

## §5.9

## 36 CFR Ch. I (7-1-06 Edition)

### NOTICE

This is a facility operated in an area under the jurisdiction of the United States Department of the Interior. No discrimination in employment practices on the basis of race, creed, color, ancestry, sex, age, disabling condition, or national origin is permitted in this facility. Violations of this prohibition are punishable by fine, imprisonment, or both.

Complaints or violations of this prohibition should be addressed to the Director, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127.

or notices supplied in accordance with Executive Order 11246 at such locations as will ensure that the notice and its contents will be conspicuous to any person seeking employment.

(c) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

[31 FR 16660, Dec. 29, 1966, as amended at 52 FR 35240, Sept. 18, 1987; 53 FR 740, Jan. 12, 1988]

### **§5.9 Discrimination in furnishing public accommodations and transportation services.**

(a) The proprietor, owner or operator and the employees of any hotel, inn, lodge, or other facility or accommodation offered to or enjoyed by the general public within a park area and, while using such a park area, any commercial passenger-carrying motor vehicle service and its employees, are prohibited from: (1) Publicizing the facilities, accommodations or any activity conducted therein in any manner that would directly or inferentially reflect upon or question the acceptability of any person or persons because of race, creed, color, ancestry, sex, age, disabling condition, or national origin; or (2) discriminating by segregation or otherwise against any person or persons because of race, creed, color, ancestry, sex, age, disabling condition, or national origin in furnishing or refusing to furnish such person or persons any accommodation, facility, service, or privilege offered to or enjoyed by the general public.

(b) Each such proprietor, owner, or operator shall post the following notice at such locations as will insure that the notice and its contents will be con-

spicuous to any person seeking accommodations, facilities, services, or privileges:

### NOTICE

This is a facility operated in an area under the jurisdiction of the U.S. Department of the Interior.

No discrimination by segregation or other means in the furnishing of accommodations, facilities, services, or privileges on the basis of race, creed, color, ancestry, sex, age, disabling condition or national origin is permitted in the use of this facility. Violations of this prohibition are punishable by fine, imprisonment, or both.

Complaints of violations of this prohibition should be addressed to the Director, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127.

(c) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

[31 FR 16660, Dec. 29, 1966, as amended at 52 FR 35240, Sept. 18, 1987; 53 FR 740, Jan. 12, 1988]

### **§5.10 Eating, drinking, or lodging establishments.**

(a) No establishment offering food, drink, or lodging for sale on any privately owned lands under the legislative jurisdiction of the United States within Glacier, Lassen Volcanic, Mesa Verde, Denali, Mount Rainier, Olympic, Rocky Mountain, Sequoia-Kings Canyon, Yellowstone, and Yosemite National Parks may be operated without a permit obtained from the Superintendent. Such permit may include terms and conditions deemed necessary by the Superintendent to the health, safety and welfare of the public and it may be revoked upon failure to comply with the requirements of paragraphs (b) and (c) of this section or the conditions set forth in the permit.

(b) Such establishment shall be maintained and operated in accordance with the rules and regulations recommended by the U.S. Public Health Service for such establishments, and the substantive requirements of State and local laws and regulations relating to such establishments, which would apply if such privately owned lands were not subject to the jurisdiction of

the United States. In the event of conflict or inconsistency between such U.S. Public Health Service recommendations and State or local laws the former shall prevail.

(c) The Superintendent shall have the right to inspect such establishments at reasonable times to determine whether the establishment is being operated in accordance with the applicable rules and regulations and in accordance with the provisions of the permit.

[31 FR 16660, Dec. 29, 1966, as amended at 65 FR 37878, June 19, 2000]

#### §§ 5.11–5.12 [Reserved]

#### § 5.13 Nuisances.

The creation or maintenance of a nuisance upon the federally owned lands of a park area or upon any private lands within a park area under the exclusive legislative jurisdiction of the United States is prohibited.

#### § 5.14 Prospecting, mining, and mineral leasing.

Prospecting, mining, and the location of mining claims under the general mining laws and leasing under the mineral leasing laws are prohibited in park areas except as authorized by law.

### PART 6—SOLID WASTE DISPOSAL SITES IN UNITS OF THE NATIONAL PARK SYSTEM

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AUTHORITY: 16 U.S.C. 1, 3, 4601–22(c).

SOURCE: 59 FR 65957, Dec. 22, 1994, unless otherwise noted.

#### § 6.1 Purpose.

(a) The regulations contained in this part prohibit the operation of any solid waste disposal site, except as specifically provided for, and govern the continued use of any existing solid waste disposal site within the boundaries of any unit of the National Park System.

(b) The purpose of the regulations in this part is to ensure that all activities within the boundaries of any unit of the National Park System resulting from the operation of a solid waste disposal site are conducted in a manner to prevent the deterioration of air and water quality, to prevent degradation of natural and cultural, including archaeological, resources, and to reduce adverse effects to visitor enjoyment.

(c) The regulations in this part interpret and implement Pub. L. 98-506, 98 Stat. 2338 (16 U.S.C. 4601–22(c)).

#### § 6.2 Applicability and scope.

(a) The regulations contained in this part apply to all lands and waters within the boundaries of all units of the National Park System, whether federally or nonfederally owned, and without regard to whether access to a solid waste disposal site requires crossing federally-owned or controlled lands or waters.

(b) The regulations contained in this part govern:

(1) The use of solid waste disposal sites not in operation on September 1, 1984, including the approval of new solid waste disposal sites;

(2) The continued use or closure of solid waste disposal sites that were in operation on September 1, 1984;

(3) The continued use or closure of solid waste disposal sites on lands or waters added to the National Park System after January 23, 1995.

(c) Exceptions.

(1) The regulations contained in this part do not govern the disposal of residential or agricultural solid wastes in a site by a person who can show that he or she:

(i) Resides within the boundaries of the unit;

(ii) Generates the residential or agricultural solid waste within the boundaries of the unit;