

Rules and Regulations

Bays Mountain Park - Adopted August 8, 2024

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Article I. Authority

The Bays Mountain Park Commission, acting in its capacity as the governing body of Bays Mountain Park, has the authority under the Kingsport Code of Ordinances Article IV, Section 66-158 to prescribe all rules and regulations for the conduct, control, government and operation of the park.

Article II. Park Mission and Purpose

Section 2.01 Park Mission

It is the mission of Bays Mountain Park to preserve the natural and cultural resources of Bays Mountain while offering quality educational and recreational opportunities.

Section 2.02 Park Purpose

In order to secure the benefits of an enduring educational resource, Bays Mountain Park shall be held in trust for the following uses and purposes according to the Kingsport Code of Ordinances Article IV, Section 66-191:

- (1) For scientific research in such fields as ecology, taxonomy, genetics, forestry, pharmacology, agriculture, soil science, geology, paleontology, conservation, environmental education and related fields.
- (2) For the teaching of biology, natural history, ecology, conservation, environmental education and related subjects.
- (3) As habitats for plants and animals.
- (4) As a place of natural interest and beauty.
- (5) As living illustration of our natural heritage wherein one may observe and experience natural biotic and environmental systems of the earth and their processes.
- (6) To promote understanding and appreciation of the aesthetic, cultural scientific and spiritual values of such an area by the people of the city.
- (7) For the preservation and protection of a natural preserve against unnecessary modification or encroachment as a result of occupation, development or other use which would destroy the natural or aesthetic conditions of the area.
- (8) As an illustration of the cultural heritage of the region.

Article III. Rules and Regulations

Section 3.01 General Conduct Regulations

All visitors to the park are required to abide by the following:

- a) Park rules are for the safety of visitors, park facilities, and the natural world. All visitors are expected to abide by all park rules at all times.
- b) Children under the age of 16 must be accompanied by someone who is at least 16 years old.
- c) All visitors must cooperate with reasonable requests made by park employees and volunteers.
- d) Appropriate attire (shoes, shirts, and pants) must be worn by all visitors.
- e) Respect should be shown to all visitors, wildlife, facilities, and plants in the park.
- f) Visitors are prohibited from smoking or vaping within 25 feet of any structure.
- g) Alcohol is prohibited at the park except as otherwise stated herein.
- h) All visitors entering the park are required to check-in and pay any applicable entrance fees at the gate house unless notice is otherwise posted.
- i) Visitors should clean up after themselves, their children, and their pets.

- j) Visitors should report any injuries or damages to property happening in the park to park rangers or 911 as soon as possible.
- k) Visitors must refrain from any conduct that would constitute a violation under the Kingsport Code of Ordinances or state law.

Section 3.02 Adherence to Park Signs

All visitors shall comply with all signs and markers installed by the BMP staff.

Section 3.03 Park Hours

- 1) The Director shall by written notice establish closing hours and opening hours for the park. These hours shall be posted at the gate house and nature center.
- 2) Last entry into the park will be 30 minutes prior to closing.
- 3) This provision shall not apply to the following:
 - A. Visitors granted permission in writing by the Director, Chief Ranger, or a Park Ranger to remain in the park after closing.
 - B. Visitors granted a camping permit.
 - C. Visitors who have paid the after-hours reservation fee and have been granted an after hours permit.

Section 3.04 Park Rentals

- 1) All visitors shall not occupy or use Park facilities that require fees without paying fees or to occupy facilities beyond the time the facility was reserved.
 - A. All visitors renting facilities must possess a copy of their rental permit and shall produce it for park staff to review upon request.
- 2) All renters of the park's facilities must comply with rental policies contained within the park's rental agreement.
 - A. Alcohol is allowed in rented facilities with prior approval.

Section 3.05 Closed Areas

- 1) The Director, or their designee, may close any portion of the park area when necessary for the protection of the area or the safety and welfare of persons or property.
- 2) All areas of the park that are closed shall be clearly marked with appropriate signage indicating the extent and scope of closure.
- 3) All visitors shall observe and abide by the officially posted signs designating closed areas.

