit or for authorized administrative use.
- No vehicles should be driven within 20' of park buildings unless the building has a specifically designed vehicle-loading bay.
- All vehicles over 10,000 lbs. are prohibited from driving / parking on flagstone and cobblestone paving until surface protection consisting of 2" of foam in between 2 layers of 3/4" plywood has been laid along the entire route.
- Gum chewing is prohibited within interior visitor use areas.
- The use of laser pointers in such a manner so as to create a disruptive or unsafe situation is prohibited.
- The use of photographic and/or flash equipment may be prohibited in order to protect artifacts/articles from damage or copyright infringement. Such closures will be advertised via signage and/or verbal direction.

- The Independence Visitor Center roof terrace/balcony may be closed to the public during parades however this area may be utilized as part of a special event.
- In addition to illegal weapons & excluding cigarette lighters, visitors are prohibited from taking flammable liquids into and beyond any park buildings.
- Tampering with or using the eternal flame in Washington Square for any reason is prohibited.
- Pursuant to Director's Order 78 and the July 2002 NPS guidance, "Social Science Surveys and Interviews in the National Parks and for the National Park Service," surveys shall not be permitted on park property without a permit.

### **PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES**

- §2.1(b) Pedestrians are prohibited from entering flower or ground cover beds.
- §2.1(c)(1) The gathering of fallen fruit from the ginkgo trees throughout the park is permitted. Fruit still on the tree may not be picked.

### **WEAPONS, TRAPS AND NETS**

- §2.4(a)(2)(iii) Employees living in Government housing are permitted to possess weapons (within their residence) without a permit. Such possession must be in accordance with State and local laws.
- §2.4(d)(3) The carrying or possessing of a weapon by an employee, agent or cooperating official, outside of their legal jurisdiction, except as provided elsewhere in 36 CFR §2.4, without a National Park Service (NPS) permit is prohibited.

### **CAMPING AND FOOD STORAGE**

- §2.10(a) Camping is prohibited in all areas within the park.
- Camping is defined as the use of park land for living accommodation activities such as sleeping, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping) or storing personal belongings or making any fire or using any tent or shelter or other structure or vehicle for sleeping or doing any digging or earth breaking or carrying on cooking activities. The above-listed activities constitute camping when it reasonably appears in light of all the circumstances that the participants in conducting these activities are in fact using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may also be engaging. This policy is not intended to prohibit eating and other traditional picnicking activities in areas designated for picnicking.

### **PICNICKING**

- Picnicking is prohibited in all historic buildings.
- Picnicking is allowed subject to the following restrictions:
- Only incidental, i.e., in conjunction with a visit to the park buildings, picnicking is allowed.
- The consumption of "brown bag" lunches by workers from surrounding offices is allowed.
- The setting up of tables, chairs, etc. in conjunction with picnicking is prohibited.
- Picnicking in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51 is allowed.
- Picnicking by park residents is allowed within the confines of their yards.

### **AUDIO DISTURBANCES**

- §2.12(a)(1)(ii) The Park has established an audio disturbance guideline to govern the volume of public address systems used in conjunction with public gatherings or special events for which a permit has been issued pursuant to §2.50 or §2.51, in order to prevent such public address systems from interfering with visitor use activities, and park neighbors. Audio amplification that: interferes with visitor use activities such as interpretive talks or makes noise which is unreasonably disruptive, considering the nature and purpose of the actor's conduct, location, time of day or night, purpose for which the area was established, impact on park users, and

other factors that would govern the conduct of a reasonably prudent person under the circumstances, is prohibited.

#### **FIRES**

- §2.13(a)(1) Lighting or maintaining a fire is prohibited; i.e., any type of open fire, other than a match or lighter, including, but not limited to, burning of flags & effigies, campfires, charcoal fires, propane stoves, coleman stoves, candles, etc., except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51 which specifically authorizes such activity under the special conditions section of the permit. This restriction applies to all NPS operated interior and exterior areas.
- Electric or other kitchen stoves that are park owned or are controlled through cooperative agreements are exempted from this prohibition.
- §2.13(a)(1) Park residents are exempted from the prohibition against using charcoal fires, propane stoves and coleman stoves within the confines of their yards and the use of birthday candles within their residences.

#### **PETS**

- §2.15(a)(1) All park buildings are closed to pets, except:  
§2.15(a)(1) & (f) The provisions of this section shall not apply to service animals (of any species) which have been trained to assist impaired or handicapped persons, or, to dogs used by authorized federal, state, and local law enforcement officers in performance of their official duties.
- §2.15(e) The keeping of pets by park residents is permitted subject to the provisions of a separate Standard Operating Procedure.
- §2.15(a)(3) Leaving a pet unleashed, unattended and/or tied to an object is prohibited.
- §2.15(a)(5) The following pet excrement disposal conditions are established:
  - Any person having possession, custody or control of any dog or other animal that defecates in any area of the park shall be required to immediately remove the feces and either:
    - Remove the feces from park property, or
    - Place the feces in a non-leaking container for deposit in a trash or litter receptacle.

#### **AIRCRAFT AND AIR DELIVERY**

- §2.17(a)(1) Operating or using aircraft on lands or waters other than at locations designated pursuant to special regulations is prohibited.
- §2.17(a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means, except in emergencies involving public safety or serious property loss is prohibited.

#### **SNOWMOBILES**

- §2.18(c) The use of snowmobiles is prohibited.

#### **SKATING, SKATEBOARDS, AND SIMILAR DEVICES**

- §2.20 Using roller skates, in-line skates, skateboards, roller skis, or similar devices on any park property is prohibited.

#### **SMOKING**

- §2.21(a) Smoking is prohibited in all park buildings except in:
  - Single-family government residences.
  - The Bond House.

