

## National Park Service, Interior

## § 7.3

designated roadway is closed to all wheeled vehicles used by the public.

[34 FR 9751, June 24, 1969, as amended at 41 FR 33263, Aug. 9, 1976]

### § 7.3 Glacier National Park.

(a) *Fishing.* (1) Fishing regulations, based on management objectives described in the park's Resource Management Plan, are established annually by the Superintendent.

(2) The Superintendent may impose closures and establish conditions or restrictions, in accordance with the criteria and procedures of §§ 1.5 and 1.7 of this chapter, or any activity pertaining to fishing, including but not limited to, species of fish that may be taken, seasons and hours during which fishing may take place, methods of taking, size, location, and possession limits.

(3) Fishing in violation of a condition or restriction established by the Superintendent is prohibited.

(b) *Eating, drinking, and lodging establishments.* (1) No eating, drinking, or lodging establishment offering food, drink, or lodging for sale may be operated on any privately owned lands within Glacier National Park unless a permit for the operation thereof has first been obtained from the Superintendent.

(2) The Superintendent will issue a permit only after an inspection of the premises and a determination that the premises comply with the substantive requirements of State and county health and sanitary laws and ordinances and rules and regulations promulgated pursuant thereto which would apply to the premises if the privately owned lands were not subject to the jurisdiction of the United States.

(3) No fee will be charged for the issuance of such a permit.

(4) The Superintendent or his duly authorized representative shall have the right of inspection at all reasonable times for the purpose of ascertaining that the premises are being maintained and operated in compliance with State and county health laws and ordinances and rules and regulations promulgated pursuant thereto.

(5) Failure of the permittee to comply with all State and county substantive laws and ordinances, and rules

and regulations promulgated pursuant thereto applicable to the establishment for which a permit is issued, or failure to comply with any Federal law or any regulation promulgated by the Secretary of the Interior for governing the park, or with the conditions imposed by the permit, will be grounds for revocation of the permit.

(6) The applicant or permittee may appeal to the Regional Director, National Park Service, from any final action of the Superintendent, refusing, conditioning, or revoking a permit. Such an appeal, in writing, shall be filed within 30 days after receipt of notice by the applicant or permittee of the action appealed from. Any final decision of the Regional Director may be appealed to the Director, National Park Service, within 30 days after receipt of notice by the applicant or permittee of the Regional Director's decision. During the period in which an appeal is being considered by the Regional Director or the Director, the establishment for which a permit has been denied or revoked shall not be operated.

(7) The revocable permit for eating, drinking, and lodging establishments issued by the Superintendent shall contain general regulatory provisions as hereinafter set forth, and will include such reasonable special conditions relating to the health and safety of visitors both to the park and to the establishments as the Superintendent may deem necessary to cover existing local circumstances, and shall be in a form substantially as follows:

*(Front of Permit)*

U.S. DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

REVOCABLE PERMIT FOR OPERATION OF EATING OR DRINKING AND LODGING ESTABLISHMENTS

Permission is hereby granted \_\_\_\_\_, who resides at \_\_\_\_\_, to operate during the period of \_\_\_\_\_, 19\_\_\_\_, to \_\_\_\_\_, 19\_\_\_\_, inclusive a \_\_\_\_\_ (specify type of establishment) within Glacier National Park on lands privately owned or controlled by him (her) over which the United States exercises exclusive jurisdiction. This permit is subject to the general provisions and any special conditions stated on the reverse hereof.

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Issued at Glacier National Park, Mont., this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Superintendent

I, \_\_\_\_\_, the permittee named herein, accept this permit subject to the terms, covenants, obligations, and reservations expressed or implied.

Copartnership—permittees sign as "Members of firm".

Corporation—the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal in lieu of witness.

Permittee

Witness:

Name

Address

Name

Address

(Reverse of Permit)

GENERAL REGULATORY PROVISIONS OF THIS PERMIT

1. Permittee shall exercise this privilege subject to the supervision of the Superintendent of the Park and shall comply with the regulations of the Secretary of the Interior governing the Park.

2. Any building or structure used for the purpose of conducting the business herein permitted shall be kept in a safe, and sightly condition.

3. The permittee shall dispose of all refuse from the business herein permitted as required by the Superintendent.

4. Permittee, his agents, and employees shall be responsible for the preservation of good order within the vicinity of the business operations herein permitted.

5. Failure of the permittee to comply with all State and county substantive laws and ordinances and rules and regulations promulgated pursuant thereto applicable to eating, drinking, and lodging establishments or to comply with any law or any regulation of the Secretary of the Interior governing the Park or with the conditions imposed by this permit, will be grounds for revocation of this permit.

6. This permit may not be transferred or assigned without the consent, in writing of the Superintendent.

7. Neither Members of, nor Delegates to Congress, or Resident Commissioners, officers, agents, or employees of the Department of the Interior, shall be admitted to any

share or part of this permit or derive, directly or indirectly, any pecuniary benefit arising therefrom.

