

**115-8-21. Special events; permit requirements and procedures; department lands and**

**waters.** (a) A special event permit shall be required for any event occurring on department lands or waters, or both, if one of the following conditions exists:

(1) An entrance, admission, or participation fee is charged.

(2) Food, merchandise, or service is offered for sale.

(3) The exclusive use of a facility or a specified land or water area is necessary, other than facilities or areas for which other permits may be issued.

(4) An organized or advertised competition will be conducted.

(5) Sound will be amplified that may disrupt area users.

(6) Temporary structures, other than blinds or common camping equipment, will be erected.

(b) An event sponsored in part or in total by the department shall not require a special event permit.

(c) For a field trial or a water event on department lands or waters, a special event permit may be issued by the department in place of a field trial permit or a water event permit if the requirements of K.A.R. 115-13-2 or K.A.R. 115-30-9, respectively, are met in addition to the requirements for a special event permit.

(d) Permit procedures.

(1) Each application for a special event permit shall be made to the department no fewer than five weekdays before the event is to be held.

(2) Payment of the special event permit fee specified in K.A.R. 115-2-3 shall accompany each application.

(3) The permit fee shall be returned to the applicant if the special event permit is not

approved by the department.

(4) The permit fee shall not be refunded for an issued special event permit.

(5) A performance deposit may be required as a condition of special event permit issuance. (6) The deposit shall be returned by the department if the special event permittee has met all permit conditions.

(e) Permit holders may tag or mark wildlife only as allowed under permit conditions.

(f) A special event permit may be refused issuance by the department if the proposed event meets any of the following conditions:

(1) Would not be compatible with intended uses of the area;

(2) Would result in misuse or damage to facilities, structures, or the natural environment;

or

(3) Would pose a threat to public health, safety, or welfare.

(g) In addition to other penalties prescribed by law, failure to comply with all rules and regulations and permit conditions shall be grounds for revocation of a special event permit or refusal to issue a special event permit.

(h) This regulation shall be effective on and after January 1, 2002. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective March 19, 1990; amended Jan. 1, 2002.)