

## DEPARTMENT OF PARKS AND RECREATION

### NOTICE OF FINAL RULEMAKING

The Director of the Department of Parks and Recreation (the Department), pursuant to Sections 5 and 7a of the Recreation Act of 1994 (the Recreation Act), effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code §§ 10-304 and 307), and sections 6 and 6a of An Act To vest in the Commissioners of the District of Columbia Control of Street Parking in said District, approved July 1, 1898 (30 Stat. 571; D.C. Official Code §§ 10-137 and 10-137.01) gives notice of amending and adding the following sections of Chapter 7 (Department of Parks and Recreation) of Title 19 (Amusements, Parks, and Recreation) of the District of Columbia Municipal Regulations (DCMR): 1) Section 716 (Establishment of Fees); 2) Section 717 (Precedence for Use of Recreation Properties); 3) Section 719 (Southeast Tennis Learning Center Fees); 4) Section 720 (Support for Parks, Facilities, Recreational Activities and Events); 5) Section 723 (Residency); 6) Section 724 (Recreational Activities); 7) Section 729 (Commercial Activities for the Sale of Goods); and 9) Section 799 (Definitions). The Department also repeals and reserves Sections 721, 722, and 726.

The revised Sections implement the amendments to the Recreation Act made by the Fee-based Use Permit Authority Amendment Act of 2012, effective April 23, 2013 (D.C. Law 19-280; 60 DCR 2124), and found in D.C. Official Code §§ 10-301, 10-302, and 10-307 by updating permit fees and establishing the requirements for fee-based-use permits when private groups charge fees to participants for activities, events, classes, programs, operations, services, or products for the benefit, enjoyment, education, amusement or convenience of the public. The regulations also provide guidance for a more objective “priority of use” for issuing permits for property that is in demand by multiple users.

The revised Sections also provide procedures to prioritize registration and reduced costs for District residents for both permits and recreational activities and for the operations of markets or special events on Department property and provide for nutrition requirements of any food or beverages sold or offered to the public.

Finally, the regulations establish the standards for which the Department may accept a proposal under the amendments to the Recreation Act made by the Department of Parks and Recreation Revenue Generation Clarification Amendment Act of 2012, effective April 23, 2013, (D.C. Law 19-275; 60 DCR 2058), found in D.C. Official Code §§ 10-301, 10-302, and 10-303 which authorizes partnerships, sponsorships or donations for Department programs and property.

The proposed rulemaking was published in the D.C. Register on January 1, 2016, at 63 DCR ---. DPR received and reviewed public comments received through February 1, 2016. The clarifications are listed below:

The Department clarified Section 716.2 Table A, by omitting the word “Basketball” under the “Courts” section because the fee applies to all courts.

The Department clarified Section 716.2 Table A, by adding a six (6) hour maximum for full day

use.

The Department clarified Section 716.2 Table D, by correcting the medium and small show mobile fees and deposits which were typed backwards.

The Department clarified Table F in Section 716.2 by adding the phrase “DPR” in the title of the table.

The Department clarified Section 716.8, that admission fees for nonresidents in Tables A through “E”.

The Department removed the overtime fee amount in 716.12 because all overtime is calculated on a case by case basis.

The Department clarified Section 716.13, now stating that deposits are for “special events and equipment” only.

DPR clarified Section 716.14 by adding the sentence “If you apply for a permit outside of the thirty (30) day required time but DPR is able to accommodate your request than your payment will be due upon the date determined by DPR.”

The Department added the word “individuals” in Section 716.16 (a) for waivers.

The Department clarified in Section 716.16 (d) that schools qualify for waivers “for school day activities” and not “special events” or “after school activities.”

The Department added “Civic Associations” to Section 716.16 (e) for waivers.

DPR clarified Section 716.16 (f) that income eligible senior citizens qualify for one hundred percent 100% waiver for recreational activities.

The Department added Section 716.16 (h), allowing for DPR to consider a credit for fees for DPR “adopt a park” written agreements.

DPR clarified Section 716.19 by clarifying the requirement to show financial hardship “for participants” even if “incidental fees are charged.”

The Department changed Section 717.1 by deleting “league activities” and adding “applicants for seasonal permits” to be consistent with Section 725.

The Department in 717.2 (b) removed the word “District” from the beginning of the sentence because it was not needed.

The Department moved Section 717.5 to 717.3 to ensure that the mediation occurs before a final permit decision is made and that the weighing factors are considered in mediation and not after.

The Department clarified Section 717.3 by inserting the word “proportionate” to show its intent that the schedule is for shared use where appropriate.

The Department added Section 717.4 to provide for notice to the mediating parties as to DPR’s rationale for its decision regarding the permit application.

The Department clarified Section 717.6 by distinguishing “Community Use.”

The Department clarified 720.5 that donations cannot create an actual or perceived conflict.

The Department clarified Section 725.3 that “members of a league” or groups using space on “more than one occasion around the same place and time” are required to have a permit.

The Department clarified Section 725.12 by providing the type of documentation needed to demonstrate need.

The Department clarified Section 725.14 that the Department has twenty-one (21) days after the “close of the application window” to provide notice.

The Department clarified Section 725.28 by providing the type of documentation that will be considered in agency records.

The revised rulemaking was transmitted to the Council for its review and approval pursuant to the Fee Based Use and Revenue Generation Resolution of 2015 and was [approved/deemed approved by the Council].

This final rulemaking reflects clarifications to the original intent of the proposed rules and does not require republication for a new public comment period. This final rulemaking shall become effective upon its publication in the D.C. Register.

**Chapter 7, DEPARTMENT OF PARKS AND RECREATION, of Title 19, AMUSEMENTS, PARKS, AND RECREATION, of the DCMR is amended as follows:**

**Section 716, ESTABLISHMENT OF FEES, is amended to read as follows:**

**716 ESTABLISHMENT OF FEES**

716.1 Except for the Southeast Tennis and Learning Center, this Section establishes fees for use of Department property and equipment and registration in recreational activities offered by the Department.

