

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS

IN RE: FORFEITURE OF COLLATERAL
CORPS OF ENGINEERS PROJECTS

ORDER

On this 20 day of October, 2000, it is hereby ordered by
the Court:

That in the interest of justice, efficient court
administration, and effective law enforcement concerning the
violation of the following rules and regulations while on any
property under the charge and control of the U.S. Army Corps of
Engineers, (specifically DeGray, Ouachita, Beaver, DeQueen, Dierks,
Gillham, Greeson and Millwood Lakes, and on those portions of Blue
Mountain, Bull Shoals, Dardanelle, Norfolk and Table Rock Lakes
that are located within the Western District of Arkansas)
collateral in the amount proscribed in Attachment 1 may be posted
in lieu of the appearance of the offender unless it is the opinion
of the arresting or citing officer that the offense charged was
aggravated;

That upon the election of the person charged with such an
offense to post said collateral in lieu of appearance before the
United States Magistrate Judge for trial of said offense, the
collateral in the amount listed in Attachment 1 opposite the

offense shall be forfeited to the United States. The posting of such collateral shall signify that the offender neither contests the charge nor requests a hearing before the United States Magistrate Judge, and said collateral shall be administratively forfeited;

That forfeiture of collateral shall not be permitted in lieu of the appearance of the offender for a subsequent offense or offenses;

That there be maintained in the Office of the Clerk, and with the respective United States Magistrate Judges, a current list of the petty offenses and fines applicable thereto for which collateral may be accepted;


That pursuant to the foregoing provisions, the offenses for which collateral may be posted in lieu of the appearance of the person charged are set out on Attachment 1 hereto.

This Order shall amend the Order entered by this Court on May 17, 1995, in that the sections, numbers, offenses, and collateral amounts as set out in the specific provisions of said order are set aside, and in lieu thereof, Attachment 1 hereto is substituted.

U.S. DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FILED

OCT 23 2000

CHRIS R. JOHNSON, Clerk
By: 
Deputy Clerk


JIMM LARRY HENDREN, CHIEF JUDGE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS

FORFEITURE OF COLLATERAL
For the
WESTERN COURT DISTRICT OF ARKANSAS

CODE	VIOLATION	FINE
327.1 (d)	Discriminating against a person or persons because of sex, race, creed, color, or national origin in the conduct of operation under a lease, license, or concession contract	Mandatory Appearance
327.2 (b)	Parking a vehicle in violation of posted restrictions	\$75
327.2 (b)	Parking a vehicle in such a manner as to obstruct or impede the movement of normal traffic or the parking of other vehicles	\$50
327.2 (b)	Parking a vehicle in such a manner as to obstruct or impede the movement of emergency traffic, create a safety hazard or endanger any person	\$100
327.2 (b)	Parking a vehicle in such a manner as to endanger any project property or environmental feature	\$75
327.2 (c)	Operation and/or parking of a vehicle off authorized roadways except at locations and time designated by the District Commander	\$100
327.2 (c)	Taking any vehicle through, around, or beyond a restrictive sign, recognizable barricade, fence, or traffic control barrier	\$125
327.2 (d)	Parking a vehicle in violation of posted regulations	\$50
327.2 (e)	Operating a vehicle in a careless, negligent, or reckless manner so as to endanger environmental features or project property	\$150
327.2 (e)	Operating a vehicle in a careless, negligent, or reckless manner so as to endanger any person	\$200

327.2 (f)	Using a vehicle in a developed area for the purposes other than entering or leaving, except as authorized	\$75
327.2 (g)	Operating a motorized vehicle without a proper and effective exhaust muffler	\$75
327.2 (g)	Operating a vehicle with an exhaust muffler cutout open or in any other manner which renders the exhaust muffler ineffective	\$100
327.2 (h)	Operating a vehicle not in accordance with applicable Federal, state or local laws	\$50
327.3 (b)	Placing or operating any vessel or any watercraft for fee or profit upon project waters or lands except as authorized by permit, lease, license, or concession agreement with the Department of the Army	\$100
327.3 (c)	Operation of a vessel or other watercraft in a prohibited or restricted area	\$150
327.3 (c)	Operation of a vessel or other watercraft in violation of posted regulations including buoys	\$75
327.3 (c)	Operation of a vessel or other watercraft on project waters without display of an appropriate registration on board	\$50
327.3 (d)	Operation of a vessel or other watercraft in a careless, negligent or reckless manner so as to endanger any person or property or environmental feature	\$200
327.3 (e)	Using or allowing the use of a vessel without safety equipment, including Personal Flotation Devices, on board on board in compliance with boating safety requirements of the U.S. Coast Guard and the boating safety laws of the state in which the vessel is located	\$100
327.3 (f)	Using a vessel or other watercraft for	\$100