Section 3.06 Prohibited Recreational Activities

- 1) The following recreational activities are prohibited in all areas of the park.
 - A. Swimming
 - B. Horseback riding
 - C. Roller skating
 - D. Skateboarding, hoverboarding, unicycling, and similar devices.
 - E. Motor-boating
 - F. RC vehicles, boats, and similar devices

G. Caving

H. Campfires and grilling (does not apply to those with a camping permit)

2) The Director may by written notice prohibit, limit, or allow any recreational activity. Such notice shall be given in the form of visible signage or public advertisement.

Section 3.07 Operation of Manned or Unmanned Craft

1) No visitors shall launch or land an unmanned aircraft in any part of the park without prior written permission from the Director or their designee.

2) No visitor shall launch or operate any watercraft on the reservoir without the prior written permission of the Director or their designee. This shall not apply to those participating in a sanctioned park program, operating under the direction of park staff.

3) These rules shall not apply to emergency personnel, law enforcement, or BMP staff carrying out official duties.

Section 3.08 Trail and Road Use

Motorized Vehicles

1) No motorized vehicles, other than Class I e-bikes, may be used on any park trail.

A. The Director shall by written notice designate all trails on which Class I e-bikes may be used. Class I e-bikes may not be used on undesignated trails.

2) Motorized vehicles registered for use on public roads may be driven on the entrance road (Bays Mountain Park Road) and in all parking lots but may not be driven on any gravel service roads except for the following persons:

A. City staff or volunteers carrying out official business.

B. Contractors and vendors authorized by the Director.

C. Other persons with a bona fide reason as authorized by the Director.

3) Vehicles may only be parked in designated parking spots. Vehicles may not park on the grass, side of the road, or any other area not designated for parking.

Mountain Bicycles

1) The Director shall by written notice designate trails and roads on which mountain bicycles may be used. Such notice shall be given in the form of visible signage or indicated on the park's official trail map.

A. All users of mountain bicycles and e-bikes shall at all times wear helmets.

B. Road or street bicycles are prohibited.

C. Off-trail biking is prohibited.

Hiking

1) The Director shall by written notice designate trails and roads on which hiking shall be allowed. Such notice shall be given in the form of visible signage or indicated on the park's official trail map.

2) Off-trail hiking is prohibited except for the following persons.

A. BMP staff or volunteers carrying out official duties.

B. Visitors with express permission from the Director, Chief Ranger, or a Park Ranger.

C. Visitors conducting scientific research in accordance with a valid scientific collection permit.

D. Visitors participating in a park sanctioned program or activity.

Trail closures

- 1) Trails may be temporarily closed for any reason by any member of the staff without notice.
- 2) Visitors may not use or access any trail that is closed.
- 3) Trail closure shall be indicated using appropriate signage, caution tape, or public advertisement.

Section 3.09 Camping

Camping shall be prohibited except as authorized by permit and only in designated areas marked for that purpose. Any visitor possessing a permit must produce that permit for park staff upon request.

Section 3.10 Metal Detecting

Metal detecting shall be prohibited unless authorized in writing by the Director or their designee.

Section 3.11 Geocaching

- 1) All geocaches must be placed within 25 feet of an existing trail.
- 2) All existing geocaches must comply with these requirements by December 31, 2025.

Section 3.12 Rules Relating to Captive Animal Exhibits.

1) The following conduct is prohibited:

- A. Crossing of any barrier or fence surrounding any captive animal exhibit.
- B. Placing any part of one's body through or over any barrier or fence surrounding any captive animal exhibit.
- C. Placing any objects through or over any barrier or fence surrounding any captive animal exhibit.
- D. Placing food or drinks inside any captive animal exhibit.
- E. Entering any area marked off limits by posted signage.
- F. Operating a bicycle on any path around any captive animal exhibit.
- G. Bringing any pet within 500 feet of any captive animal exhibit. This rule shall not apply to trained service animals.
- H. Screaming at, harassing, or otherwise disturbing any captive animal.