716.2 The following table sets forth the permit fees for uses of Department ball fields, courts, and aquatic facilities:

**TABLE A – PERMITTED USES OF BALL FIELDS, COURTS, GYMS AND AQUATIC LANES**

<b>Fee Category</b>	<b>Details</b>	<b>Unit</b>	<b>Resident</b>
Ball Field Lights	Adults	Per Hour	\$10
Ball Field	Grass Field (Adult)	Per Hour	\$40
Ball Field	Turf/Synthetic Field (Adult)	Per Hour	\$50
Ball Field	Grass Field (Youth)	Per Hour	\$5
Ball Field	Turf/Synthetic Field (Youth)	Per Hour	\$7
Indoor Court	Adult	Per Hour	\$40
Indoor Court	Youth	Per Hour	\$5
Outdoor Court	Adult	Per Hour	\$25
Outdoor Court	Youth	Per Hour	\$5
One-Time Indoor or Outdoor Court or Field Permit For Full Day Exclusive	Adult	6 Hours	\$400
One-Time Indoor or Outdoor Court or Field Permit For Full Day Exclusive	Youth	6 Hours	\$200
Aquatics - Lane	20 and 25 Yard Swimming Lane (Adult)	Per Lane/hr.	\$15
Aquatics - Lane	20 and 25 Yard Swimming Lane (Youth)	Per Lane/hr.	\$7
Aquatics - Lane	50 Meter Swimming Lane (Adult)	Per Lane/hr.	\$20
Aquatics - Lane	50 Meter Swimming Lane (Youth)	Per Lane/hr.	\$10
Aquatics - Pool	Full Facility Small Pool	Per Hour	\$250
Aquatics-Pool	Full Facility Large Pool	Per Hour	\$350
Pool and Room	Indoor Room fees and additional aquatics employees fees also apply	Flat Fee	\$25 per hour

716.3 The following table sets forth the Department’s permit fees for use of park space, gardens, recreation rooms and transportation:

**TABLE B – PERMITTED USE OF PARK SPACE AND FACILITIES**

<b>Fee Category</b>	<b>Details</b>	<b>Unit</b>	<b>Resident Applicant</b>
Small Community Room	1-49 people	Per Hour	\$25
Large Community Room	1-49 people	Per Hour	\$35
Outdoor Picnic/Event Space	1-49 people	Per Hour	\$25
Meeting Room or Open Field Space	Up to 25 people	Per Hour	\$10
Indoor/Outdoor Special Event	50-99 person event	Per Hour	\$50
Indoor/Outdoor Special Event	100-199 person event	Per Hour	\$100
Indoor/Outdoor Special Event	200- 400 person event	Per Hour	\$200
Indoor/Outdoor Special Event	401-700 person event	Per Hour	\$300
Indoor/Outdoor Special Event	701-999 person event	Per Hour	\$400
Indoor/Outdoor Special Event	1,000-1,200 person event	Per Hour	\$500
Market	Per Vendor	Per Day	\$10
Outdoor Lights	Special Events	Per Hour	\$10
Special Event Transportation	Bus	Per Trip (6 hour maximum)	\$400
Special Event Transportation	Van	Per Trip (6 hour maximum)	\$200
Garden Space Fee	Small, Medium, or Large	Per Year	SM \$25 M \$50 L \$75

716.4 The following table sets forth the Department’s fee-based use fees for commercial activities.

**TABLE C – FEE-BASED-USE PERMIT FEES**

<b>Fee Category</b>	<b>Details and Units</b>	<b>Resident Applicant</b>
Indoor Court Youth League	Per Permit in Table A (§ 716.2)	\$100
Indoor Court Adult League	Per permit in Table A (§ 716.2)	\$150
Outdoor Court Youth League	Per Permit in Table A (§ 716.2)	\$50
Outdoor Court Adult League	Per Permit in Table A (§ 716.2)	\$75
Indoor Room Youth League	Per Permit in Table B (§ 716.3)	\$100
Indoor Room Adult League	Per permit in Table B (§ 716.3)	\$150
Field Youth League	Per permit in Table A (§ 716.2)	\$100
Field Adult League	Per Permit in Table A (§ 716.2)	\$150
Instructional/Clinic/ Fitness Special Event/Class	Per Permit in Table A (§ 716.2) or B (§ 716.3)	\$25
Special Event Admission	Estimated Admission Fees	5%
Market Operator or Vendor	For SNAP or WIC program participants	Waived
Market/Special Event Operator	Vendors: 1-15 per permit in Table B (§ 716.3)	\$75
Market/Special Event Operator	Vendors: 16-25 per permit in Table B (§ 716.3)	\$100
Market/Special Event Operator	Vendors 26-50 per permit in Table B (§ 716.3)	\$125
Vendor/Café/Table Not Part of Market	Individual/Per Day Small /Per Day Large/Per Day	\$20 \$60 \$80
Revenue Agreements	Revenue Share	Up to 20%
Summer Youth Camp Indoor or Field	Per week per permit in Table A or B	\$200

716.5

The table below sets forth the Department’s permit fees for use of Department equipment.

**TABLE D – PERMITTED USE OF EQUIPMENT**

<b>Fee Category</b>	<b>Details</b>	<b>Unit</b>	<b>Resident</b>	<b>Deposit</b>
Aquatics - Equip. Rental	Timing System (Adult)	Up to 6 Hours	\$175	N/A
Aquatics - Equip. Rental	Timing System (DCPS/Charter/DCS AA)	Up to 6 Hours	\$75	N/A
Aquatics - Equip. Rental	Timing System (Youth)	Up to 6 Hours	\$150	N/A
Equipment - Showmobile	Large Showmobile	Up to 6 Hours	\$750	\$300
Equipment - Showmobile	Medium Showmobile	Up to 6 Hours	\$500	\$200
Equipment - Showmobile	Small Showmobile	Up to 6 Hours	\$400	\$100
Equipment Rental	Large PA System	Up to 6 Hours	\$150	\$75
Equipment Rental	Small PA System	Up to 6 Hours	\$100	\$50
Equipment Rental	Platform	Up to 6 Hours	\$35	\$25
Equipment Rental	Podium	Up to 6 Hours	\$35	\$25
Equipment	Miscellaneous	Per Hour	\$25	\$25
Garden Tools	Various	Daily, Weekly, and Monthly	Garden Tool Guide	Garden Tool Guide

716.6

The following table sets forth the Department’s admission fees for Department aquatic and fitness center facilities:

