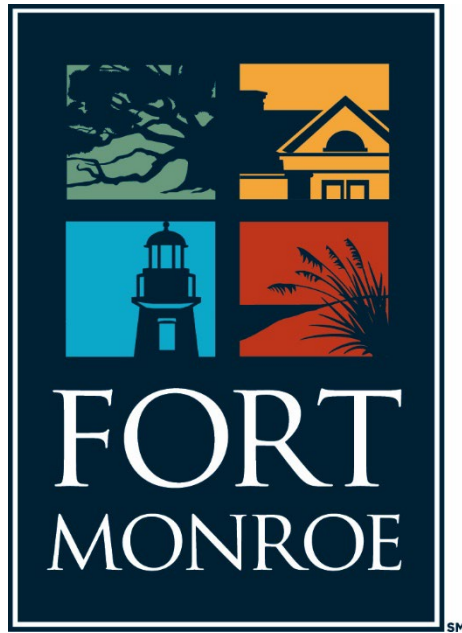


Fort Monroe Authority

Rules and Regulations



Adopted by the Fort Monroe Authority Board of Trustees

on September 19, 2024

pursuant to Virginia Code § 2.2-2340(B)

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## Authority

The Fort Monroe Authority Board of Trustees adopts these Rules and Regulations pursuant to the power granted by Code of Virginia § 2.2-2340(B):

*“(B) The Authority shall have the power and duty:*

*... .*

- 19. To adopt, amend or repeal, by the Board of Trustees, or the executive committee thereof, regulations concerning the use of, access to and visitation of properties under the control of the Authority in order to protect or secure such properties and the public enjoyment thereof, with any violation of such regulations being punishable by a civil penalty of up to \$100 for the first violation and up to \$250 for any subsequent violation, such civil penalty to be paid to the Authority;*
- 20. To provide parking and traffic rules and regulations on property owned by the Authority; and*
- 21. To provide that any person who knowingly violates a regulation of the Authority may be requested by an agent or employee of the Authority to leave the property and upon the failure of such person so to do shall be guilty of a trespass as provided in (Code of Virginia) § 18.2-119.”*

## Definitions

Whenever used in this document, the following terms, unless otherwise therein expressly defined, shall mean and include each of the meanings herein respectively set forth.

“Authority” or “FMA” shall mean the Fort Monroe Authority, a public body corporate and political subdivision of the Commonwealth established pursuant to Code of Virginia § 2.2-2336 *et seq.*

“Beach” shall mean any beach or shoreline area designated by the FMA.

“Bicycle Path” shall mean any path maintained for bicycles, including public roadways, the sidewalk adjacent to the Seawall, and the Boardwalk.

“Boardwalk” shall mean the concrete and asphalt surfaced area formerly known as Gulick Road running alongside the Chesapeake Bay from the Finger Pier to the Paradise Ocean Club.

“Camping” shall mean the installation or use of a tent, tent trailer, travel trailer, camping trailer, pick-up camper, motor homes or any other portable device or vehicular-type structure as may be developed, marketed or used for temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel.

“City” shall mean the City of Hampton, Virginia.

“Commercial Filming” means the film, electronic, magnetic, digital, or other recording of a moving image by a person, business, or other entity for a market audience with the intent of generating income. Examples include, but are not limited to, feature film, videography, television broadcast, or documentary, or other similar projects. Commercial filming activities may include the advertisement of a product or service, or the use of actors, models, sets, or props.

“Commonwealth” shall mean the Commonwealth of Virginia.

“Dawn” shall mean the time thirty (30) minutes before the time of sunrise each day as posted by the U.S. Naval Observatory in Washington, D.C.

“Dusk” shall mean the time thirty (30) minutes after the time of sunset each day as posted by the U.S. Naval Observatory in Washington, D.C.

“Emergency” shall mean any sudden, urgent, unexpected event, occurrence, or combination of circumstances that calls for immediate action or remedy in order to protect life or to prevent significant damage to the Property.

“Exhibition” shall mean any gathering with the intention of exhibiting, showing, displaying, or vending items to the public including, but not limited to, works of art or artisans, products of farm or factories, skilled performers, or other items of general interest.

“Foot Path or Trail” shall mean any path or trail maintained for pedestrians or disabled persons including sidewalks adjacent to public roadways, the sidewalk adjacent to the Seawall, and the former Gulick Road.

