

Rules of the Doe Mountain Recreation Authority

(Effective November 4, 2013)

Chapter 0485-01-01

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0485-01-01-.01 Purpose

(1) Pursuant to the Doe Mountain Recreation Authority Act of 2012, T.C.A. §§ 11-25-101 to -119, the purpose of this Chapter is to establish rules and regulations for the administration and management of the Doe Mountain Recreation Authority and the lands under its administration.

Authority: T.C.A. §§ 11-25-107 to -108.

0485-01-01-.02 Applicability and Scope.

(1) The rules in this Chapter shall apply to the Doe Mountain Recreation Authority and all lands under its administration.

Authority: T.C.A. §§ 11-25-107 to -108.

0485-01-01-.03 Rules Incorporated by Reference

(1) General: Except as otherwise provided in these rules, and subject to the definitions below, the following rules of the Tennessee Department of Environment and Conservation, including any future amendments, shall apply to the Doe Mountain Recreation Authority and all lands under its administration:

0400-02-02 Public Use and Recreation

0400-02-05-.01-.21 Vehicles and Traffic Safety (excludes rule 0400-02-05-.22: Trail Bikes, Mini Bikes, and Other Off Road Vehicles)

(2) Definitions: The following terms used in the rules of the Tennessee Department of Environment and Conservation have the following definitions as they apply to the Doe Mountain Recreation Authority and the lands under its administration:

(a) The terms "Commissioner" and "Assistant Commissioner" shall mean the Chair of the Board of Directors of the Doe Mountain Recreation Authority.

(b) The term "Park Manager" includes the Board of Directors of the Doe Mountain Recreation Authority, the Doe Mountain Recreation Authority Manager, or their authorized representatives.

(c) The term "Authorized Person" includes any person authorized to enforce the

provisions of these regulations.

(d) The term "Park Area" includes all lands administered by the Doe Mountain Recreation Authority.

(3) If there is an inconsistency between these rules and the rules of the Tennessee Department of Environment and Conservation, these rules are controlling with respect to the Doe Mountain Recreation Authority and all lands under its administration.

Authority: T.C.A. §§ 11-25-107 to -108.

0485-01-01-.04 Hours

(1) Notwithstanding any other provision of these rules or the rules of the Tennessee Department of Environment and Conservation, the Board of Directors of the Doe Mountain Recreation Authority will establish hours for use of the lands under its administration. Hours may differ depending on usage and season. Hours shall be posted publicly.

Authority: T.C.A. §§ 11-25-107 to -108.

0485-01-01-.05 Hunting and Weapons

(1) Hunting: The Board of Directors of the Doe Mountain Recreation Authority shall determine when and to what extent the lands under its administration will be open for hunting, consistent with the rules and proclamations of the Tennessee Wildlife Resources Agency. When lands are open to hunting, the laws of the State of Tennessee, including the rules of the Tennessee Wildlife Resources Agency, shall apply to the extent they apply generally to other public lands in the State of Tennessee.

(2) Weapons: Firearms and weapons are authorized consistent with Tennessee Department of Environment and Conservation Rule 0400-02-02-.11, or as otherwise authorized under the laws of the State of Tennessee.

Authority: T.C.A. §§ 11-25-107 to -108.

0485-01-01-.06 Off-Highway Vehicles

(1) Off Highway Vehicle (OHV) is any motorized vehicle capable of traveling off highways. The term includes all-terrain vehicles, motorcycles, dune buggies, and other four-wheeled vehicles used for off-road activities.

(2) Within the Doe Mountain Recreation Authority-administered lands, OHVs are restricted to use on roads and trails designated for OHV use.

(3) OHV users must comply with all relevant safety laws, including the use of safety belts and child safety restraints if the vehicle is so equipped. OHV users must comply with minimum age requirements and OHV passenger limitations. All pertinent safety equipment, including an approved helmet, protective eyewear, and protective clothing is recommended.

(4) Minors (under the age of 18) must be under the supervision of an adult and must wear a DOT or SNELL approved helmet in accordance with state law.

(5) OHVs must be operated in a safe manner. Recklessness and the harassment or disturbance of people or wildlife is not permitted.

Authority: T.C.A. §§ 11-25-107 to -108.

0485-01-01-.07 User Agreement and Fees

(1) User Agreement: All Doe Mountain Recreation Authority users must sign an Acknowledgement of Risk and have a valid Doe Mountain Recreation Authority User Agreement and photo ID in their presence at all times while on Doe Mountain Recreation Authority lands.

(2) Fees - General: The Doe Mountain Recreation Authority Board of Directors will assess fees and other charges to defray the costs of the Authority's responsibilities with respect to the lands under its administration and to make the Doe Mountain Recreation Authority as self-sufficient as possible. Fees may be based on the type of recreational use, including the impact of particular uses on Doe Mountain and maintenance required for specific uses.

(3) Fee types: Charges may include, as determined by the Board of Directors of the Doe Mountain Recreation Authority, any of the following:

- (a) Single visit entry fees or user charges;
- (b) Annual fees;
- (c) Fees for special activities;
- (d) Fees assessed on authorized concessionaires;
- (e) Parking fees; and,
- (f) Such other fees or charges as the Doe Mountain Recreation Authority Board of Directors deems appropriate to accomplish the purposes of the Doe Mountain Recreation Act of 2012.

(4) Complementary passes and fee waivers: The Doe Mountain Recreation Authority Board of Directors may allow for complementary passes, as appropriate, for specific categories of users. The Board of Directors may also waive fees for appropriate purposes, such as for promotions, for access by persons conducting scientific research, etc., if the Board of Directors determines that waiver is in the interest of the Doe Mountain Recreation Authority. The authority to waive fees on a case-by-case basis may be exercised by the Chair of the Board of Directors of the Doe Mountain Recreation Authority. The authority to waive fees on a case-by-case basis may also be delegated by the Board of Directors to the Doe Mountain Recreation Authority Manager or to such other person as the Board of Directors designates.

Authority: T.C.A. §§ 11-25-107 to -108.

0485-01-01-.08 Commercial Activities

(1) Advertisements: Commercial notices and advertisements shall not be displayed, posted, or distributed on Doe Mountain Recreation Area lands without the written permission of the Chair of the Board of Directors of the Doe Mountain Recreation Authority or the written permission of the Doe Mountain Recreation Authority Manager. Permission may be granted if such notices or advertisements are found to be desirable or necessary for the convenience and guidance of the public.

(2) Business operations: Engaging in or soliciting any business on Doe Mountain Recreation Area lands is prohibited except in accordance with a contract, other written agreement, or other specific authorization from the Doe Mountain Recreation Authority.

Authority: T.C.A. §§ 11-25-107 to -108.

0485-01-01-.09 Violations

(1) Failure to comply with these rules may result in the cancellation of a user's day or annual pass - without refund of fees - or a permanent ban from use of the Doe Mountain Recreation Area administered lands. Violations of federal, state, or local law may also result in charges, arrests, prosecutions, and any penalties authorized by law.

Authority: T.C.A. §§ 11-25-107 to -108.