**TABLE E – ADMISSION FEES**

<b>Fee Category</b>	<b>Details</b>	<b>Unit</b>	<b>Flat Fee For Residents</b>
Aquatics - Pool	Indoor - Adult	Annual	\$300
Aquatics - Pool	Indoor - Youth	Annual	\$150
Aquatics - Pool	Family Indoor (up to four people)	Annual	\$600
Aquatics - Pool	Outdoor - Adult	Seasonal	\$150
Aquatics - Pool	Outdoor - Youth	Seasonal	\$75
Aquatics - Pool	Outdoor Family (up to four people)	Seasonal	\$300
Aquatics - Pool	Indoor - Adult	Per Day	\$5
Aquatics - Pool	Indoor - Youth	Per Day	\$2
Aquatics - Pool	Outdoor - Adult	Per Day	\$5
Aquatics - Pool	Outdoor - Youth	Per Day	\$2
Aquatics - Pool	Indoor - Adult	Per Month	\$40
Aquatics - Pool	Indoor - Youth	Per Month	\$20
Aquatics-Pool	Groups Larger than 10 Admission	Per Person	\$3
Fitness Centers	Family	Per Day	\$10
Fitness Centers	Individual	Per Day	\$5
Fitness Centers	Family	Per Month	\$50
Fitness Centers	Individual	Per Month	\$25
Fitness Centers	Family	Annual Pass	\$200
Fitness Centers	Individual	Annual Pass	\$150



716.7 The following table sets forth the amounts the Department can charge up-to for recreational activities and programs.

**TABLE F –DPR RECREATIONAL ACTIVITY FEES**

<b>Fee Category</b>	<b>Details</b>	<b>Unit</b>	<b>Maximum Fee for Resident</b>
Indoor Fitness Class	Repeating	1 session (approx. 12 weeks)	\$40
Indoor Fitness Class	Drop In	1 occurrence	\$5
Learn to Swim Class	Repeating	1 session (approx. 12 weeks)	\$25 youth \$50 adult
Swim Fitness Class	Repeating	1 session (approx. 12 weeks)	\$100
Enrichment/Arts Class	Repeating	1 session (approx. 12 weeks)	\$50 plus materials fees
Dance Class	Repeating	1 session (approx. 12 weeks)	\$100
Special Event Class	Drop In	1 occurrence	\$10 plus materials fees
Weekly Camps	Repeating	Weekly	\$200
Day Camps	One Time	Per Day	\$25
Camping Overnight	At least two days	Per night	\$100
Special Event Program or Event Admission	One time	Per Day	\$100 plus materials fees
Field Trip	One time	Per Day	Costs of travel and trip
Leagues	Repeating	Per Season	\$500
Tournament	One time	Per Day	\$50
Early Childhood Cooperative Play	Annual (10 months)	Month	\$250
Out-of-School Time Aftercare	Annual (10 months)	Month	\$150

716.8 Fees for non-residents are one and one half (1.5) times the amounts set forth in Tables A, B, C, D and E in Subsections 716.2, 716.3, 716.4, 716.5 and 716.6. Fees for non-residents are an additional twenty-five percent (25%) of the cost of the admission or an activity in Table F in subsection 716.7.

- 716.9 In accordance with Section 725, applicants required to obtain both a permit and a fee-based-use permit shall pay the relevant fee amounts in Tables A or B and Table C in Subsections 716.2, 716.3, and 716.4.
- 716.10 Individual vendors selling goods who are not part of a market operation shall be required to pay the relevant fees in Table C in Subsection 716.4 only. The Department has discretion to charge the applicant the per diem fee or the revenue share fee based on based on the length and time of permit.
- 716.11 If an applicant requests multiple sites under a permit or fee based use permit then the fees in Tables A, B and C in Subsections 716.2, 716.3 and 716.4 shall be calculated separately for usage at each desired location.
- 716.12 Permit applicants deemed eligible for use of property outside the Department's hours of operation may be required to pay a premium fee per hour to cover the cost of staff.
- 716.13 A deposit in the amount of forty percent (40%) of the total cost of a permit for special events and equipment usage is required along with the total costs at the time of payment is due. Deposits will be returned upon satisfaction that no repair or additional clean-up in the permitted area is needed.
- 716.14 Payment of fees is due fourteen (14) calendar days after the date the invoice is issued unless otherwise agreed to by the Department. If a permit is applied for less than thirty (30) days before the date of the requested use, and DPR determines that the permit may be issued notwithstanding Subsection 725.7, then payment will be due upon the date determined by DPR, which may be less than fourteen (14) days after the date of invoice.
- 716.15 As provided by section 4 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Code §10-303), all fees collected pursuant to this Chapter will be placed into the general fund and a direct appropriation of the amounts collected is authorized into the Department's enterprise fund. The enterprise fund is created for the collection of fees, concessions and services and payments by developers seeking relief from zoning laws by way of the planned unit development process considered part of the required community benefits package of the proposed planned unit development. Revenue deposited into the enterprise fund shall be expended by the Department for the administration, improvement, and maintenance of property and programs managed by the Department.
- 716.16 An applicant who is a resident of the District may apply for a permit fee discount if the applicant demonstrates that it meets one (1) of the following requirements:
- (a) Fifty percent (50%) discount of the total fees for individuals or non-profit corporations in good standing that serve fewer than one hundred (100)

total youth participants and that principally serve District residents. The corporation must demonstrate through financial documents that the fees collected by the corporation from participants is not generating income to pay salaries, benefit sponsors, fund other aspects of the corporation's operations, or make charitable donations.

- (b) Fifty percent (50%) discount for local District agencies or public officials so long as the planned activities meet a government purpose as determined pursuant to standards established by Department policy.
- (c) One hundred percent (100%) waiver of fees for Department partners with valid written partnership agreements that do not charge fees for participation.
- (d) One hundred percent (100%) waiver of fees for District of Columbia Public Schools ("DCPS"), District public charter schools, and the District of Columbia State Athletic Association ("DCSAA") for athletic league play only. A fifty percent (50%) waiver may be available for these groups for school day activities involving a government purpose as determined pursuant to standards established by Department policy. All required fees shall be paid for these groups pursuant to these regulations for other activities such as special events or after school activities.
- (e) One hundred percent (100%) waiver of fees for meetings held by Advisory Neighborhood Commissions, Police Service Area Officers, civic associations, and the District of Columbia Housing Authority if the planned meetings meet a government purpose as determined pursuant to standards established by Department policy.
- (f) Twenty-five percent (25%) waiver of fees for senior citizens who are District residents and a complete fee waiver for senior citizens who are income eligible to registration may be applied for recreational activities.
- (g) One hundred percent (100%) waiver of fees for farmers' market operators and vendors if they sell food through a federal food assistance program.
- (h) DPR may offer a credit of up to fifty percent (50%) of permit fees for field or facility improvements made by an organizations that has a written adopt-a-park/facility agreement with DPR. The amount of the credit shall be set forth in the agreement.