#### **PROPERTY**

- §2.22(b)(2) Leaving property unattended, for ANY period of time, in or near any park building or resource is prohibited. Property left unattended in violation of this condition may be considered dangerous or threatening to park resources and impounded for inspection. Such an inspection may be destructive.

#### **ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES**

- §2.35(a)(3)(i) The consumption of alcoholic beverages is prohibited in all park buildings and on all park grounds, except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or

§2.51, which specifically authorizes such consumption. The following park buildings are exempted from this provision as described below:

- Independence Visitor Center – During events approved through the Independence Visitor Center Corporation. Pending agreements will clarify rules regarding alcohol sold at the outdoor café.
- National Constitution Center – Pending agreements will clarify this use.
- City Tavern - Patrons of the City Tavern may purchase, and consume alcoholic beverages.
- Residents of government quarters may consume alcoholic beverages within their residences or confines of their yards.
- Bond House - Guests may consume alcoholic beverages.

#### **NONCOMMERCIAL SOLICITING**

- Soliciting or demanding gifts, money, goods or services is prohibited, except pursuant to the terms and conditions of a permit that has been issued under §2.50, §2.51 or §2.52.

#### **EXPLOSIVES**

- §2.38(b) Using or possessing fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a permit issued by the Superintendent and in accordance with applicable state & federal law, city ordinances and NPS directives.

#### **SPECIAL EVENTS**

**A. A Permit is required to hold a SPECIAL EVENT within the boundaries of Independence National Historical Park.**

#### **B. POLICY**

Independence National Historical Park represents a unique national resource associated with the birth and growth of the nation. It evokes such concepts as liberty, independence, rights, and freedoms.

In considering the application for a permit under 36 CFR §2.50, for the use of portions of the park for special events, the Superintendent will apply the criteria as stated below. Additionally, when considering requests to hold special events such as parades, meetings, entertainments, exhibitions, fairs, festivals, lectures, conferences, etc. the Superintendent will be guided by the Management Policies for the National Park Service which state:

#### **SPECIAL PARK USES**

A special park use is defined as any activity that is proposed for, or exists within, a park and that requires written permission from an NPS official in order to take place. A special park use may be permitted only if the activity has been judged by the Superintendent not to cause any derogation of the values and purposes for which the park was established, unless directly and specifically authorized by Federal law.

Each request to engage in a special park use or to renew authorization of an existing use will be reviewed and evaluated by the Superintendent according to the terms of applicable legislation, regulations, guidelines, and management planning documents, using criteria and procedures outlined in the Special Park Uses Guideline (DO/RM-53). Initial or renewal requests to conduct an activity will be denied if the Superintendent determines that the activity:

- has the potential to cause injury or damage to park resources
- will unreasonably impair the atmosphere of peace and tranquility of historic or commemorative locations in the park
- will result in significant conflict with other existing uses
- will substantially impair operation of public facilities or the services of NPS concessionaires or contractors
- .....will conflict with law or policy
- will be in derogation of the values and purposes for which the Park was established
- will be inconsistent with the Park's enabling legislation
- has reasonable potential to cause illness, personal injury, or property damage
- will unduly interfere with normal park operations, resource protection, or visitor use

The National Park Service will also terminate any current activity subsequent to finding that any of the above conditions exist.

To the extent authorized by applicable legislation, regulations, and policies, the National Park Service will establish and collect appropriate permit fees for special park uses and will seek reimbursement from permittees for NPS costs incurred in administering the permit and monitoring the activities it authorizes.

### Special Events

Special events, such as sporting events, pageants, regattas, public spectator attractions, entertainment, ceremonies, and large encampments, may be authorized under permit by the Superintendent subject to the same criteria as other special park uses provided that (1) there is a meaningful association between the park and the event, and (2) the event contributes to visitor understanding of the significance of the park.

The National Park Service will not permit the staging of special events that are conducted primarily for the material or financial benefit of participants, that involve commercialization, advertising, or publicity by participants, or for which a separate public admission fee is to be charged, unless the event is directly related to the purposes for which a park was established. Additional guidance and procedures are found in Special Park Uses Guideline and in 36 CFR §2.50.

Further, the Superintendent will consider the following:

- The location requested.
- The time requested.
- The duration of the proposed event.
- The size (number of participants and/or observers) of the proposed event and associated equipment.
- The effect of the proposed event on resources, operations, and the mission of the park.
- Other, previously approved events.

The primary concern of the Superintendent is the effect of the proposed event on the cultural and natural resources and the impact on normal visitor operations and the visitor experience. It may be possible to accommodate events at certain locations only before or after the public hours of the building. It may also be necessary to limit the size and or duration of the proposed event to a small number of participants/observers or a shorter length of time in order not to interfere with public use or threaten the historical and natural resources of the park.

The Superintendent has established the following criteria to insure the protection and preservation of the historic and natural resources of the park and to protect the rights of the visitor to enjoy their visit to the park with minimum impact from special events or activities:

- The activity is directly associated with the interpretive focus of the park, furthers the mission of the park and/or is an activity in which Independence National Historical Park is a participant.
- Most daytime special events will be limited to outdoors. Those events which are permitted inside a public use building during public hours, will be limited in duration and must not unduly interfere with visitor use.
- Scheduled meetings or events will be open to the public insofar as it is practical / consistent with the event.
- The permittee will be responsible for reimbursing the National Park Service for all expenses incurred by the park in the course of the special event. These expenses include, but are not limited to the cost of utilities and the cost of park personnel involved with the permit. In addition fees may be charged for the use of a facility based on current NPS management policy.
- The permittee may be required to provide proof of insurance, naming the park as coinsured, or to secure a performance bond based on the nature of the event, the complexity of the event, the potential risk to life or property and the need to insure compliance with the terms and conditions of a permit.
- Permit applications will be processed on a first-come, first-served basis determined by the date a signed application is received in the special events office, except for the provision stated below. A permit application may be denied if a permit has been previously issued to another group for the same time and/or place, or the application fails to meet any of the above criteria.