8. Standard Equal Employment Provision to be set out in full as provided for by Executive Orders 10925 and 11114.

9. The following special provisions are made a part of this permit: \_\_\_\_\_

(c) Water supply and sewage disposal systems. The provisions of this paragraph apply to the privately owned lands within Glacier National Park. The provisions of this paragraph do not excuse compliance by eating, drinking, or lodging establishments with §5.10 of the chapter.

(1) Facilities. (i) Subject to the provisions of paragraph (e)(3) of this section, no person shall occupy any building or structure intended for human habitation, or use, unless such building is served by water supply and sewage disposal systems that comply with the standards prescribed by State and county laws and regulations applicable in the county within whose exterior boundaries such building is located.

(ii) No person shall construct, rebuild or alter any water supply or sewage disposal system without a written permit issued by the Superintendent. The Superintendent will issue such permit only after receipt of written notification from the appropriate Federal, State, or county officer that the plans for such system comply with State or county standards. There shall be no charge for such permits. Any person aggrieved by an action of the Superintendent with respect to any such permit or permit application may appeal in writing to the Director, National Park Service, Department of the Interior, Washington, DC 20240.

(2) Inspections. (i) The appropriate State or county health officer, the Superintendent, or their authorized representatives or an officer of the U.S. Public Health Service, may inspect any water supply or sewage disposal system, from time to time, in order to determine whether such system complies with the State and county standards: Provided, however, That inspection shall be made only upon consent of the occupant of the premises or pursuant to a warrant.

(ii) Any water supply or sewage disposal system may be inspected without the consent of the occupant of the

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premises or a warrant if there is probable cause to believe that such system presents an immediate and severe danger to the public health.

(3) *Defective systems.* (i) If upon inspection, any water supply system or sewage disposal system is found by the inspecting officer not to be in conformance with applicable State and county standards, the Superintendent will send to the ostensible owner and/or the occupant of such property, by certified mail, a written notice specifying what steps must be taken to achieve compliance. If after one year has elapsed from the mailing of such written notice the deficiency has not been corrected, such deficiency shall constitute a violation of this regulation and shall be the basis for court action for the vacation of the premises.

(ii) If upon inspection, any water supply or sewage disposal system is found by the inspecting officer not to be in conformance with established State and county standards and it is found further that there is immediate and severe danger to the public health or the health of the occupants, the Superintendent shall post appropriate notices at conspicuous places on such premises, and thereafter, no person shall occupy the premises on which the system is located until the Superintendent is satisfied that remedial measures have been taken that will assure compliance of the system with established State and county standards.

(d) *Motorboats.* (1) Motorboats and motor vessels are limited to ten (10) horsepower or less on Bowman and Two Medicine Lakes. This restriction does not apply to sightseeing vessels operated by an authorized concessioner on Two Medicine Lake.

(2) All motorboats and motor vessels except the authorized, concessioner-operated, sightseeing vessels are prohibited on Swiftcurrent Lake.

(3) The operation of all motorboats and motor vessels are prohibited on Kintla Lake.

(e) *Canadian dollars.* To promote the purpose of the Act of May 2, 1932 (47 Stat. 145; 16 U.S.C. 161a), Canadian dollars tendered by Canadian visitors entering the United States section of Glacier National Park will be accepted at the official rate of exchange in pay-

ment of the recreation fees prescribed for the park.

(f) *Commercial passenger-carrying motor vehicles.* The prohibition against the commercial transportation of passengers by motor vehicles to Glacier National Park, contained in § 5.4 of this chapter, shall be subject to the following exceptions:

(1) Commercial transport of passengers by motor vehicles on those portions of the park roads from Sherburne entrance to the Many Glacier area; from Two Medicine entrance to Two Medicine Lake; from West Glacier entrance to the Camas Entrance; U.S. Highway 2 from Walton to Java; and the Going-to-the-Sun Road from West Glacier entrance to Lake McDonald Lodge and from St. Mary entrance to Rising Sun will be permitted.

(2) Commercial passenger-carrying motor vehicles operated in the above areas, on a general, infrequent, and nonscheduled tour in which the visit to the park is incidental to such tour, and carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the park. Such tours shall not provide, in effect, a regular and duplicating service conflicting with, or in competition with, the tours provided for the public pursuant to contract authorization from the Secretary as determined by the Superintendent.

[34 FR 5842, Mar. 28, 1969, as amended at 36 FR 9248, May 21, 1971; 37 FR 7499, Apr. 15, 1972; 48 FR 29847, June 29, 1983; 48 FR 30293, June 30, 1983; 52 FR 10685, Apr. 2, 1987; 60 FR 35841, July 12, 1995; 60 FR 55791, Nov. 3, 1995]

### § 7.4 Grand Canyon National Park.

(a) *Commercial passenger-carrying motor vehicles.* The prohibition against the commercial transportation of passengers by motor vehicles to Grand Canyon National Park contained in § 5.4 of this chapter shall be subject to the following exception: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the park.

(b) *Colorado whitewater boat trips.* The following regulations shall apply to all