716.17 The waivers set forth in § 716.16 apply to permit fees only and do not apply to staff or other costs.

716.18 Park space under the jurisdiction and control of National Park Service (NPS) is subject to fees and regulations set by the NPS.

716.19 The Department may waive the fees in this Chapter if an applicant can reasonably demonstrate:

- (a) A financial hardship of the participants in paying the fees;
- (b) A significant public need for the activity;
- (c) That the activity aligns with the mission of the Department; and
- (d) That the applicant does not charge its participants or only charges a fee for incidental costs for materials or supplies.

716.20 Fees for services provided by the Department for therapeutic recreation services under Medicaid will be charged pursuant to the amounts allowed under Medicaid.

**Section 717, PRECEDENCE FOR USE OF RECREATION PROPERTIES, is amended to read as follows:**

**717 PRIORITY OF PERMITTED USES**

717.1 Except for applicants for seasonal permits, the first applicant to submit a request for a permitted use shall have priority.

717.2 If more than one (1) applicant is seeking a permit for the same permitted use or equipment at the same time, the Department shall establish the following priority:

- (a) Department-sponsored activities;
- (b) Non-profit partners such as Programmatic Partners, Park Partners, and Collaborative Partners or designated organizations recognized by the Department in a written agreement;
- (c) Athletic programs organized by DCPS, District public charter schools, or the DCSAA for competitive league play and not for intramurals;
- (d) Youth non-profit organizations, including schools, principally serving District residents;
- (e) Adult non-profit organizations principally serving District residents;
- (f) Other organizations, groups, or individuals for private use that are based in the District; and then
- (g) Others.

- 717.3 When more than one (1) applicant is seeking a permit for property or equipment for the same property at the same time, the Department may mediate between competing users and propose a reasonable and proportionate schedule of use, shared use, a proposed alternative property, or denial.
- 717.4 Pursuant to Section 717.3, DPR will weigh the following factors in mediation:
- (a) Historical use: twenty-five percent (25%);
  - (b) The number of youth District residents served: twenty-five percent (25%);
  - (c) The use is not offered by other groups: twenty percent (20%);
  - (d) The use is the primary use intended for the property: fifteen percent (15%); and
  - (e) Other reasonable considerations by the Department: fifteen percent (15%).
- 717.5 As to the mediating parties, upon request, DPR will provide a written explanation of its decision as to the permit application.
- 717.6 When considering priority, the Department may block out time for open community use or for permitted activities that do not involve an organized league.

**Section, 719 ESTABLISHMENT OF USER FEES FOR THE SOUTHEAST TENNIS AND LEARNING CENTER AND OTHER SIMILAR TENNIS FACILITIES, is amended to read as follows:**

**719 ESTABLISHMENT OF USER FEES FOR THE SOUTHEAST TENNIS AND LEARNING CENTER AND OTHER SIMILAR TENNIS FACILITIES**

- 719.1 This section establishes the service fees by category type for the Southeast Tennis and Learning Center and any future newly built or renovated Department of Parks and Recreation facility that offers services that are similar to those offered by the Southeast Tennis and Learning Center.
- 719.2 The fees for indoor court rental shall be as follows:
- (a) There is no fee for District youth not affiliated with an organization or registered in a program.
  - (b) Youth/Junior program fees are one hundred dollars (\$100) for Orange Group, one hundred twenty dollars (\$120) for Green Group, one hundred and fifty dollars (\$150) for Junior Excellence Group, and two hundred dollars (\$200) for Excellence Group. Groups meet ten (10) times in a

session. Non-resident fees shall be one and a half (1½) times the resident fees.

- (c) Partners with written partnership agreements will be charged seventy-five percent (75%) of the applicable District resident, adult hourly court fee per court.
- (d) The fee for ball machines is fifteen dollars (\$15) per hour.
- (e) Fee rates for adults per hour for a forty (40) week season are as follows:

- (1) The fee rates per hour for a forty (40)-week season, from September 1 through April 31, are as follows:

Day	Time	D.C. Resident	Non-Resident
<b>Off Peak</b>			
Monday – Saturday	6 am-9 am	\$ 20.00 per hour	\$25.00
Monday –Friday	9am – 3pm	\$30.00 per hour	\$35.00
Saturday	9am – 6pm	\$ 25.00 per hour	
Holidays	2 pm - 7 pm	\$ 25.00	\$ 35.00
<b>Peak</b>			
Monday - Friday	7pm – 9pm	\$ 25.00	\$ 30.00
Saturday	9am – 6pm	\$ 25.00	\$ 30.00
Holidays	7 am - 2 pm	\$ 28.00	\$ 38.00
Holidays	7 pm - 10 pm	\$ 28.00	\$ 38.00

- (2) The fee rates per hour for a twelve (12)-week summer season, from May 1 through August 31, are as follows:

Day	Time	D.C. Resident	Non-Resident
<b>Off Peak</b>			
Early Bird	6 am – 9 pm	\$ 20.00	\$ 25.00
Saturday - Sunday	5 pm - 11 pm	\$ 25.00	\$ 35.00
Monday - Friday	7 am - 9 am	\$ 20.00	\$ 30.00
Monday - Friday	10 pm - 11 pm	\$ 20.00	\$ 30.00
<b>Peak</b>			
Monday - Friday	9 am - 10 pm	\$ 25.00	\$ 38.00
Saturday - Sunday	7 am - 5 pm	\$ 28.00	\$ 38.00
Holidays	7 am - 2 pm	\$ 28.00	\$ 38.00
Holidays	7 pm - 10 pm	\$ 28.00	\$ 38.00