- Since certain resources within the park are owned by the City of Philadelphia, the City shall be given special consideration in the use of those lands for special events.
- Food may not be served in conjunction with a NPS approved special event conducted in the historic corridor of the park (between Walnut & Chestnut, 6<sup>th</sup> through 3<sup>rd</sup> Streets and Welcome Park.
- National Park Service personnel will monitor all events.

**INDIVIDUAL BUILDING/SITE CRITERIA** - Additional criteria have been developed for individual buildings and sites within the park that invoke special concerns due to fragile cultural resources or the increased probability of disruption to normal visitor activities, due to high visitation. These criteria are listed under the specific building and site identified below:

Note: Where a maximum number of people is specified the number is generally based upon the occupancy limit as calculated using the Life Safety Code, but in some cases where the number of people allowed using the Life Safety Code was felt to be too high to provide for the adequate protection of the resource a lower number was specified based on the professional judgment of the park staff. These numbers apply to special events and are absolute totals and include participants, caterers, park staff, etc. and may not be exceeded.

**INDEPENDENCE HALL - FIRST FLOOR:**

Because of the potential to cause damage to the resource and unreasonably interfere with interpretation, visitor services, or other program activities, special events are limited to those which meet the following criteria:

- The NPS is a sponsor or co-sponsor of the event, or
- The event is sponsored by a government agency or accredited educational institution, has a substantial and direct association with the events which took place in Independence Hall, and does not unreasonably interfere with visitor services or interpretive programs.

**INDEPENDENCE HALL - SECOND FLOOR (LONG GALLERY):**

The primary purpose of the second floor of Independence Hall is to provide visitors with the opportunity to view and experience this restored and refurnished area of the building. This purpose will take precedence over all other activities. Because of the potential to cause damage to the resource and unreasonably interfere with interpretation, visitor services, or other program activities, special events are not, except as noted below, permitted to take place on the second floor of Independence Hall. The Superintendent may consider other activities as long as they do not interfere with the primary purpose and do not endanger the historic structure and its fragile, irreplaceable furnishings. Activities and functions that might be considered must conform to the following criteria:

- The event is sponsored or co-sponsored by the NPS
- The activity is recognized by the Secretary of the Interior (including those given by the President and Vice President of the United States and ceremonies honoring foreign dignitaries of the rank of Ambassador or above).
- The annual meeting of the Descendants of the Signers of the Declaration of Independence.
- No food or drink will be served.
- Attendance will be limited to 85 people.

**INDEPENDENCE HALL TOWER AND/OR RINGING THE CENTENNIAL BELL:**

Because tower access poses a clear and present danger to the public health and safety, requests for access to the above space or permission to ring the Centennial Bell shall meet the following criteria to receive consideration:

All non-INDE visits to Independence Hall Tower shall be required to fill out a Special Attention Request prior to access to the tower

Permission to ring the Centennial Bell is limited to Independence Hall Bell Ringers or qualified NPS staff. The method of ringing the Centennial Bell shall be established by INDE staff.

Events for which the Centennial Bell is rung must be directly associated with the interpretive focus of the park and/or requested through a federal proclamation.

The following restrictions apply to the use of the tower and/or ringing the Centennial Bell:

A maximum number of ten (10) people are allowed in the tower at any one time, including National Park Service personnel.

No one under the age of 13 is permitted in the tower.

Persons with serious medical conditions that could be aggravated by climbing stairs, height or dust should not enter the tower. No one with a physical handicap that would impede exiting in an emergency situation is allowed.

All individuals, except park staff, given permission to enter the tower above Level 5 will be required to sign a liability waiver.

No access by any individuals, except INDE staff, consultants or contractors, shall be permitted to Independence Hall roof, Level 6 exterior walkway, and Level 7 (Bell Level) unless a SAR is completed.

No one with inappropriate footwear (including but not limited to high heels, open toed and/or open back shoes, or flip flops) is permitted in the tower.

The tower is a restricted area. No one will be permitted access to the tower unless escorted by an INDE employee.

### **INDEPENDENCE SQUARE:**

Historically, this area always included walks and greens for public enjoyment. The area now known as Independence Square was last redesigned in 1915 and is designated an historic landscape. As such, special events in this area are minimized to preserve the atmosphere of peace and tranquility and to avoid unreasonable interference with interpretation, visitor services or other program activities. Requests for activities and special events to be held in the above space shall meet one or more of the following criteria to receive consideration:

- The National Park Service sponsors or co-sponsors the event.
- The event is sponsored by a government agency, has a direct association with the events that occurred on the Square, and marks a significant milestone year.
- The event involves the appearance of the President or Vice president of the United States in an official capacity.
- The event celebrates Independence Day either in compliance with a congressional resolution or by sponsorship by a government agency.
- The event involves the reenlistment or commissioning of an active duty member of the United States military and is staged in the vicinity of the statue of Commodore John Barry.
- The event has a continuous history of taking place on the Square predating the creation of the park. These events include:
  - George Washington Birthday wreath laying ceremony sponsored by the Patriotic Order of the Sons of America.
  - George Washington birthday ceremony sponsored by the Sons of the American Revolution.
  - The Memorial Day wreath laying ceremony sponsored by the Grand Army of the Republic.
  - The Friendly Sons of St. Patrick who have held ceremonies at the Barry Statue.
  - The Sons of Union Veterans of the Civil War who have held ceremonies in the past.