overnight occupancy while moored in commercial facilities, community or corporate docks, or at any fixed point or permanent mooring point when such use is not incidental to recreational boating

327.3 (f)	Using a vessel or other watercraft as a place of habitation or residence	\$200
327.3 (g)	Using water skis, parasails, ski-kites or similar devices in a restricted area	\$100
327.3 (g)	Using water skis, parasails, ski-kites or similar, devices in a careless, negligent, or reckless manner so as to endanger any property or person	\$200
327.3 (h)	Attaching or anchoring a vessel to a lock, dam, buoy or other structure, except as authorized by the District Commander	\$100
327.3 (h)	Failure to remove a vessel not actually in use from the project which is not securely moored at facilities approved by the District Commander	\$75
327.3 (h)	Placing of floating or stationary mooring facilities on, adjacent to, or interfering with a buoy, channel marker, or other navigation aid	\$100
327.3 (i)	Using, at a project, a vessel which has not been constructed or maintained in compliance with the standards and requirements established by the Federal Safe Boating Act of 1971 or promulgated pursuant to such act.	\$150
327.3 (j)	Operating a vessel or watercraft without a proper and effective exhaust muffler, as defined by state and local laws, except as authorized by the District Commander	\$50
327.3 (j)	Operating a vessel or watercraft with an exhaust muffler cutout open or in any manner which renders the exhaust muffler ineffective	\$75
327.3 (k)	Operating a vessel not in accordance with applicable Federal, state or local laws	\$50
327.4 (b)	Operating an aircraft on project lands at	\$100

locations other than those designated by the District Commander

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| 327.4 (c) | Operating an aircraft while on or above project waters or project lands in a careless, negligent, or reckless manner so as to endanger any person, property, or environmental features | \$250 |
| 327.4 (e) | Air delivery, or retrieval; except in extreme emergency, of any person, material, or equipment by parachute, helicopter, balloon or other means onto or from project lands or waters without written permission of the District Commander | \$100 |
| 327.4 (f) (2) | Operation of a seaplane on project waters contrary to the prohibitions or restrictions established by the District Commander | \$150 |
| 327.4 (f) (3) | Operation of a seaplane on project waters in a manner not in accordance with the U.S. Coast Guard navigation rules for powerboats or vessels and/or part 327.3 of this regulation | \$100 |
| 327.4 (f) (4) | Mooring a seaplane in a prohibited area, in an unsafe or insecure manner, or in excess of 24 hours on project waters or lands at a location not permitted by the District Commander | \$50 |
| 327.4 (f) (4) | Mooring a seaplane in such a manner as to damage the rights of the Government or members of the public | \$100 |
| 327.4 (f) (4) | Failure of the operator to remain in the vicinity of a seaplane moored on a project or failure of the operator to be reasonably available to relocate the plane as necessary | \$50 |
| 327.4 (f) (5) | Commercial operation of a seaplane from project waters without the written approval of the District Commander | \$250 |
| 327.4 (f) (6) | Operating a seaplane at a project between sunset and sunrise without the approval of the District Commander | \$125 |
| 327.5 (a) | Swimming, wading, snorkeling, or scuba diving | \$100 |

at launching sites, designated mooring points, public docks, or other areas designated by the District Commander