719.3 Non-resident fees shall be one and a half (1½) times the resident fees.

- 719.4 Groups meet ten (10) times in a session. There is a twenty dollar (\$20) drop-in fee for each session. Instead of paying hourly fees for court rental above, members of the public may obtain memberships or contract packages.
- 719.5 Senior citizens who are District residents will receive a forty percent (40%) discount on all court and membership fees.
- 719.6 The membership fee for an individual is one hundred and fifty dollars (\$150) per year. Family memberships are available for sixty dollars (\$60) for each additional family member. Proof of family membership is required in order to purchase additional family memberships. The membership fee for a partner who is based in the District is four hundred dollars (\$400) per year. The membership fees for partners outside the District is six hundred dollars (\$600) per year. All fees must be paid in full at the time of joining the Tennis and Learning Center. Membership fees entitle individual members and the youth sponsored by both District partners and non-District partners to the use of the weight conditioning room, the shower facilities, the computer learning center, and discounts on hourly tennis court fees.
- 719.7 Members may bring guests. A fee of ten dollars (\$10) per guest, per visit, per hour will be charged for the use of indoor courts and a fee of four dollars (\$4) per guest, per visit, per hour will be charged for the use of outdoor courts.
- 719.8 Membership fees are nonrefundable. However, within one hundred eighty (180) days of the purchase of membership, a member may transfer their membership to another individual or organization subject to a fifty dollars (\$50) transfer fee to be assessed at the time of the transfer.
- 719.9 Members may reserve court time up to three (3) days in advance. Cancellations must be made at least twenty-four (24) hours prior to playing time or the amount of court fees will be billed to the member who reserved the court time.
- 719.10 Contract packages for the use of indoor tennis courts are available for purchase during the times that the courts are not reserved for District youth. Contract time is based on one (1) hour per week of use. Contract time is to be paid in full at the signing of the contract and is non-refundable. The fees for contract packages are as follows:

- (a) The fees for contract packages for the forty (40) week season from September 1 through April 30 are as follows:

<b>Day</b>	<b>Time</b>	<b>D.C. Resident</b>	<b>Non-Resident</b>
		<b>Members</b>	<b>Members</b>
<b>Off Peak</b>			
Early Bird	6 am – 9 am		
Monday - Friday	7 am - 4 pm	\$800	\$1,100
Saturday - Sunday	7 pm - 10 pm	\$950	\$1,930

Holidays	2 pm - 7 pm	\$750	\$1,230
<b>Peak</b>			
Monday - Friday	7 pm - 10 pm	\$950	\$325
Saturday - Sunday	7 am - 2 pm	\$1,050	\$1,350
Holidays	7 am - 2 pm	\$1,050	\$1,350
Holidays	7 pm - 10 pm	\$1,050	\$1,350

(b) The fees for contract packages for the twelve (12) week summer season from May 1 through August 31 are as follows:

<b>Day</b>	<b>Time</b>	<b>D.C. Resident</b>	<b>Non-Resident</b>
		<b>Members</b>	<b>Members</b>
<b>Off Peak</b>			
Monday - Friday	6 am - 9 am	\$250	\$325
Monday - Friday	10 pm - 11 pm	\$250	\$325
Saturday - Sunday	7 pm - 11 pm	\$250	\$325
<b>Peak</b>			
Monday - Friday	6 am - 9 am	\$275	\$375
Monday - Friday	7 pm - 10 pm	\$275	\$375
Saturday - Sunday	6 am - 9 am	\$275	\$375
Holidays	7 am - 9 am	\$275	\$375
Holidays	7 pm - 10 pm	\$275	\$375

719.11 The purchase of a contract package by either a District resident or a non-District resident does not entitle the patron to the amenities provided with the purchase of membership fees set forth in Section 719.4.

719.12 The hours not covered in the foregoing schedules are reserved for free use by District youth.

719.13 Outdoor tennis courts are as follows:

(a) Members: six dollars (\$6) per hour

(b) Non-members: (\$10) per hour

719.14 Members may purchase additional time on both indoor and outdoor courts in hourly increments.

719.15 The fees for private instruction/professional lessons are as follows:

Director of Tennis	\$85 per hour
Semi-Private	\$95 per hour
Assistant Director of Tennis	\$65 per hour
Semi-Private	\$75 per hour



Head Pro	\$75 per hour
Semi-Private	\$85 per hour
Staff Pros	\$65 per hour
Semi-Private	\$75 per hour

719.16 Members may purchase a package of six (6) individual lessons taught by Staff Pro(s) for one hundred and thirty dollars (\$130).

719.17 Group tennis fees are as follows:

- (a) Cardio Tennis  
Price: Twenty five dollars (\$25) per class; must sign up twenty-four (24) hours before scheduled class time
- (b) Beginner Tennis  
Price: Three hundred and twenty five dollars (\$325) member/four hundred dollars (\$400) non-member for a ten (10) week session; fifteen dollars (\$15) member/twenty (\$20) non- member for drop-in play
- (c) Advanced Tennis  
Price: Three hundred and twenty five dollars (\$325) member/four hundred dollars (\$400) non-members for 10 week sessions; fifteen dollars (\$15) member/twenty dollars (\$20) non- member for drop-in play
- (d) Senior Class  
Price: One hundred dollars (\$100) for a ten (10) week session; fifteen dollars (\$15) for District resident member/twenty one dollars (\$21) non District resident non-member for drop-in play
- (e) Early Bird Special  
Court Time: Monday through Friday 6:00 AM-9:00 AM and Saturday 6:00 AM- 8:00 AM  
Price: Twenty dollars (\$20) per hour for drop-in play

**Section 720, SPONSORSHIP OF PROGRAMS AND ACTIVITIES, is amended to read as follows:**

**720 SUPPORT FOR PARKS, FACILITIES, RECREATIONAL ACTIVITIES, AND EVENTS**

720.1 No individual or group shall provide support for Department programs, parks, or facilities without first entering into a written agreement with the Department under one (1) of the following categories:

- (a) Programmatic Partnerships;

- (b) Friends of Partnerships;
- (c) Adopt-A-Park;
- (d) Sponsor-A-Park;
- (e) Sponsorships; or
- (f) Donations.

720.2 To enter into an agreement under Subsection 720.1(a) through (e), an interested party shall first submit a written proposal to the Department. To enter into an agreement under Subsection 720.1(f), interested parties shall first complete a donation form.

720.3 The following criteria may be considered to review a proposal and determine whether an application will be offered:

- (a) Value of the service or goods: twenty percent (20%);
- (b) Need for the service or goods: twenty percent (20%);
- (c) Sponsor organization's nexus to the mission of the Department: twenty percent (20%);
- (d) Sponsor organization's demonstration of a unique method, approach, or concept: twenty percent (20%); and
- (e) Other factors the Department deems appropriate and reasonable: twenty percent (20%).

720.4 Following the review of a proposal, the Department may offer the interested party an opportunity to apply for a category that the Department deems appropriate. Failure to provide all of the requested information in the application form shall result in the denial of the application.

720.5 An offer of a donation must not include any expectation of a current or future benefit or consideration in exchange for the donation. A donation may be accepted if it does not create an actual or perceived conflict of interest with the District on the part of the donor.