2) These rules shall not apply to visitors being escorted by BMP staff and acting under their direct supervision.

3) These rules shall not apply to BMP staff or volunteers carrying out official duties.

Section 3.13 Natural or Cultural Resources

1) The intentional or wanton destruction, defacement, or removal of any natural or cultural feature or resource is prohibited. This includes, but is not limited to, all plants and plant parts, geological features (rock, soil, gem, mineral, etc.), animals, animal remains, or any other item natural in origin.

A. This section shall not apply to those collecting items in accordance with a scientific collection permit obtained from the Tennessee Department of Environment and Conservation or to city staff carrying out official duties.

2) The intentional or wanton destruction, injury, defacement, removal or disturbance in any manner of any public buildings, signs, equipment, monument, marker or other structure or of any relic, artifact, ruin or historic or pre-historic feature or of any other similar public property is prohibited.

A. This section shall not apply to those collecting or researching with permission of the Director or city staff carrying out official duties.

Section 3.14 Wildlife

1) The hunting, killing, wounding, frightening or capture at any time of any wildlife is prohibited, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury.

2) Except as otherwise provided herein, the feeding, touching, teasing, molesting or intentional disturbance of any wildlife or the activities or phenomena of wildlife is prohibited.

Section 3.15 Fishing

1) The Director shall by written notice establish all rules associated with the time, manner, and place persons may participate in fishing activities. Such notice shall be given in the form of visible signage or public advertisement.

Section 3.16 Animals

1) The following animals may enter the park:

A. Service animals with their master.

B. Dogs.

C. Animals being brought in for rehabilitation with prior staff approval.

2) Dogs shall be allowed in accordance with the following rules. These rules shall not apply to service animals with their master.

A. All dogs must be maintained on a 6-foot visible leash at all times.

B. Dogs may not be left unattended in vehicles or any other part of the park.

C. Dogs may not be taken into the Planetarium, Herpetarium, on the Barge, or within 500 feet of any exhibit animal enclosure.

D. Dogs may not swim in any lake, pond, or stream.

E. The Director may by written notice limit the access of dogs to any park facility, area, or program.

Such notice shall be given in the form of visible signage or public advertisement.

F. Park staff may ask any aggressive or disturbing dog to leave the park at any time.

G. Visitors are required to collect and dispose of any solid pet waste.

Section 3.17 Littering and Vandalism

1) No visitor shall throw or deposit trash or pet waste in any location other than in available trash receptacles.

2) No visitor shall carve, mark, paint, or otherwise damage or deface any facility, tree, post, sign or any other object in the park.

Section 3.18 Commercial Activity

Commercial activity in or upon any park or recreation area is prohibited, except upon written authorization by the city manager. Such authorization may only be granted for a period not to exceed ten days when such use is in connection with a recreational activity sponsored by the city and that is open to the general public, such as but not limited to Fun Fest.

Section 3.19 Advertising Signs

It shall be a violation of the rules for any person to place or erect any poster, sign or banner or to place or erect any sign or device in or upon any park or recreation area, except upon written authorization by the city manager; provided, however, that such restrictions shall not apply to clothing or other articles of attire. Such authorization may only be granted for a period not to exceed ten days when such use is in connection with a recreational activity sponsored by the city, and that is open to the general public, such as but not limited to Fun Fest, and when such advertising, sign or device is directly related to products, services or activities available at that site during the time of such event.

Article IV. Violation and Enforcement

The Director and staff of Bays Mountain Park (BMP) are responsible for the enforcement of BMP rules, regulations, and policies.

Visitors to BMP are to comply with all aforementioned rules and regulations in Article III of this document. Engaging in conduct that violates these rules and regulations is subject to the penalties outlined in this Article. Violations may result in bans ranging from 30 days to permanent bans. Fair, reasonable, and consistent enforcement of BMP rules and regulations is the responsibility of all BMP staff.

When BMP staff witness a violation of these rules and regulations, BMP staff should issue a notification of violation to that individual. This notification may serve as a written warning or a notice of ban from the premises.