### **WEST WING INDEPENDENCE HALL (1<sup>st</sup> FLOOR GREAT ESSENTIALS EXHIBIT):**

In order to minimize the potential for injury or damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, special events are not permitted to take place in the Great Essentials Exhibit area. However, during visits by dignitaries this area may serve a security component.

### **WEST WING INDEPENDENCE HALL (VIP ROOM):**

In order to minimize the potential for damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, use of the below space shall be restricted to the following:

- Guests of the park Superintendent.
- Federal protectees.
- As a gathering place for participants involved in the City of Philadelphia's Independence Day ceremony.
- The annual meeting of the local chapter of the Daughters of the American Revolution (traditional).
- Events involving food and/or drink will be considered. Any cooking must be confined to the kitchen area. No open flame, including sterno, will be permitted.
- All permitted activities will be limited to a maximum of 25 people.

**CONGRESS HALL (HOUSE OF REPRESENTATIVES CHAMBER):**

In order to minimize the potential for damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, requests for activities and special events to be held in the above space shall meet the following criteria to receive consideration:

- Events sponsored by government agencies, or for high-level symposia consistent with the mission of the park.
- No food or drink will be served.
- The event must be directly associated with the interpretive focus of the building, and must further the mission of the park.
- Attendance will be limited to 150 people.

**CONGRESS HALL (SENATE CHAMBER):**

In order to minimize the potential for injury or damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, special events are not permitted in the Senate Chamber.

**OLD CITY HALL:**

In order to minimize the potential for damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, requests for activities and special events to be held in the above space shall meet the following criteria to receive consideration:

- Events sponsored by other government agencies.
- No food or drink will be served.
- The event must be directly associated with the interpretive focus of the building, and must further the mission of the park
- Attendance will be limited to 40 people. This is subject to revision pending security measure changes.

**FIRST BANK OF THE UNITED STATES:**

In order to prevent injury or damage to the resource and avoid unreasonable interference with the administrative activities of the National Park Service, special events are limited to those in which The National Park Service sponsors or co-sponsors the event.

**PARK HEADQUARTERS (MEB)(CONFERENCE ROOMS):**

In order to avoid unreasonable interference with the administrative activities of the National Park Service, and to prevent damage to park resources, requests for the use of the above space shall meet the following criteria to receive consideration:

- Activities sponsored by other government agencies.
- Events involving food and/or drink will be considered. No cooking will be permitted.
- All permitted activities are limited to a maximum of 35 persons for the main 2<sup>nd</sup> floor conference room of Park Headquarters and 20 for the secondary 2<sup>nd</sup> floor conference room.

**LIBERTY BELL CENTER (INTERIOR):**

The Liberty Bell is one of this country's most popular and treasured symbols. For this reason it is important that the Liberty Bell remain available for public viewing, unencumbered by special events. In order to minimize the potential for damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, events must meet at least one of the following criteria to be considered to be conducted in the Liberty Bell Center:

- Military reenlistment and commissioning ceremonies.
- Events sponsored or co-sponsored by the NPS.
- Wreath layings by foreign heads of state.
- Events sponsored by State or local tourism agencies.
- The following commemorative ceremonies that have traditionally taken place in the Center for a number of years, providing there is not a lapse of 2 or more years:
  - Independence Day National Bell Tapping (Let Freedom Ring) ceremony sponsored by the Sons of the American Revolution.
  - Martin Luther King Day ceremony sponsored by the Philadelphia Martin Luther King Association for Nonviolence.
  - Annual Freedom Day Ceremony sponsored by the National Freedom Day Association

- The Liberty Bell Chamber is restricted to 125 persons.

**FIRST AND SECOND BLOCKS OF INDEPENDENCE MALL:**

The First and Second Blocks of Independence Mall, defined as the park area bounded east and west between 5<sup>th</sup> and 6<sup>th</sup> Streets, and north and south between Arch and Chestnut Streets, is deemed to be of significant scenic and historic value worthy of preservation against development and visual intrusion. Accordingly, the design plan for the redevelopment of Independence Mall was principled around the intent of maintaining an unobstructed view between the National Constitution Center on Arch Street and Independence Hall on Chestnut Street. In support of this plan no intruding landscaping or construction features are situated within this preserved viewshed. All temporary structures, exhibits, and displays on the Mall will be limited in size to no more than 15' in height and 60' in length. The park superintendent may grant exceptions on a case by case basis to temporary structures, exhibits or displays that are situated sufficiently off the center axis so as not to obstruct the view of Independence Hall from the vantage point of the National Constitution Center.

Permits for events, displays or exhibits on Blocks 1 and 2 of Independence Mall shall be issued for a period not to exceed 7 days, provided that permits may be extended for an additional 7 days upon a new application unless another applicant has requested use of the same location and multiple occupancy at the same location is not reasonably possible.

In order to minimize the potential for damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, requests for activities and special events to be held in the above space shall meet the following criteria to receive consideration:

- The event involves the exercise of First Amendment rights including freedom of assembly, speech, religion or press, or
- The activity is directly associated with the interpretive focus of the park, furthers the mission of the park and/or is an activity in which the NPS is a participant, or
- The event is sponsored or co-sponsored by the NPS, a park partner, organizations with cooperative agreements with the NPS, educational institutions, official State or City tourism agencies or other government entities (i.e. City, State or Federal).

**THIRD BLOCK OF INDEPENDENCE MALL:**

The Third Block of Independence Mall is defined as the park area between 5<sup>th</sup> and 6<sup>th</sup> Streets south of Race Street and north of Arch Street. The National Constitution Center is located on this block of the Mall. Special events within the building will be regulated by the National Constitution Center in coordination with Independence National Historical Park. In order to avoid unreasonable interference with visitor services and enjoyment and to prevent damage to the grass area on the South entrance to the National Constitution Center, special events in this area will be limited to those which are sponsored by the NCC, the City of Philadelphia or the NPS and which further the mission of the NCC and the NPS.