720.6 Acceptance of a donation will be determined by the District of Columbia Office of Partnerships and Grant Services.

720.7 Unsolicited sponsorship proposals shall become the property of the Department.

- 720.8 All written agreements that involve entrance onto Department properties to make improvements shall also be subject to the requirements of the Department of General Services for entry, use, or improvement of property under all applicable laws of the District.
- 720.9 Department property may be used for fundraising by Friends' Groups or Designated Organizations.
- 720.10 Before any fundraising activity is permitted, the group shall submit a written proposal including a plan for the use of space, estimated costs, proposed net earnings, a summary of the fundraising event or activities, including any advertising, sponsorships, the property requested, and a description of any proposed food or drink sales. The proposal shall also specify the proposed use of any funds raised. The Department may deny a proposal for a fundraiser if the Department deems the proposal insufficient as to the manner that the funds are collected and safeguarded or if the fundraiser does not align with the written agreement of the group.
- 720.11 All funds raised shall be managed by the group in a dedicated bank account for the benefit of the Department except that any reasonable costs of the fundraiser listed in the fundraising proposal approved by the Department may be deducted from the funds raised.
- 720.12 The group shall provide a written report of all income and expenses from the fundraiser to the Department within a time designated by the Department.
- 720.13 Fundraisers by for-profit groups shall be limited to groups with written sponsorship agreements with the Department and all funds raised shall be for the benefit of the Department.
- 720.14 All maintenance and beautification work authorized by this section shall be performed in a manner that will not adversely affect the public health, safety, or comfort.
- 720.15 An improvement made to a park, playground, recreation center, or other facility by a private person or organization under this section shall become the property of the District government.
- 720.16 The District government reserves the right to remove any improvement made in its sole discretion.

**Section 721, SPONSORED ACTIVITIES: FINANCIAL PROCEDURES, is repealed and reserved.**

**Section 722, SPONSORED ACTIVITIES: ASSISTANCE AVAILABLE, is repealed and reserved.**

**Section 723, RESERVED, is added to read as follows:**

**723 RECREATIONAL ACTIVITIES**

- 723.1 Registration for minors or youth participants shall require parental consent, waivers of liability, and a signed acknowledgement of the code of conduct.
- 723.2 Recreational activities may be restricted by appropriate age, skill, or other reasonable and necessary considerations within the laws of the District.
- 723.3 Participants with disabilities in need of reasonable modifications to participate in recreational activities offered by the Department shall request such modifications at least ten (10) business days before the start of the recreational activity. Late requests may be considered by the Department. Modifications will be considered on a case-by-case basis.
- 723.4 Registration for recreational activities may be reserved for District residents on a first-come-first-served basis.
- 723.5 Non-District residents may be placed on a first-come-first-served waitlist or subject to delayed registration periods.

**Section 724, RESERVED, is added to read as follows:**

**724 RESIDENCY**

- 724.1 Applicants for permits and registrants for recreational activities may be asked to provide proof of identity and residency before any permitted use or participation in recreational activities is allowed.
- 724.2 If an applicant is a league, club, organization, or other group, it must demonstrate that the applicant is a District resident or incorporated in the District and that at least seventy-five percent (75%) of the participants are District residents to be considered a resident.
- 724.3 To demonstrate residency of seventy-five percent (75%) of a league, club, organization, or other group, the Department may seek rosters including school enrollment and address information, and/or sworn statements that a participant is a resident or that at least seventy five percent (75%) of the group are residents.
- 724.4 District residency may be established by one (1) of the following methods:
- (a) Proof of payment of District personal income tax, for the tax period immediately preceding the time for consideration of District residency;

- (b) A pay stub issued less than forty-five (45) days prior to consideration of residency that shows his or her District residency and evidence of the withholding of District income tax;
- (c) Current documentation of financial assistance received from the District government including, but not limited to Temporary Assistance for Needy Families (TANF), Medicaid, the State Child Health Insurance Program (SCHIP), Supplemental Security Income (SSI), housing assistance, or other government programs;
- (d) Confirmation, based upon completion and submission of a tax information authorization waiver by the District Office of Tax and Revenue of payment of District income taxes;
- (e) Current official military housing orders showing residency in the District;
- (f) A currently valid court order indicating the applicant or person seeking to participate is a ward of the District;
- (g) A current motor vehicle registration evidencing District residency;
- (h) A valid unexpired lease or rental agreement and paid receipts or canceled checks (for a period within two (2) months immediately preceding consideration of residency) for payment of rent on a District residence;
- (i) A valid unexpired District motor vehicle operator's permit or other official non-driver identification; or
- (j) Utility bills (excluding telephone bills) and paid receipts or cancelled checks for payment of utility bills from a period within the two (2) months immediately preceding consideration of residency.

724.5 The Department requires that an applicant for a permitted use or a program registrant, or custodial parent or primary caregiver of a youth, who claims residency in the District, to make a sworn written statement that they are in fact a District resident and meet the residency requirements in this Chapter.

724.6 Denial or revocation of a permit or registration in a recreational activity may result for failure to provide the requested information or for providing false information.

**Section 725, PERMITS FOR RECREATION FACILITIES is amended to read as follows:**

**725 PERMITS**

- 725.1 The Department’s mission is to provide activities, programs, and recreational opportunities to enhance the quality of life and wellness for District residents. The purpose of this Section is to establish permit rules for the public use of the Department’s recreational facilities and equipment.
- 725.2 The Director of the Department, in his or her discretion, may issue permits for public use of all facilities and equipment under the Department's jurisdiction. All permits are subject to space and time availability. In accordance with Section 717, the Department will ensure fair and equitable access to the Department’s facilities, equipment and recreational activities with a preference toward activities benefiting District residents.
- 725.3 Any member of the public who is interested in reserving Department property or equipment shall obtain a permit from the Department. A permit is required for any organized activity that involves members of a league, an organized program, an activity on Department property involving more than ten (10) people, any adult word-of-mouth pick-up games that occur on more than one occasion around the same place and time, and for the use of Department equipment. Failure to obtain a permit as required by this Section shall result in the denial of the use of the facility or equipment and may result in civil fines, barring, or imprisonment.
- 725.4 If an applicant for a permit is charging fees to participant(s) or spectators for athletic play, classes, camps, lectures, conferences, or programs, or if an applicant is operating a special event or market pursuant to Section 729, then an additional fee-based-use permit is also required for one (1) or more participants.
- 725.5 Individual vendors selling goods are only required to have a fee-based-use permit.
- 725.6 Uses requiring either a permit or fee-based-use permit, or both, are referred to as a “permitted use(s)”.
- 725.7 Applications for one (1)-time permitted uses are due thirty (30) calendar days before the date of use.
- 725.8 Applications for seasonal permitted uses of athletic fields or courts are due two (2) times a year. A seasonal permitted use may not be requested for a period longer than sixteen (16) weeks. The deadlines will be set by the Department on an annual basis but no later than January 15 for the spring/summer seasons and July 15 for the fall season. Permit fees will be applied in accordance with Section 716.