327.5 (b)	Failure to display an international diver down or inland diving flag during underwater activities	\$75
327.5 (c)	Diving, jumping or swinging from trees, bridges, or other structures which cross or are adjacent to project waters	\$50
327.6	Engaging in picnicking or related day-use activities in areas where prohibited by the District Commander	\$50
327.7 (a)	Camping at a site or area not designated for that purpose by the District Commander	\$100
327.7 (b)	Camping at one or more campsites for a period longer than 14 days during any 30 consecutive day period without written permission of the District Commander	\$75
327.7 (c)	Placing camping equipment or other items on a campsite and/or personal appearance at a campsite without daily occupancy for the purpose of reserving the campsite for future occupancy	\$75
327.7 (d)	Digging or leveling of any ground or construction of any structure without written permission from the District Commander	\$50
327.7 (e)	Occupying or placing camping equipment at a campsite which is posted or otherwise marked or indicated as "reserved" without an authorized reservation for that site.	\$75
327.8 (a)	Hunting in areas or during periods where prohibited by the District Commander	\$150
327.8 (b)	Trapping in areas or during periods where prohibited by the District Commander	\$75
327.8 (c)	Fishing in a swimming area	\$150
327.8 (c)	Fishing on a boat ramp or other area	\$100

designated by the District Commander

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| 327.9 (a) | Improper disposal of or failure to remove garbage, trash, rubbish, litter, or any other waste material or liquid, including human and animal wastes, generated on the project | \$150 |
| 327.9 (b) | Bringing any household or commercial garbage, trash, rubbish, debris, dead animals, or litter of any kind for disposal or dumping without the written permission of the District Commander | \$250 |
| 327.9 (c) | Spilling, pumping, discharge or disposal of contaminants, pollutants, or other wastes, including, but not limited to, human or animal waste, petroleum, industrial and commercial products and by-products, on project lands or into project waters | \$200 |
| 327.9 (d) | Failure to keep a campsite, picnic site, or other area being used free of trash and litter during the period of occupancy | \$75 |
| 327.9 (d) | Failure to clean a campsite, picnic site or other use area and remove all personal equipment upon departure | \$75 |
| 327.9 (e) | Discharging or placing sewage, galley waste, garbage, refuse, or pollutants into project waters from any vessels or watercraft | \$200 |
| 327.10 (a) | Carrying or storing gasoline or any other fuels onto a project in containers not designated for such purposes without written permission of the District Commander | \$150 |
| 327.10 (b) | Failure to confine a fire in a fireplace, grill, or other designated facility | \$75 |
| 327.10 (b) | Leaving a fire unattended or failing to completely extinguish a fire prior to departure | \$100 |
| 327.10 (b) | Burning materials that produce toxic fumes | \$150 |
| 327.10 (c) | Improper disposal of lighted smoking materials, matches, or other burning materials | \$100 |
| 327.11 (a) | Bringing or allowing dogs, cat, or other pets | \$75 |

that are not on a leash under 6 feet in length, penned, caged, or otherwise physically restrained, into developed recreation areas

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| 327.11 (a) | Allowing an animal or animals to impede or restrict otherwise full and free use of project lands and waters by the public | \$125 |
| 327.11 (a) | Allowing an animal to bark or emit other noise so as to unreasonably disturb other people | \$50 |
| 327.11 (a) | Bringing or allowing an animal or pet, except for properly trained animals assisting the handicapped, into a sanitary facility, playground, swimming beach, or other unauthorized area | \$75 |
| 327.11 (b) | Failure to properly remove and dispose of, in sanitary facilities, any waste produced by an animal or pet brought or allowed into designated public use areas | \$50 |
| 327.11 (c) | Bringing or allowing livestock in recreation areas without prior authorization by the District Commander | \$75 per head |
| 327.11 (d) | Ranging, grazing, watering, or otherwise allowing unauthorized livestock on project lands or waters | \$75 per head |
| 327.11 (g) | Bringing a wild or exotic pet or animal, or any pet or animal exhibiting vicious or aggressive behavior or otherwise posing a threat to public safety or deemed a public nuisance onto project lands or waters except as authorized by the District Commander | \$150 |
| 327.12 (a) | Entering or using a project or portion thereof in a manner contrary to the schedule of visiting hours, closures, or restrictions | \$100 |
| 327.12 (b) | Creating excessive noise in a public use area between the hours of 10:00 p.m. and 6:00 a.m., or those hours designated by the District Commander, so as to unreasonably disturb other persons | \$75 |
| 327.12 (c) | Engaging in any act or manner of conduct which | \$100 |