“Fort Monroe” shall mean the property in Hampton, Virginia also known as Old Point Comfort and formerly occupied as a garrison for the United States Army.

“Mobile Vendor” shall mean any person or business selling or distributing goods or services on foot or from a vehicle, trailer, or cart.

“Model” means a person or object that serves as the subject for Commercial Filming or Still Photography for the purpose of promoting the sale or use of a product or service. Models include, but are not limited to, individuals, animals, or inanimate objects, such as vehicles, boats, articles of clothing, and food and beverage products, placed on Commonwealth lands so that they may be filmed or photographed to promote the sale or use of a product or service. For the purposes of this definition, portraits of individuals, families, wedding parties, weddings engagements, high school graduations, and similar celebrations are not considered models if the image will not be used to promote or sell a product or service.

"Motor Vehicle" shall mean any vehicle by which a person travels which possesses a motor or engine of any description used for propulsion or to assist in the propulsion of the vehicle including any trailer that is or can be towed behind a Motor Vehicle.

“News” means information that is about current events or that would be of current interest to the public, gathered by news-media entities for dissemination to the public. Examples of news-media entities include, but are not limited to, television or radio stations broadcasting to the general public and publishers of periodicals (but only if such entities qualify as disseminators of “news”) who make their products available for purchase by or subscription by or free distribution to the general public.

“News-gathering Activities” means filming, videography, and still photography activities carried out by a Representative of the News Media.

“NPS” shall mean the National Park Service.

“NPS Property” shall mean land at Fort Monroe owned by the United States Department of Interior and managed by the NPS.

“Other Federal Property” shall mean land at Fort Monroe owned by the United States Department of Defense and managed by the U.S. Army or the U.S. Coast Guard.

"Owner" shall mean any Person owning, leasing, operating, or having the exclusive use of a vehicle, animal or any other personal property under a lease or otherwise.

"Permit" shall mean any written license or permit issued by or under the authority of the FMA, permitting the performance of a specified act or acts.

"Person" shall mean any corporation, company, association, firm, an individual, proprietorship, partnership, joint venture, joint stock company, syndicate, business trust, estate, club, committee, organization, or group of persons acting in concert.

“Property” shall mean the real property at Fort Monroe owned by the Commonwealth and managed by the FMA. Property includes but is not limited to roadways, parking lots, historical and natural areas, and other areas owned by the Commonwealth and

managed by the FMA. Property shall not include any premises subject to a ground lease, lease, license or other written agreement between the FMA and third party. Property shall not include the NPS Property or Other Federal Property.

"Representative of the News Media" means any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.

"Resident" shall mean a person named as a party to a lease agreement with the FMA for a residential housing unit at Fort Monroe and shall include immediate family members explicitly allowed to reside in the housing unit under the terms of the lease agreement.

"Riprap" shall mean the large stones, concrete, or other solid material used in place of stone placed along the edge of the Property to protect the Property from shoreline erosion including the large stones in the offshore breakwaters.

"Tenant" shall mean an employee of a business named as a party to a lease or license agreement with the FMA.

"Seawall" shall mean the concrete barrier structure installed by the U.S. Army Corps of Engineers that extends from the Chamberlin to the Finger Pier along the southern edge of the Property.

"Sets and Props" means items constructed or placed on Authority lands to facilitate Commercial Filming or Still Photography including, but not limited to, backdrops, generators, microphones, stages, lighting banks, camera tracks, vehicles specifically designed to accommodate camera or recording equipment, rope and pulley systems, and rigging for climbers and structures. Sets and Props also includes trained animals and inanimate objects such as automobiles, motorcycles, bicycles, skateboards, wagons, and so forth, when used to stage a specific scene. The use of a camera, flash, or light reflector on a single tripod, without the use of any other equipment, is not considered a prop.

"Still Photography" means the capturing of a still image on film or in a digital format.

"Videography" means the process of capturing moving images on electronic media, e.g., video tape, hard disk, or solid-state storage.



## General Provisions

### Purpose

The FMA is adopting these Rules and Regulations to (i) protect the nationally significant resources at Fort Monroe, (ii) provide for public enjoyment of Fort Monroe in an appropriate manner, (iii) establish a consistent policy of rules and regulations governing the use of Fort Monroe by the public, and (iv) provide a consistent policy for enforcement for any Person failing to comply with these Rules and Regulations.