- 725.9 Untimely applications may be accepted at the discretion of the Department for good cause. However, if the permitted use has already been designated to another group, then the application for that use will not be accepted unless the parties consent in writing.
- 725.10 Applications for use of property or equipment shall be available online through the Department's website in a form prescribed by the Department. Failure to provide all of the requested information in the application form shall result in the denial of the application.
- 725.11 Permitted uses may be granted if the permitted activity meets the mission of the Department and will not adversely impact the use and enjoyment by the public. The risk of damage or loss of the equipment may be considered when reviewing an application for use of equipment.
- 725.12 All applications shall indicate the total number of hours needed by providing a written schedule of use. The time requested must include hours to set up and clean up, rake and spray fields, remove equipment, and disperse participants.
- 725.13 No individual applicant shall apply on behalf of a group or another individual for the purpose of securing a discount or preference for priority of use.
- 725.14 Except for seasonal permits, the Department will notify an applicant in writing of the approval or denial of the permit within seven (7) business days. Applicants for seasonal permits will be notified of whether their permitted use is granted within twenty-one (21) business days after the close of the application window. Notwithstanding the time periods above, use of the Department's facilities or equipment is not approved until the applicant receives the permit.
- 725.15 The Department will publish on its website and any relevant printed publications, such as seasonal guides, registration information and/or admission fees and information regarding refunds for recreational activities for District residents and non-District residents.
- 725.16 Permitted users and program participants shall provide written acknowledgement in the application of the following rules and restrictions:
- (a) Permitted users and program participants operate at their own risk and the Department is not responsible for any loss or injury occurring during the permitted use event.
  - (b) Permitted users and program participants are prohibited from using the Department's property or equipment for any unauthorized or illegal purpose and the Department has a right to terminate the permit if the activity exceeds the scope of the permit and to recover costs to the

government associated with any misuse of property under the issued permit.

- (c) Permitted users with over twenty-five (25) participants must agree to remove their own trash and recyclables, and to appropriately dispose of such trash and recyclables, after the permitted use.
- (d) No equipment shall be taken or used off Department property.

725.17 The Department may deny permitted uses or impose conditions limiting an activity or location or requiring insurance and/or advisory neighborhood commission approval, to ensure participant health, welfare, or safety, or for the preservation of Department property or equipment.

725.18 To ensure participant health, welfare, and safety or for the preservation of Department property or equipment permits will be denied for carnivals, concerts, petting zoos, use of metal detectors, flying drones or hobbyist aircraft, use of equipment or vehicles that the Department deems heavy or loud, installing structures, extreme sports, paintball, fires, or firework displays. Geocaching may be allowed upon approval of a written request to the Department.

725.19 The Department may limit permitted uses or recreational activities during inclement weather conditions for the protection of an area or facility. The Department will post notice of changes in use or limits due to inclement weather or other emergencies.

725.20 If the Department revokes a permit or fee-based-use permit for weather conditions or other emergencies, the Department may attempt to relocate the permitted user or return a pro-rata share or total fees paid minus any actual costs for setting up equipment.

725.21 The Department shall not allow permitted uses for health or medical procedures normally provided by licensed professionals unless the applicant provides a letter of support from the District agency that oversees the licensure of such activities.

725.22 If the Department determines that a permit applicant or program participant operated in past violation of these regulations then the Department may consider these facts as a basis for denying a permit or registration for six (6) months from the date the Department provided notice of any findings to the applicant or participant.

725.23 The Department may deny, revoke, or modify a permitted use or participation in an activity if the applicant provided false information regarding residency or use, or if the applicant or registrant fails to follow the requirements in this Chapter.



- 725.24 Refunds for permitted uses will be provided for cancellations, less any actual costs to the Department. Requests for refunds must be made at least thirty (30) days before the start of the use. Cancellations within thirty (30) days will be refunded the deposit only. Refunds will be processed by the Department within five (5) business days of the cancellation.
- 725.25 An applicant may request reconsideration by the Director of a denial, modification, or revocation of a permitted use or refund within five (5) days after the date of the denial, modification, or revocation or refund. The applicant's request for reconsideration shall be in writing.
- 725.26 The Director, or the Director's designee, shall review the request and make a final determination within five (5) business days after receipt of the request. The Director shall determine whether the decision by the Department was made based upon a reasonable determination and consideration of the facts by the Department and whether the decision by the Department was consistent with the rules in this Chapter and other applicable law or regulations.
- 725.27 Upon reconsideration, the Director or the Director's designee may offer any reasonable relief in the discretion of the Department. If the Director does not grant the relief requested, he or she shall provide a written explanation of the reasons for the action of the Department.
- 725.28 Reconsideration shall be limited to a review of the record already before the Department including rosters, schedules, verifications, applications, and statements available or offered to the Department.

**Section 726, PERMITS FOR PICNIC GROVES AND ATHLETIC ACTIVITIES is repealed and reserved.**

**Section 729, USE FOR FUNDRAISING BY COMMUNITY PROHIBITED, is amended to read as follows:**

**729 COMMERCIAL ACTIVITIES FOR THE SALE OF GOODS**

- 729.1 The Department may issue fee-based-use permits for the sale of goods on its property to individual vendors or market operators in accordance with Section 25 of this Chapter. The Department will issue fee-based-use permits in its discretion if the applicant's use aligns with the mission of the Department and if the activity will not interfere with the use and enjoyment of the area by other members of the public.
- 729.2 An individual vendor may apply for a fee-based-use permit. The Department may grant more than one (1) permit for the same time and space to individual vendors or prohibit a permit for a particular space or limit a space to one (1) permit. Upon

expiration of a fee-based-use permit, the Department may consider a different individual vendor for the same space or create a waitlist of individual vendors.