**INDEPENDENCE VISITOR CENTER:**

Special events within the building are regulated by the Independence Visitor Center Corporation in coordination with Independence National Historical Park.

**FREE QUAKER MEETING HOUSE:**

In order to minimize the potential for damage, special events and activities will be limited to the following:

- Events sponsored or co-sponsored by the NPS
- Events sponsored by Once Upon a Nation.
- The annual meeting of the Free Quaker Society on the 1<sup>st</sup> Floor will be limited to 120 people.

**FRANKLIN COURT (INTERIOR & EXTERIOR):**

In order to avoid unreasonable interference with interpretation, visitor services and other program activities, requests for special events to be held in the above space shall meet the following criteria to receive consideration:

- The event must be directly associated with the interpretive focus of the site, and further the mission of the park.
- Events sponsored by the NPS, organizations with cooperative agreements with the NPS, or other government entities (i.e. City, State or Federal).



- Events, including any set-up, will take place after the public hours of the site.
- Attendance will be limited inside to 230 people.
- Interior: Food and drink may not be served. No cooking or open flame, including sterno, will be permitted. If the permit is for exterior areas, the permittee must provide adequate lighting.

**INDEPENDENCE LIVING HISTORY CENTER:**

Special events are limited to those sponsored or co-sponsored by the NPS, Once Upon a Nation, or another park partner.

**INDEPENDENCE LIVING HISTORY CENTER (EXTERIOR):**

To avoid unreasonable interference with visitor services, no special events are permitted OUTSIDE THE Independence Living History Center except those sponsored or co-sponsored by the NPS, Once Upon a Nation or another park partner.

**SECOND BANK BLOCK:**

The Second Bank of the United States is an architecturally significant building in the historic core of the park, which also includes Library Hall of the American Philosophical Society. Since special events would unreasonably impair the atmosphere of peace and tranquility maintained in this historic zone, and have the potential to cause damage to park resources, no special events are permitted except those sponsored or cosponsored by the NPS, Once Upon a Nation or another park partner.

**FIRST BANK BLOCK:**

This area of historic core of the park includes Carpenters' Hall, the First Bank of the United States, the Bishop White House and several other historic structures. Since special events would unreasonably impair the atmosphere of peace and tranquility maintained in this historic zone, and have the potential to cause damage to park resources, no special events are permitted, except those sponsored or cosponsored by the NPS, the Carpenters' Company, Once Upon a Nation or another park partner.

**DOCK STREET:**

The view east on Dock Street from 3<sup>rd</sup> Street north of Walnut Street is a carefully recreated historic scene that incorporates two national historic landmarks, the Merchants' Exchange and the First Bank of the United States. All care should be taken to maintain this view free from modern intrusions for the enjoyment of our visitors and the community. Requests for permits will be considered on a limited basis.

**WASHINGTON SQUARE:**

Washington Square served as a burial ground for nearly all of the 18th century. In the early part of the century it was used as a potter's field. During the American Revolution it served as a cemetery for fallen troops of Washington's Army. Later it would serve as a burial ground for victims of the yellow fever epidemics. Today, a memorial honoring George Washington and the Tomb of the Unknown Soldier lie within Washington Square. In order to maintain a sense of reverence for those interred on the site and to minimize the potential for damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, requests for activities and special events to be held in the above space shall meet the following criteria to receive consideration:

- The event has a long history of taking place in the Square & commemorates the events that took place there; or
- The event is sponsored or cosponsored by the NPS, organizations with cooperative agreements with NPS, a Mall partner or another government entity (i.e. City, State or Federal) and furthers the mission of the park; or
- The event has a meaningful and commemorative association with the Tomb of the Unknown Soldier and furthers the mission of the NPS.

No events other than those with a commemorative association with the Tomb of the Unknown Soldier will be permitted to take place in the area proximate to the memorial.



**WELCOME PARK:**

In order to minimize the potential for damage to the resource and to preclude unreasonable interference with interpretation, visitor services or other program activities, requests for activities and special events to be held in the above space shall meet the following criteria to receive consideration:

- The event involves the exercise of First Amendment rights including freedom of assembly, speech, religion or press, or
- The activity is directly associated with the interpretive focus of the park, furthers the mission of the park and/or is an activity in which the NPS is a participant, or
- The event is sponsored by the NPS, organizations with cooperative agreements with the NPS, educational institutions (school bands and choral groups) or other government entities (i.e. City, State or Federal).
- A public address system may be used (no NPS provided power) providing the sound does not disrupt interpretive programs or adjacent residences or businesses.
- The sidewalk will not be blocked.
- Signage, banners, displays, etc. may not be attached to or contact park monuments, walls, facilities or trees.
- The event is limited to 800 persons.

**MAGNOLIA GARDEN AND ROSE GARDEN:**

In order not to unreasonably impair the atmosphere of peace and tranquility maintained in these garden areas of the park, special events are limited to those meeting the following criteria:

- The activity is directly associated with the interpretive focus of the park, furthers the mission of the park and/or is an activity in which Independence National Historical Park is a participant, or
- The event is sponsored by the NPS, organizations with cooperative agreements with the NPS or other government entities (i.e. City, State or Federal).
- Wedding ceremonies will be considered for the Magnolia and Rose Gardens as long as the ceremony is no longer than two (2) hours in duration, requires only minimal set-up (i.e. maximum of 20 chairs, no public address system, no tents) and involves no more than 35 people. Music may be approved with the condition that it will not be audible in neighboring residences or buildings. A Special Use Permit is required.