Section 4.01 Notice of Violation:

When a notice of violation is being issued, BMP staff will notify the violator of the following:

- 1) What rule they have violated.
- 2) What type of notice they are receiving (warning or ban).
- 3) What are the implications of the notice.
- 4) How the individual may appeal the decision for review.

All individuals should be given the opportunity to respond to the alleged infraction before the notice of violation is issued.

BMP staff should give the violator a copy of the notice of violation and direct the individual where to find a complete copy of the park's rules and regulations.

Section 4.02 Administrative Review Process:

Those individuals who have been banned from the park have a right to request an administrative review of the ban. The ban remains in effect during the pendency of the administrative review.

The administrative review is obtained by making a written request. Disabled individuals unable to make a written request may request reasonable accommodations.

The administrative review process shall follow the following guidelines:

- 1) On or before seven calendar days after the date the individual received the ban notice, such individual may request in writing a hearing. The request should be mailed to the park office at 853 Bays Mountain Park Rd, Kingsport, TN 37660, Attn: Park Director.

- 2) The hearing will be conducted at a convenient time by the Park Director with the requesting individual and park staff. At the hearing, the individual will be provided the opportunity to present evidence or reasons why the ban should be withdrawn. A ban will be withdrawn if the Park Director finds by a preponderance of the evidence presented that the individual did not engage in the behavior listed on the ban notice or that the ban is otherwise unwarranted. If the individual requesting the hearing is under the age of 18, a parent or guardian must accompany the individual.
- 3) The Park Director will deliver their determination to individual verbally.
- 4) If the ban is upheld, the Park Director will inform the individual of their right to appeal the ban for judicial review in Chancery Court.
- 5) If appeals are not made in the specified time frames, the ban will remain effective.

Section 4.03 Enforcement Guidelines

BMP staff are charged with administering the ban process in response to violations. It is recognized that although guidelines serve to lead authorized employees through this process, varying circumstances will necessitate exercising sound judgement regarding the enforcement of the rules. BMP staff should always prioritize the safety of themselves and other park visitors when exercising enforcement authority.

The following guidelines are not exhaustive, and BMP staff reserves the right to bypass any lesser action in favor of a more severe action depending on the situation.

Rule 1st Violation 2nd Violation 3rd Violation

- 3.01 Code of Personal Conduct Warning to 6 mo. 1 yr. Permanent
- 3.02 Adherence to park signs Warning to 60 days 6 mo. 1 yr. to permanent
- 3.03 Park Hours Warning to 30 days 6 mo. 1 yr.
- 3.04 Park Rentals Warning to 60 days 6 mo. 1 yr. to permanent
- 3.05 Closed Areas Warning to 6 mo. 1 yr. Permanent
- 3.06 Prohibited Recreational Activities Warning to 6 mo. 1 yr. Permanent
- 3.07 Operation of Craft Warning to 60 days 6 mo. 1 yr. to permanent
- 3.08 Trail and Road Use Warning to 6 mo. 1 yr. Permanent
- 3.09 Camping Warning to 6 mo. 1 yr. Permanent
- 3.10 Metal Detecting Warning 30 to 60 days 6 mo. to 1 yr.
- 3.11 Geocaching Warning 30 to 60 days 6 mo. to 1 yr.
- 3.12 Captive Animal Exhibits Warning to 1 yr. 1 yr. Permanent
- 3.13 Natural/Cultural Resources Warning to 1 yr. 1 yr. Permanent
- 3.14 Wildlife Warning to 1 yr. 1 yr. Permanent
- 3.15 Fishing Warning 30 to 60 days 6 mo. to 1 yr.
- 3.16 Animal Warning to 6 mo. 1 yr. Permanent
- 3.17 Littering and Vandalism Warning to 6 mo. 1 yr. Permanent
- 3.18 Commercial Activity Warning 30 to 60 days 6 mo. to 1 yr.
- 3.19 Advertising Signs Warning 30 to 60 days 6 mo. to 1 yr.