interferes with, impedes, or disrupts the use of the project

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| 327.12 (c) | Engaging in any act or manner of conduct which impairs the safety of another person | \$250 |
| 327.12 (d) | Operating or using any audio or other noise producing device, including vehicles and vessels, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from motorized equipment | \$75 |
| 327.12 (e) | Possessing or consuming alcoholic beverages in areas designated and posted with such restrictions by the District Commander | \$75 |
| 327.12 (f) | Smoking in a visitor center, enclosed park building or other area on a project in violation of posted restrictions | \$50 |
| 327.13 (a) | Possessing a loaded firearm, ammunition, loaded projectile firing devices, bows and arrows, crossbows except as authorized | \$100 |
| 327.13 (b) | Possessing or using explosives or explosive devices, including fireworks or other pyrotechnics without written permission from the District Commander | \$50 |
| 327.14 (a) | Destruction, injury, defacement, removal, or any alteration of public property, developed or natural, except as authorized by written permission of the District Commander | \$250 |
| 327.14 (b) | Cutting or gathering of trees, parts of trees, and/or the removal of wood from project lands without written permission of the District Commander | \$150 |
| 327.14 (c) | Gathering dead wood on the ground in violation of posted restrictions | \$50 |
| 327.14 (d) | Using a metal detector in areas where such use is prohibited by the District Commander | \$50 |
| 327.15 (a) | Abandoning, storing, or leaving unattended | \$50 |

personal property on project lands or waters

327.15 (b)	Placing personal property on Federal lands or waters adjacent to a private residence and/or developments of any private nature for over 24 hours without permission from the District Commander	\$75
327.16	Failure to deposit an article found on project lands	\$50
327.17 (a)	Non-commercial advertising without written permission of the District Commander	\$150
327.17 (a)	Commercial advertising without written permission of the District Commander	\$200
327.18 (a)	Engagement in or solicitation of business without the expressed written permission of the District Commander	\$150
327.18 (b)	Noncompliance with any terms, clauses or conditions of any lease, license or other agreement issued by the District Commander	\$125
327.19 (a)	Noncompliance with the fee requirements or other terms or conditions of any permit issued under the provision of this part 327	\$100
327.19 (e)	Noncompliance with a Shoreline Use Permit issued under the authority of Part 327.30 of this regulation.	\$75
327.20	Construction, placement, or permitting the existence of any structure of any kind, including roads, trails, signs, buoys, docks, non-portable hunting stands or blinds, or landscape features, under, upon, in or over project lands or waters without a permit, lease license or other written authorization issued by the District Commander	\$250
327.20	Violation of the terms of a permit, lease, license, or other written authorization via the design, construction, placement, existence, or use of any structure on project lands or waters	\$150
327.21 (a)	Holding a special event without prior	\$250

written permission from the District Commander

327.21 (b)	Charging a fee to the public by a sponsor of a special event when said fee has not been approved in writing by the District Commander and the fee schedule has not been properly posted to notify the public	\$150
327.21 (b)	Failure of the sponsor to comply with the terms and conditions of the permit, permission or the regulations in this part 327	\$200
327.22 (a)	Unauthorized occupation of any lands, buildings, vessels, or other facilities as a full or part-time residence within the boundaries of a project	\$250
327.22 (b)	Unauthorized use of project lands and/or waters for agricultural purposes	\$150
327.23 (c)	Failure to pay the authorized and posted Day Use fee (fine not to exceed \$100)	\$25
327.23 (c)	Failure to pay the authorized and posted camping fee (fine not to exceed \$100.00)	\$50 (plus amt. of unpaid fee)
327.23 (c)	Failure to properly display the applicable receipt, permit, or pass (fine not to exceed \$100)	\$25
327.23 (d)	Fraudulent use of a Golden Age or Golden Access Passport	\$250
327.24 (a)	Attempting to kill, kill, or forcibly assaulting, resisting, opposing, intimidating, impeding, or interfering with any civilian official or employee of the U.S. Army Corps of Engineers engaged in, or on account of, the performance of his or her official duties (Sections 111 and 1114 of Title 14 USC)	MANDATORY APPEARANCE
327.24 (b)	Failure to comply with a lawful order	\$150

issued by a Federal employee acting
pursuant to these regulations,

327.24 (b) Failure to provide a correct name, address, **\$200**
or other identification upon request of a
Federal employee authorized to issue citations
in the performance of his or her official duties