



STEVE CLARK
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STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

(501) 371-2007

OPINION NO. 85-64

February 26, 1985

The Honorable James Scott
State Senator
Route 1, Box 82-A
Warren, Arkansas 71671

Dear Senator Scott:

This is in response to your letter requesting an official opinion regarding the following question:

Can the county enact an ordinance requiring all nonresidents wishing to camp on public or private property for recreational purposes to apply for and obtain a permit and to pay a fee for this permit?

Amendment No. 55, Section 1(a) of the Constitution of Arkansas allows the Quorum Court to exercise local legislative authority not denied by the Constitution or by State law. Ark. Stat. ann. §17-3801 et seq (Repl. 1980) specifically enumerates the powers and prohibitions of this legislative authority.

Ark. Stat. Ann. §17-3801(k) allows counties to impose a special assessment reasonably related to the cost of any special service or special benefit provided by County Government or to impose a fee for the provisions of a service.

I doubt, however, that a permit could be required for camping on public property such as Game & Fish lands or Park & Tourism lands.

The foregoing opinion, which I hereby approve, was prepared by Chief Deputy Attorney General Rodney Parham.

Yours truly,

A handwritten signature in dark ink, appearing to read "Steve Clark".
STEVE CLARK
Attorney General

SC:RP:lm