### Construction

In the interpretation of these Rules and Regulations, their provisions shall be construed as follows: (i) any terms in the singular shall include the plural; (ii) any term in the masculine shall include the feminine and the neuter; (iii) any requirements or prohibition of any act shall, respectively, extend to and include the causing or procuring, directly or indirectly of such act; (iv) no provision hereof shall automatically make unlawful any act necessarily performed by any law-enforcement officer as defined by Code of Virginia § 9.1-101 or employee of the FMA in line of duty or work as such, or by any Person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the FMA; (v) any act otherwise prohibited by these Rules and Regulations, provided it is not otherwise prohibited by law, shall be lawful if performed under, by virtue of and strictly within the provisions of a FMA Permit to perform the act, and only to the extent authorized by the Permit, and (vi) these Rules and Regulations are in addition to and shall supplement Commonwealth laws, rules and regulations and applicable City ordinances, which are incorporated herein and made a part hereof.

These Rules and Regulations shall be effective within and upon all Property including roadways, parking lots, historical and natural areas, and other areas owned by the Commonwealth, or which are under the management or control of the FMA and shall regulate the use thereof by all Persons.

### Violations

In addition to the fines and penalties established in Code of Virginia § 2.2-2340(B), failure to comply with these Rules and Regulations and/or other applicable laws and regulations, may result in revocation of Permits, forfeiture of applicable fees and/or forfeiture of deposits paid. In addition, the FMA reserves the right to recover the cost to restore, repair, or replace any damage caused by any violation of these Rules and Regulations, including but not limited to restoration of damaged natural resources and/or damaged historic fabric of any kind.

### Enforcement

In enforcing these Rules and Regulations, an employee or authorized agent of the FMA may photograph, videotape, and/or request identification from any Person violating any of the restrictions for the purposes of issuing fines and penalties permitted in Code of Virginia §§ 2.2-2340(B).

## Permits

A Permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions of the permit. Any violation by its holders or their agents or employees of any term or condition of the permit shall constitute grounds for its revocation by the FMA, or by its authorized representative, whose action therein shall be final. In case of revocation of any Permit, all moneys paid for or on account thereof shall, at the option of the FMA, be forfeited to and be retained by the FMA, and the holder of such Permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the FMA for all damages and loss suffered by it in excess of money so forfeited and retained; but neither such forfeiture and retention by the FMA of the whole or any part of such moneys nor the recovery or collection thereby of such damages, or both, shall in any manner relieve such Person from punishment for any violation of any provision of these Rules and Regulations pursuant to Code of Virginia §2.2-2340(B).

The FMA may issue a Permit for activities otherwise prohibited in these Rules and Regulations. Permit applications may be obtained by contacting the FMA office at (757) 637-7778 or by email to [info@fortmonroe.org](mailto:info@fortmonroe.org).

## Conflicts

In the event of any conflict between these Rules and Regulations and the terms of any lease, license or other written agreement between the FMA and a third party, the terms of the lease, license or other written agreement shall prevail.

## Exclusions

These Rules and Regulations are not applicable to NPS Property or Other Federal Property. Use and access to NPS Property and Other Federal Property are governed by the federal law, rules, and regulations including but not limited to the Code of Federal Regulations and the Superintendent's Compendium for the Fort Monroe National Monument which can be located at: [www.nps.gov/fomr/learn/management.index.htm](http://www.nps.gov/fomr/learn/management.index.htm).

Additionally, these Rules and Regulations are not applicable to premises subject to a ground lease, lease, license or other written agreement between the FMA and third party.

## Rules and Regulations

### Advertising

No sign, notice, or advertisement of any nature shall be erected or posted at any place on the Property, nor shall any noise be made, for the purpose of attracting attention to any exhibition of any kind.

### Alcoholic Beverages

State law allows alcoholic beverage consumption only in public areas designated by Permits issued by the Virginia Alcoholic Beverage Control Authority.

No Person shall drink or possess open containers of alcohol in any public place, public street, Foot Path or Trail, Bicycle Path, or Beach.

### Alms, Solicitation, and Contributions

No Person shall solicit for alms, services, or contributions for any purpose on the Property.

### Amplified Sound or Music

Musical instruments, radios, phonographs, tape players, compact disc players, loudspeakers, portable sound reproduction system, bullhorns, megaphones, or any other device used for the reproduction or amplification of sound, either inside or outside of a motor vehicle, shall not be operated on the Property. This prohibition shall not apply to small personal electronic devices such as Bluetooth speakers and headphones provided the level of sound is not plainly audible within fifty (50) feet of the sound source. Plainly audible shall mean detected by a person using his/her unaided hearing facilities. Specific words or phrases need not be discernible. The detection of bass reverberations is sufficient to constitute a plainly audible sound.