**BENJAMIN RUSH (BISHOP WHITE) GARDEN AND 18<sup>TH</sup> CENTURY GARDEN:**

In order not to unreasonably impair the atmosphere of peace and tranquility maintained in these garden areas of the park, special events and public assemblies are not permitted.

**CHRIST CHURCH PARK (Second and Market Streets)**

This property was acquired by the National Park Service in order to forestall development of the site, and thus maintain a view of the Church from along Market Street. In order to minimize the potential for injury or damage to the resource, preserve an atmosphere of peace and tranquility and maintain the view shed, special events on this site are limited to those which meet the following criteria:

- The event is sponsored by Christ Church
- The event commemorates a milestone anniversary of an event significant in the history of the Church.

**C. CONDITIONS FOR THE DENIAL OF A PERMIT APPLICATION UNDER 36 CFR §2.50:**

- (a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed: Provided however, there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefore has been issued by the Superintendent. A permit shall be denied if such activities would:
- (1) Cause injury or damage to park resources; or
  - (2) Be contrary to the purposes for which the natural, historic, development and special use zones were established; or unreasonably impair the atmosphere of peace and tranquility maintained in wilderness, natural, historic, or commemorative zones.
  - (3) Unreasonably interfere with interpretive, visitor service, or other program activities, or with the administrative activities of the National Park Service; or
  - (4) Substantially impair the operation of public use facilities or services of National Park Service concessionaires or contractors; or
  - (5) Present a clear and present danger to the public health and safety; or

- (6) Result in significant conflict with other existing uses.

## **PUBLIC ASSEMBLIES**

“The National Park Service preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.”

### **NPS Mission Statement**

## **Background**

The Bill of Rights was adopted in 1791 in what is now Independence National Historical Park (INDE). Because of the history and symbolism of the area, the park has a unique and special association with the rights of assembly and free speech. As a result, more than 45,000 people each year use INDE as a venue for various forms of public expression. The newly completed landscaping for Blocks 1, 2 and 3 of Independence Mall is specifically designed to maintain an unobstructed and elegant view shed stretching from the National Constitution Center down to Independence Hall. Block 1 houses the Liberty Bell Center as well as seating areas, walking paths and high visibility public assembly area (People’s Plaza). On block 2 is the Independence Visitor Center, grass and walking paths, and an outdoor café. Block 3 is the location of the National Constitution Center. To the south of all of these is Independence Square, site of Independence Hall. The openness of the Mall allows visitors an inspiring view of the historic buildings of our nation, and also inspires groups wishing to practice their first amendment rights. In considering applications for Public Assembly permits to assemble and/or distribute printed materials under 36 CFR §2.51 and 36 CFR §2.52 respectively, the Superintendent will be guided by existing law and National Park Service (NPS) policy on public assembly.

The Supreme Court has stated:

“Wherever the title of streets and parks may rest, they have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public question. Such use of the streets and public places has, from ancient times, been a part of the privileges, immunities, rights and liberties of citizens.” **Hague v. C.I.O., 307 U.S. 496, p. 515 (1939)**

This right of access, however, is not unlimited and may be restricted by regulations narrowly drawn so as not to abridge First Amendment rights while protecting a legitimate countervailing public interest. In Hague, supra, the Supreme Court further stated:

“The privilege of a citizen of the United States to use the streets and parks for communication of views on national questions may be regulated in the interest of all; it is not absolute, but relative, and must be exercised in subordination to the general comfort and convenience, and in consonance with peace and good order; but it must not, in the guise of regulation, be abridged or denied.” **Hague v. C.I.O., 307 U.S. 496, p. 516 (1939)**

Further, the United States District Court, E.D. Pennsylvania, has stated that Independence National Historical Park is enjoined:

“a. from denying to plaintiffs or any other person permission to lawfully distribute leaflets and other printed matter or to wear, display or carry signs, placards, or insignia, by reason of the message contained therein and sought to be conveyed;  
b. from preventing plaintiffs, individuals or groups from distributing literature, assembling or soliciting signatures in Independence National Historical Park or on streets, sidewalks, parks or other areas open to the public, so long as such activities do not involve breaches of the peace, and do not actually interfere with similar activity by others, or with public events then in progress.” **Pledge of Resistance, et al, v. We the People 200, Inc, et al. Civ. A. No. 87-3975 (1987)**

Consistent with the protection of constitutionally guaranteed rights, the National Park Service observes the following policies as stated in the Management Policies for the National Park Service issued in August of 2006, concerning demonstrations, other forms of peaceable assembly and freedom of speech:

“The National Park Service will authorize the use of park land for public assemblies, meetings, demonstrations, religious activities, and other public expressions of views protected under the First Amendment of the U. S. Constitution, in accordance with 36 CFR 2.51 or 36 CFR 7.96. To ensure public safety and the protection of park resources and values, and to avoid assigning the same location and time to two or more activities, the Service may manage these activities by issuing a permit to regulate the time, location, number of participants, use of the facilities, and number and type of equipment used, but not the content of the message presented. For all parks except those within designated portions of the National Capital Region, locations that are available for public assemblies and other First Amendment activities, including the sale and distribution of printed matter, will be so designated by the Superintendent on a map in accordance with procedures and criteria found in NPS regulations (36 CFR 1.5, 1.7, 2.51, and 2.52), unless the sites are otherwise protected from public disclosure, such as sites sacred to American Indians or sites with vulnerable natural and cultural resources. Selected National Capital Region parks are subject to special demonstration regulations found at 36 CFR 7.96(g)(4)(iii) and do not have such areas designated by the superintendent.

When the Service allows one group to use an area or facility for expressing views, it must provide other groups with a similar opportunity, if requested. No group wishing to assemble lawfully may be discriminated against or denied the right of assembly provided that all permit conditions are met. Whenever religious activities are conducted in parks, any NPS actions pertaining to them must reflect a clearly secular purpose, must have a primary effect that neither advances nor inhibits religion, and must avoid “excessive governmental entanglement with religion.”