The operation of a public address system is prohibited, except in connection with a public gathering or special event for which a Permit which specifically authorizes such system has been issued by the FMA.

### Animals at Large

No Person shall cause or permit any animal owned by them, in their custody, or under their control on the Property, except an animal restrained by a leash not exceeding six (6) feet in length, and each such animal found at large may be seized and disposed of as provided by the law or ordinance covering disposal of stray animals on highways or public property then in effect within the City.

No animal shall be left unattended by its Owner at any time.

Animals shall not be allowed on the Beaches between May 15<sup>th</sup> and September 15<sup>th</sup>, except for service or hearing dogs identifiable in accordance with Code of Virginia § 51.5-44 or successor statute.

The Person responsible for the animal is also responsible for the immediate removal and proper disposal of animal waste.

### Artifacts and Antiquities

The Property at Fort Monroe is owned by the Commonwealth of Virginia and is therefore subject to the Virginia Antiquities Act (Code of Virginia § 10.1-2300 et seq.). The Virginia Antiquities Act prohibits damage to or removal of objects of antiquity from archaeological sites on all state-controlled lands. The statute prohibits all “relic hunting” or any archeological field investigations without a Permit issued by the FMA.

### Aviation

No Person shall voluntarily bring, land or cause to ascend, descend or alight within or upon the Property, any airplane, remote control model aircraft, flying machine, model rocket, balloon, paraglider, parasail, glider, hang-glider, parachute or other apparatus for aviation. “Voluntarily” in this section shall mean anything other than an Emergency landing.

### Bicycle Use

No Person shall use a bicycle or similarly manually or mechanically propelled devices in any area other than on public streets and on designated Bicycle Paths on the Property.

Electric, gas, or other mechanically propelled bicycles are prohibited on the sidewalk adjacent to the Seawall and on the Boardwalk.

Cyclists must yield and give right of way to pedestrians on shared access pathways including the sidewalk adjacent to the Seawall and the Boardwalk.

Cyclists must obey all traffic signs, lights, signals, and markings when riding on public streets.

### Boating

Boating is permitted only in designated areas.

Boating of any kind in a swimming area is prohibited. This prohibition shall include the landing and launching of jet skis, paddleboards, kayaks, canoes, or other similar watercraft except in the event of an Emergency.

### Camping

Camping is only permitted at the Colonies RV and Travel Park. Camping is not permitted in any other area of Fort Monroe.

Camping may be permitted on a limited basis and under a Permit issued by the FMA for living history groups in conjunction with FMA-sponsored activity for interpretive and/or educational purposes and for a conservation corps or other similar group for historic preservation, natural area restoration, or trail construction community work projects.

### Charges

No Person shall make use of, gain admittance to, or attempt to use or gain admittance to the facilities at Fort Monroe for the use of which a charge is made by the FMA unless the Person shall pay the charge or price established by the FMA.

### Commercial Enterprises

No Person shall, anywhere on the Property, sell or offer for sale, hire, lease or let out, any object or merchandise, property, privilege, service or any other thing, or engage in any business or erect any building, booth, tent, stall or any other structure whatsoever for a commercial purpose without a Permit issued by the FMA. Additional permits or licenses may be required by the City.

### Commercial Vehicles

No Person shall operate a bus, taxicab or other commercial vehicle designed or used for the transportation of passengers on the Property, except for the arranged pickup or delivery to Residents, Tenants, or visitors.

### Dangerous Activities, Fireworks Prohibited

No Person shall operate on the Property any device or undertake any activity which will cause a projectile to be loosed, thrown, or propelled which could injure a person or animal or damage property. Activities and devices restricted under this provision include, but are not limited to, the hitting of golf balls or other solid or dangerous objects, and the operation of a bow and arrow, crossbow, taser, spear, slingshot, or other such device designed for high-speed missile projection.

No Person shall bring, transport, launch, or ignite fireworks, firecrackers, black powder, or any other explosive material or pyrotechnic device on the Property.

### Defacing of Public Buildings or Structures

No Person shall injure, deface, damage, disturb, destroy, disfigure, or alter the appearance or location of any public buildings, improvements, fixtures, or structures including, but

not limited to, walls, fences, signs, retaining walls, driveways, walkways, sidewalks, pavement, curbs, curbstones, street lamp posts, hydrants, trees, electric light or power poles, fire alarms, drinking fountains, boats, motor vehicles, trailers, statues and sculptures, garbage receptacles, or personal property found therein.

For the purposes of this section defacing shall include, but is not limited to, writing, tagging, marring, inscribing, etching, scratching, painting, or affixing of other markings or stickers to any building or structure.

#### Disposal of Refuse, Garbage, Etc.

No Person shall deposit in any part of Fort Monroe any garbage, sewage, refuse, waste, cigarette or cigar butts, vegetables, foodstuffs, boxes, cans, plastics, paper, or other litter or other waste material or obnoxious material, except in containers designed for such purposes. In the event containers are full or not available, the Person or Persons possessing the material shall remove it from the Property.

No Person shall transport bulk refuse or garbage onto the Property for disposal into dumpsters provided by the FMA for its use.

The discharge or disposal of human waste shall only be accomplished in the appropriate plumbing fixture in public restroom or portable toilet facilities.

#### Dressing and Undressing

Dressing and undressing that creates an indecent exposure or obscene sexual display (as set forth in Code of Virginia §18.2-387 or successor statute) is prohibited at Fort Monroe unless within a building or structure where the dressing and undressing is not visible to any member of the public.

No Person shall be deemed to be in violation of the provision for breastfeeding a child in any public place or any place where others are present.

#### Drones

No Person shall voluntarily bring, land or cause to ascend, descend, or alight within or upon the Property, any drone or similar device without a written Permit issued by the FMA. Any Person requesting a Permit to use a drone or similar device on the Property must possess all federal, state, and local permits and/or licenses and provide proof of insurance specifically covering the operation of the drone by the Person requesting the Permit. This restriction shall not apply to a drone operated by law enforcement, fire or Emergency response personnel acting within the scope of their authority.

#### Feeding of Wild Animals Prohibited

No Person shall feed wild animals on the Property.

## Firearms

Firearms are permitted to be carried in the open areas of the Property to the extent permitted by, and in accordance with, federal, state, and local laws.

Firearms are prohibited inside federal and state buildings on the Property. This prohibition does not apply to law enforcement officers, authorized security personnel, or military personnel, when such individuals are authorized to carry a firearm in accordance with their duties.

## Fires; Grills and Grilling

No Person shall kindle, build, maintain or use a fire other than in places provided or designated for such purposes at Fort Monroe. Any fire shall be continuously under the care and direction of a competent Person from the time it is kindled until any flame and embers are extinguished.

No Person shall bring or use a grill, fire pit, fire ring, fire table, or other similar device on the Property.

No Person within the confines of Fort Monroe shall throw away or discard any lighted match, cigarette, cigar, wood, charcoal, ash, or other burning object. Any lighted match, cigarette, cigar, charcoal, ash, or other burning object must be entirely extinguished before being discarded into a trash container. Discarding extinguished material anywhere other than in a trash container is prohibited.

Fires inconsistent with the above conditions may be permitted on a limited basis and under permission from the FMA for living history groups in conjunction with FMA-sponsored activity for interpretive and/or educational purposes.

Grills supplied by the FMA in picnic or camping areas may be used provided a competent Person continuously monitors the grill from the time it is kindled until any flame or embers are completely extinguished.

## Fireworks Prohibited

No Person shall bring, transport, launch, or ignite fireworks, firecrackers, black powder, or any other explosive material or pyrotechnic device on the Property.

## Fishing

The taking of fish by hook and line, the taking of bait fish by cast net, and crabbing by line and net are only permitted on the Engineer's Wharf and the Finger Pier, and upon the docks of the Old Point Comfort Marina (OPCM) by Persons holding a valid slipholder license with the OPCM operator.

The hours of operation for the Engineer's Wharf and Finger Pier are Dawn to Dusk daily.

Any Persons taking fish by hook and line must have a state fishing license required by law and comply with the applicable Virginia Department of Wildlife Resources or Virginia Marine Resources Commission rules and regulations.

This is intended to be a complete list of authorized fishing activities and locations on the Property and FMA does not allow fishing in other locations or other activities requiring fishing licenses such as bow-fishing or the taking of amphibians, which is prohibited.