NPS staff on duty in an area in which a First Amendment activity is being conducted will be neutral toward the activity, but will remain responsible for the protection of participants, spectators, private property, public property, and park resources. On-duty staff may not participate in a First Amendment activity. NPS employees exercising their First Amendment rights when off-duty must not in any way imply any official NPS endorsement of the activity.

When a permit is requested for the exercise of First Amendment rights, including freedom of assembly, speech, religion, and the press, the Superintendent will issue the permit without any requirement for fees, cost recovery, bonding, or insurance. The Superintendent will issue or deny a First Amendment permit request under 36 CFR 2.51 within two (2) business days after receiving a proper application. ”

## **INDE Policy**

Public assemblies, meetings, gatherings, demonstrations, parades, distribution of printed matter and other public expressions of views are allowed within park areas, provided a permit has been issued by the Superintendent. The Superintendent shall, within two business days, issue a permit upon proper application unless a prior application for a permit for the same time and place has been made that has been or will be granted and the activities authorized by that permit do not reasonably allow multiple occupancy of that particular area. No public assembly permit shall be issued for a period in excess of 7 consecutive days, provided that permits may be extended for like periods upon a new application, unless another permit has been approved for the same location and multiple occupancy at that location is not reasonably possible. Likewise, no distribution of printed matter permit shall be issued for a period in excess of 14 consecutive days, provided that permits may be extended for like periods upon a new application, unless another applicant has requested use of the same location and multiple occupancy at that location is not reasonably possible.

In conformity with NPS policy on commercial use of park property (Directors Orders 21 and 53), these guidelines apply only to permits for non-commercial activity. INDE will not permit any leafleting that is commercial in nature.

In accordance with 36 CFR § 2.51, 2.52 and NPS Management Policies a permit shall be denied if the proposed activity:

- has the potential to cause injury or damage to park resources



- will unreasonably impair the atmosphere of peace and tranquility of historic or commemorative locations in the park
- will result in significant conflict with other existing uses or conflict with law or policy
- will substantially impair operation of public facilities or the services of NPS concessionaires or contractors
- will be in derogation of the values and purposes for which the Park was established
- will be inconsistent with the Park's enabling legislation
- has reasonable potential to cause illness, personal injury, or property damage
- will unduly interfere with normal park operations, resource protection, or visitor use

The National Park Service will also terminate any current activity subsequent to finding that any of the above conditions exist.

INDE has long served as a popular venue for public gatherings, demonstrations, distribution of literature and public expressions of views and opinions. The park issues in excess of 300 Public Assembly permits annually, serving over 45,000 people a year engaging in various forms of public expression. With a sensitivity to and understanding of the responsibility inherent in managing this volume of First Amendment activity on the doorstep of the very place where the Bill of Rights was adopted in 1791, the park treats all requests without regard to the content of the message expressed, and provides Public Assembly permit applicants with prominent, highly visible and symbolically meaningful space in the park within which to express their views.

All other areas of the park may also be considered for First Amendment activity, with the approval of the Superintendent, with the following limited exceptions: north Chestnut Street sidewalk, between 5<sup>th</sup> and 6<sup>th</sup> Streets, and Independence Square. The justifications for these exceptions and specific definitions of these areas are below:

**North Chestnut Street sidewalk between 6<sup>th</sup> and 5<sup>th</sup> Streets:** The sidewalk on the north side of Chestnut Street extending from 6<sup>th</sup> Street to 5<sup>th</sup> Street, including the corners (defined below), is the most heavily trafficked pedestrian passageway in the park. All visitors exit the Liberty Bell Center at 6<sup>th</sup> and Chestnut; those continuing on to visit Independence Hall and Independence Square do so by proceeding east along Chestnut Street to 5<sup>th</sup> Street. The sidewalk itself contains interpretive text, which encourages visitors to pause, read the text and reflect upon the buildings on Independence Square. The sidewalk is also the most popular area in the park for picture taking, given the fact that it is directly across from Independence Hall and the statue of George Washington. The Bell Chamber in the Liberty Bell Center was designed to perfectly frame Independence Hall in the background. The west end of the Chestnut Street sidewalk is prominent in this frame. To allow public gatherings or demonstrations to take place along this sidewalk would severely compromise the visitor experience, be contrary to the purpose for which this commemorative zone was established, create unreasonable interference with interpretation and visitor services and create significant conflict with visitor use of the area. Therefore, permits will not be issued for this area, with the exception of events sponsored or cosponsored by the NPS which relate to the interpretive themes of the park and advance the mission of the NPS. The corners of 6<sup>th</sup> and 5<sup>th</sup> Streets and Chestnut Street (defined as the area on the east 6<sup>th</sup> Street sidewalk north of the Chestnut Street curb up to the far end of the exit gate from the Liberty Bell Center and the area on the west 5<sup>th</sup> Street sidewalk north of the Chestnut Street curb up to the near end of the restroom facilities) will be off limits to all types of activity due to public safety concerns.