#### Flowers, Trees, Plants, Lawns, Minerals, Etc.

No Person shall remove, destroy, cut down, scar, mutilate, injure, take or gather in any manner any flower, tree, fern, shrub, lawn, or onto part thereof, or any rock, historical artifact, or mineral on or from the Property unless a Permit has been issued by the FMA for scientific collecting.

#### Foot Path or Trail Use

Persons shall only walk upon walking paths, walking trails, or other improved surfaces on the Property designated for walking unless participating in FMA sanctioned or permitted activities.

Walking or climbing on grass covered walls and slopes of the historic fortress in ways that damage the historic or visual integrity of the walls and slopes is prohibited.

#### Gatherings and Public Events

No Person shall organize, plan, host, promote, engage, or execute any public events without a Permit issued by the FMA. A "public event" shall be defined as any announced gathering of people where one or more of the following conditions apply: (1) 10 or more people are in attendance, (2) the event is advertised or promoted by any means, (3) the event is open to the public regardless of whether tickets are required, or (4) the event causes a disruption in regular daily operations or casual use of any space on the Property.

Any other event may be deemed a public event by the FMA after consultation with the appropriate stakeholders.

#### Geo Caching / Letter Boxing

Geocaching is prohibited throughout the Property. Letter Boxing is prohibited on the Property unless authorized by a Permit issued by the FMA.



### Golf Carts, Utility Vehicles and All-Terrain Vehicles (ATVs)

The operation of golf carts, utility vehicles, and all-terrain vehicles is prohibited on the public streets, sidewalks, Foot Paths and Trails, and Bicycle Paths on the Property.

This restriction shall not apply to FMA employees and contractors; law enforcement officers, fire and Emergency response personnel acting within the scope of their authority; and City employees in the performance of their City-assigned duties.

### Ground Disturbance

No Person shall perform any ground disturbing activities including digging, spading, hoeing, or any similar activity without a ground disturbance Permit issued by the FMA. For the purpose of this document, the installation of stakes of any kind and the installation of signs that penetrate into the soil shall be a prohibited ground disturbance without the issuance of a Permit.

### Horseback Riding

Horseback riding is prohibited on the Property.

### Hours of Operation

No Person shall be allowed on Fort Monroe between the hours of 12 a.m. and 5 a.m. unless participating in FMA sanctioned or permitted activities.

This restriction shall not apply to Residents and their guests; Tenants and their employees; FMA employees and contractors; law enforcement officers, fire and Emergency response personnel acting within the scope of their authority; and City employees in the performance of their City-assigned duties.

### Hunting

No Person within the confines of Fort Monroe shall collect, hunt, pursue, trap, shoot, injure, kill or molest in any way any bird or animal without a Permit issued by the FMA. Mosquitos, ticks, and similar pests are exempted from this prohibition.

### Meetings and Exhibitions

No Person shall erect any structure, stand or platform on the Property, or hold any meeting, or exhibition, perform any ceremony, or make any speech or address on the Property if it limits or impacts the ability of the general public to utilize the Property for the purposes for which it was established, may cause injury or damage to Property resources, or impairs the operation of Property facilities or delivery of services without a Permit issued by the FMA.

### Memorialization

The installation of a monument, memorial, tablet, structure, or other commemorative installation on the Property without a Permit issued by the FMA is prohibited.

The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a Permit issued by the FMA.

### Metal Detectors Prohibited

No Person may utilize mineral or metal detectors, magnetometer, side-scan sonar, or other metal detecting device, or sub-bottom profiler on the Property at any time for any reason.

### Moat Access Prohibited

No Person may enter into or upon the moat waters around the stone fortress to swim, fish, crab, boat, kayak, or perform any other activities.

### Mobile Vendor; Permit Required

No Person may operate a business establishment selling or distributing goods or services on foot or from a vehicle, cart, or trailer on the Property without a Mobile Vendor Permit issued by the FMA.

### Motor Vehicles; Where Prohibited

No Person shall drive or operate a Motor Vehicle within or upon a sidewalk, Foot Path or Trail, Bicycle Path, or any part of the Property not designated for, or customarily used by Motor Vehicles, except properly authorized individuals engaged in Emergency response, fire control, maintenance, or other related activities. For the purpose of this section, motorized skateboards, scooters and similar devices are considered Motor Vehicles. This prohibition shall not apply to the use of powered mobility aids such as electric wheelchairs used by Persons with disabilities.

### Motor Vehicle Maintenance

No Person shall repair, clean, wax or otherwise maintain a Motor Vehicle on the Property.