**Independence Square:** Independence Square is defined as the land between 5<sup>th</sup> and 6<sup>th</sup> Streets and Walnut and Chestnut Streets, from curb to curb, including all sidewalks. Historically, this area always included walks and greens for public enjoyment. The area now known as Independence Square was last redesigned in 1915 and is designated a historic landscape. As such, permitted activities in this area are minimized to preserve the atmosphere of peace and tranquility and to avoid unreasonable interference with interpretation, visitor services or other program activities. Visitors to Independence Hall follow certain procedures for entering the visitor use area on Independence Square and Independence Hall. The visitor use area is defined by bollards and chains on the square, and includes all land encompassed by the bollards and chains to the south, east, west and north of Independence Hall. Entrance to the visitor use area is at the corner of Chestnut and 5<sup>th</sup> Streets, as visitors pass through security screening between the East Wing of Independence Hall and Old City Hall. Once in the visitor use area on Independence Square, visitors to Independence Hall are asked to line up on the south side of the Hall before entering the East Wing for the first stop of the tour. Upon exiting the East Wing, visitors walk along the north side of Independence Hall, and again line up outside the north entrance to the Hall. Upon exiting the Hall through the south exit, visitors are encouraged to use the benches and open

space within the visitor use area for photographs, discussion and quiet contemplation. Throughout these steps, visitors receive important instructions, guidance and interpretation from NPS staff. The visitor use area is not separated from the remainder of Independence Square by any mechanism that would limit sound or disruption from activities elsewhere on the square.

In order to facilitate the instruction, interpretive experience and contemplative atmosphere that are fundamental elements of the visitor experience, only permitted events that meet one or more of the following criteria will be allowed on Independence Square:

- National Park Service sponsored or co-sponsored events
- Events sponsored by a government agency, that have a direct association with the events that occurred on the Square or specific statues on the square, and mark a significant milestone year.
- Events involving the appearance of the President or Vice president of the United States in an official capacity.
- Events celebrating Independence Day either in compliance with a congressional resolution or by sponsorship by a government agency.
- Events with a continuous history of taking place on the Square predating the creation of the park including:
  1. George Washington Birthday wreath laying ceremony sponsored by the Patriotic Order of the Sons of America.
  2. George Washington birthday ceremony sponsored by the Sons of the American Revolution.
  3. The Memorial Day wreath laying ceremony sponsored by the Grand Army of the Republic.
  4. The Sons of Union Veterans of the Civil War who have held ceremonies in the past.

Allowing other special events, public gatherings, demonstrations, or other forms of public expression to take place on Independence Square would:

- Unreasonably impair the atmosphere of peace and tranquility maintained in this most historic, commemorative zone in the park;
- Unreasonably interfere with interpretation and visitor services on the Square; and,
- Result in negative impacts to the visitor experience in the most inspirational and contemplative area of the park.

## **SALE OR DISTRIBUTION OF PRINTED MATTER**

### **A. BACKGROUND:**

The Superintendent shall be guided by the same background concepts as expressed in 36 CFR §2.51 Public Assemblies.

### **B. POLICY:**

Permits are required for the SALE OR DISTRIBUTION OF PRINTED MATTER, within the boundaries of Independence National Historical Park.

- The superintendent shall, within two working days, issue a permit upon proper application.
- The sale or distribution of printed matter is allowed within park areas, provided that a permit to do so has been issued by the Superintendent, and provided further that the printed matter is not solely commercial advertising. Printed material is defined as message-bearing textual printed material such as books, pamphlets, magazines, and leaflets. Not permitted are audio or videotapes, T-shirts, posters or other items. No distribution of literature permit shall be issued for a period in excess of 14 days, provided that permits may be extended for like periods upon a new application, unless another applicant has requested use of the same location and multiple occupancy at that location is not reasonably possible.

## **MEMORIALIZATION**

- The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit.

## **BICYCLES**

- Bicycles are prohibited from being ridden on all park sidewalks, walks and park roads/alleys when pedestrian



- congestion precludes safe operation.
- Bicyclists must yield to pedestrians.
- Bicycles may only be left unattended in a bicycle rack (see 36 CFR §2.22(b)(2) Abandoned Property).

#### **COMMERCIAL NOTICES OR ADVERTISEMENTS**

- Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent. Such permission may be granted only if the notice or advertisement is of goods, services, or facilities available within the park area and such notices and advertisements are found by the Superintendent to be desirable and necessary for the convenience and guidance of the public.

#### **BUSINESS OPERATIONS**

- Engaging in or soliciting any business is prohibited except as permitted by a Commercial Use Authorization or written agreement with the NPS.

#### **MOTION PICTURES AND TELEVISION**

Under P.L. 106-206 all commercial filming requires a permit and is subject to a location fee and cost recovery. Commercial filming is defined as digital or film recording of a visual image or sound recording by a person, business, or other entity for a market audience, such as for a documentary, television or feature film, advertisement, or similar project; it does not include news coverage or visitor use. Permission to film or videotape in a building can be granted by the Superintendent when:

- The activity has a meaningful and accurate association with the historic resource or
- The production would contribute to the public understanding and appreciation of the historic resource.

The same considerations as those which apply to building interiors will be applied by the Superintendent in granting permission for exterior motion picture or television productions on Independence Square and Washington Square. The Superintendent may choose not to apply the criteria of a meaningful association with the historic resource or that it would contribute to the public understanding and appreciation of the historic resource to video production in other areas of the park.

Coverage of breaking news never requires a permit, but is subject to the imposition of restrictions and conditions necessary to protect park resources and public health and safety, and to prevent derogation of park values.

#### **STILL PHOTOGRAPHY**

The decision to require a permit for still photography activities in a park is based on the activity itself as opposed to the eventual use of the image. Generally, permits are not required for still photography activities unless:

- The activity takes place at location(s) where or when members of the public are generally not allowed; or
- The activity uses model(s), sets(s), or prop(s) that are not a part of the location's natural or cultural resources or administrative facilities; or
- The park would incur additional administrative costs to monitor the activity;
- The park needs to provide management and oversight of the activity.

If none of these conditions exist a permit is not required. Should a permit be required, the same considerations for motion picture and video production in building interiors and exteriors apply to still photography. Still photography permits are subject to cost recovery and location fees.

- Wedding photos taken by either commercial or noncommercial photographers require a permit. (Note: Wedding photos are permitted in certain areas of the park, but not in park buildings.)