In no case shall anyone discharge or cause to be discharged hazardous substances, including but not limited to, fuel, antifreeze, motor oil, soap or detergent onto the Property or into in any storm sewer or drain flowing into the moat surrounding the Inner Fort or the water surrounding Fort Monroe.

### Obstructing Traffic

No Person shall cause or permit a vehicle to obstruct traffic on the Property by unnecessary stopping in a public roadway, service road, or alley, except for a reasonable time to receive or discharge passengers or to load or unload deliveries. This restriction shall not apply to FMA employees and its contractors; law enforcement officers, fire and Emergency response personnel acting within the scope of their authority; and City employees, agents, or assigns in the performance of their City-assigned duties.

### Paranormal Activities

Paranormal investigations and activities are prohibited on the Property.

### Parking

No Owner or driver shall cause or permit a vehicle to park anywhere on the Property outside of designated public parking spaces, except for a reasonable time on public roadways to receive or discharge passengers or to load or unload deliveries.

Motor vehicles may not be parked overnight without the express written permission of the FMA. Motor vehicles left over night in violation of this regulation may be ticketed and/or towed. This restriction on overnight parking shall not apply to Residents and their guests, Tenants, or Persons holding a valid slipholder license with the OPCM operator.

Recreational vehicles, buses, boat trailers, and other similar vehicles may only be parked in designated areas.

### Picnicking

Picnicking is allowed only in designated picnic areas.

### Photography and Filming

All Commercial Filming activities on the Property are prohibited without a Permit issued by the FMA.

Still Photography does not require a Permit unless:

- (a) the photographer is using a Model(s), Set(s), and/or Prop(s); or
- (b) the Authority in its sole and absolute discretion determines a Permit is necessary because: (i) the Still Photography will take place at a location where or when members of the public are not allowed; or (ii) the Authority would incur costs for providing on-site management and oversight to protect Commonwealth resources or minimize visitor use conflicts.

In most cases, a Permit is not necessary for visitors engaging in casual filming or photography unless the filming is Commercial Filming as defined above or the photography activity involves one of the criteria listed above.

News-gathering Activities involving filming, videography, or still photography do not require a Permit unless: (i) the Authority determines a Permit is necessary to protect natural and cultural resources, to avoid visitor use conflicts, to ensure public safety, or authorize entrance into a closed area; and (ii) obtaining a Permit will not interfere with the ability to gather the news.

#### Planting or Release of Seeds or Spores

No Person shall plant any plant or release or cause to be released onto the Property any plant or fungus seeds or spores without the express written permission of the FMA.

#### Pollution of Waters

No Person shall bathe dogs or other animals, wash vehicles or clothing, or throw, cast, lay, drop, leave, or discharge onto the Property or into the moat surrounding the Inner Fort, the waters surrounding Fort Monroe, or any storm sewer or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

#### Possession or Release of Animals or Wildlife on the Property Prohibited

No Person shall harbor, possess, or release animals or wildlife captured or propagated elsewhere on the Property, nor shall any Person have any wild bird or wild animal in his possession within Fort Monroe.

#### Prohibited Sounds or Noises

No Person shall cause or permit to be caused any of the following prohibited sounds or noises:

- *Social gatherings and parties.* Allowing any noise between 10:00 p.m. and 7:00 a.m. generated from a gathering of two (2) or more people that is plainly audible (i) inside the confines of the residential dwelling unit of another person or (ii) in a residential area, at one hundred (100) or more feet from the gathering.
- *Sound-producing and sound-reproducing devices.* The use operation or playing of any radio, phonograph, television, record, compact disc, tape, digital music, MP3 or DVD player, musical instrument, loudspeaker, sound amplifier or other machine or device capable of producing or reproducing sound, regardless of whether such sound-producing or sound-reproducing machine or device is located inside of a structure or outside of or on a structure, in such a manner or with such volume or duration that it is plainly audible between 10:00 p.m. and 7:00 a.m., (i)

inside the confines of the residential dwelling unit of another person or (ii) in residential areas, at fifty (50) or more feet from the device.

- *Noisy animals.* Allowing any animal to cause any sound or noise such that it is plainly audible (i) inside the confines of the residential dwelling unit of another person at least once a minute for ten (10) consecutive minutes or (ii) at one hundred (100) or more feet from the animal at least once a minute for ten (10) consecutive minutes or (iii) after more than one complaint has been received and after the owner or other responsible person has been advised of the complaints and that such noise is unlawful.
- *Trash and recycling collection.* The creation of any sound or noise in residential areas between 10:00 p.m. and 7:00 a.m. that is plainly audible when the sound or noise is produced in connection with the loading or unloading of refuse, waste or recycling collection vehicles.
- *Street cleaning and construction.* The creation of any sound or noise in residential areas between 10:00 p.m. and 7:00 a.m. that is plainly audible when the sound or noise is produced in connection with (i) the cleaning of streets or parking lots or (ii) construction or demolition activities.
- *Peddlers and hawkers.* Yelling, shouting, whistling, screaming or crying for the purpose of attracting attention to a performance, show, sale or display of merchandise between the hours of 10:00 p.m. and 7:00 a.m. on any public street, sidewalk or parking lot except to summon aid in an emergency.
- *Amplified sound from vehicles.* Playing, using or operating, or permitting the playing, use or operation of, any radio, stereo, tape player, compact disc player, loudspeaker or other electronic device or mechanical equipment used for the amplification of sound, which is located on or within a motor vehicle and which is plainly audible from outside the motor vehicle at a distance of fifty (50) feet or more. The provisions of this subsection shall not apply to the playing of music or jingles by an ice cream truck or similar mobile food-service vehicle, provided such vehicle may emit sounds otherwise prohibited by this subsection only between the hours of 7:00 a.m. and 10:00 p.m.
- *Lawn care activities.* Creating any sound or noise plainly audible in residential areas between 10:00 p.m. and 7:00 a.m. in connection with lawn care, leaf removal, gardening, tree maintenance or removal or other landscaping, lawn or timbering activities.

#### Protection of Natural, Cultural, and Archeological Resources

Walking on, climbing, entering, ascending, descending, traversing, or damaging an archeological or cultural resource, structure, building, monument, or statue, is prohibited

except in designated areas and under certain conditions established by a Permit issued by the FMA.

#### Riprap Off Limits

Walking on, climbing, ascending, descending, or traversing on or over the Riprap is prohibited, except in the event of an Emergency.

#### Seawall Off Limits

Walking on, climbing, ascending, descending, jogging, crawling, exercising, or traversing on or over the Seawall is prohibited, except in the event of an Emergency.

#### Skateboards and Similar Devices; Where Permitted

The riding of skateboards, roller skates, roller skis, roller blades, scooters or other similar devices is restricted to public roadways, the Boardwalk, parking lots and sidewalks including the sidewalk adjacent to the Seawall. Skateboards are prohibited on all other areas of the Property.

Persons are prohibited from riding these devices onto or off of steps, ramps, inclines, stairs, railings, benches, or any other appurtenances of buildings and structures.

The towing of Persons on skateboards, roller skates, roller skis, roller blades, scooters or other similar devices by bicycle or motor vehicle is prohibited on the Property.

#### Smoking

Smoking is prohibited in any building owned by the Commonwealth and managed by the FMA.

No Person shall smoke within twenty-five (25) feet of any public entrance to a building or in any structure or place where smoking is prohibited.

Smoking may be forbidden by the FMA or its authorized agent in any part of the Property by the posting of signs informing the public of the restriction.

#### Sports and Games; Where Permitted

No organized sports games or athletic contests shall be allowed on the Property except in such places designated specifically designated for these activities.

#### Swimming; Where Permitted

No Person shall bathe, wade or swim in any waters at Fort Monroe except at such times, and in such places, as the FMA may designate as swimming areas, and unless so

covered with a bathing suit so as to prevent any indecent exposure (as set forth in Code of Virginia §18.2-387 or successor statute) of the Person.

Swimming shall be at the risk of the Person entering the water, even if a lifeguard is on duty at the time, and FMA and its officers, employees, agents and trustees shall have no liability for any death or injury resulting therefrom.

Swimming, bathing, or wading are permitted in designated swimming areas from Dawn to Dusk daily.

### Winter Activities

Skiing, snowshoeing, ice skating, sledding, inner tubing, tobogganing, and similar winter sports are prohibited on or across the public roads and in parking areas open to motor vehicle traffic. Sleds or toboggans shall not be used on the sloped portions of the fortress.

The towing of Persons on skis, sled, or other similar device by motor vehicle or snowmobile is prohibited on the Property.

No Person shall go upon ice covering any body of water on the Property for any reason. This restriction shall not apply to law enforcement officers or fire and Emergency response personnel acting within the scope of their authority.