- 729.3 Market operators may provide for the sale of goods through a market with multiple individual vendors or they may organize a special event for which individual vendors operate as part of the event.
- 729.4 Market operators may apply for a fee-based-use permit by submitting a written proposal including plans for admission fees, signage, and advertising. The proposal shall also include the estimated number of vendors, types of items to be sold, a footprint map of the proposed use of the area, a security plan, or emergency medical plans being provided during the duration of the event, hours of operation, and a description of how the trash will be removed and/or recycled.
- 729.5 When applying for a market operator fee-based-use permit the Department may require the following conditions to be met before the permit is issued:
- (a) A cleaning and/or security deposit of forth percent (40%) of the total fees;
  - (b) Comprehensive commercial general liability insurance with coverage on an “occurrence” basis of at least one million dollars (\$1,000,000);
  - (c) A propane permit issued by the Fire and Emergency Medical Services Department; and
  - (d) A letter of support from the appropriate Advisory Neighborhood Commission.
- 729.6 A market operator shall ensure that all participating vendors selling food shall provide proof to the Department of applicable licenses and/or permits from the District Department of Health and Department of Consumer and Regulatory Affairs or other applicable agencies.
- 729.7 Market operators shall provide a written report of all food and beverage and other sales to the Department within thirty (30) days after the event. The report shall summarize gross income of the participating vendor(s).
- 729.8 Any sale of food and beverages by individual vendors or market operators shall comply with applicable licensing requirements and the nutritional requirements set forth in section 3b of the Recreation Act of 1994, effective April 23, 2013 (D.C. Law 10-246; D.C. Official Code § 10-302.02).

**Section 799, DEFINITIONS are amended to read as follows:**

**799 DEFINITIONS**

799.01 For the purposes of this Chapter, the following terms and phrases shall have the meanings ascribed:

**Adopt-** to enter into a binding commitment to a program, site, or operation for not less than one (1) year in duration.

**Adopt-a-Park Partners-** individuals, corporate entities or community-based organizations interested in providing regularly scheduled general cleanup, beautification, and maintenance assistance for a park.

**Adult -** a person between the ages of eighteen (18) and fifty-four (54) years.

**Aggressive Dog -** a dog whose behavior is characterized by unprovoked snarling, growling, or attack posture.

**Applicant-** a person, group, or organization seeking a permitted use of property of the Department.

**Ball Field or Athletic Field-**an outdoor space designated for athletic activities with grass or synthetic grounds that is not designated as open park space. These may include, premier, non-premier, with or without lights, turf, natural, multi or single purpose, common areas, shared control or use with schools, or seasonal spaces. Markings or fencing may or may not be present.

**Club-** a group of people organized for a particular purpose or activity.

**Commercial Department Activities-** may include, but are not limited to, use of Department property or equipment for participants that are charged fees for participation, registration, or both, or farmers' markets, vendors, or food vendors.

**Community Gardens or Gardens-** land under the control of the Department that is designated to be gardened cooperatively by a group through a garden agreement.

**Dangerous Dog -** as defined in Section 2(1) of the Dangerous Dog Amendment Act of 1988, effective October 18, 1988 (D.C. Law 7-176; D.C. Official Code 8-1901(1)), a dog that has bitten or attacked a person or domestic animal without provocation; or, in a menacing manner, approaches without provocation any person or domestic animal as if to attack, or has demonstrated a propensity to attack without provocation or otherwise to endanger the safety of human beings or domestic animals.

**DCSAA**-the District of Columbia State Athletic Association

**Department** - the Department of Parks and Recreation.

**Department Activity**- an activity, event, class, program, operation, service, or product for the benefit, enjoyment, education, amusement, or convenience of the public.

**Designated Area**-a specific and distinct area of property that will be allowed for use under a permit or fee-based-use permit.

**Designated Organizations**- entities designated by the Director pursuant to Section 3 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code §§ 10-302).

**Director** - the Director of the Department of Parks and Recreation.

**District** - the District of Columbia.

**District Sponsoring Organization** - an entity located within the District, with a principal office or place of business within the District, that sponsors District youth in any legal activity, including but not limited to athletic, civic, religious, or social activities.

**Dog Park** - also known as a dog exercise area; area within District-owned property designated for dog exercise where dogs are allowed off-leash without being considered at-large.

**Dog Park Group** – a non-profit or community group, such as an official dog group, Park Partner, or Friends of Group, who applies to sponsor a dog park and shares responsibilities with the Department in park operations and management.

**Dog Park Registration Tag** - positive District government issued identification that must be worn at all times by each dog using a dog park.

**Enforcement** - activities required to ensure that the provisions this Chapter, relevant laws, and the Department’s standards and policies are adhered to.

**Enterprise Fund**- the fund created by sections 4 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-303). for the collection of from fees, concessions, and services and payments by developers seeking relief from zoning laws by way of the planned unit development process considered part of the required community benefits package of the proposed planned unit development.

**Equipment-** timing systems, horn start systems, microphones, printers, water and polo nets, show mobiles, podiums, platforms, picnic ball bags, fun wagon, skate mobile, public address systems, and gardening tools.

**Events/Special Events-**parties, promotions, announcements, festivals, programs, competitions, or other one-time or intermittent activities that do not routinely take place as the regular activities of an individual or business or the Department.

**Farmers' Market** –Department property designated in indoor or outdoor space where at least seventy five percent (75%) of the vendors are selling agricultural produce.

**Fee-Based-Use-**a permitted use of Department property for which the permit holder charges persons a fee to participate in the use.

**Fee-Based-Use Permit-** a permit issued by the Department to an applicant for a fee-based Department Activity.

**Family Member** – with respect to an individual: (a) another individual who is related to the individual by blood, legal custody, or marriage; (b) another individual who lives with the individual and for whom the individual permanently assumes and discharges parental responsibility; and (c) another individual with whom the individual has shared, at a minimum of one (1) year from the date of the application, a mutual residence and with whom the individual maintains a committed relationship.

**Friends Of Group-** an organization, qualified under section 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 501(c)(3)), and registered under the park partner program, whose mission includes supporting an adopted park or recreation facility by advocating, fundraising, maintaining, and assisting in the planning process for the park or recreation facility adopted and has a valid Park Partner Agreement explaining the duties, rights, and obligations of the Friends Of Group.

**Goods-** a product, including food, sold for the convenience and enjoyment of the public.

**Handler** - a person in control of a dog who is personally and legally responsible for the dog at all times while using a dog park.

**Income Eligible-**able to show evidence of the entitlement to public assistance or free or reduced-price school lunch.

**Indoor Courts-**indoor space designated for tennis, basketball, racquetball, or other activities commonly played on a court.

**Maintenance** – with respect to a dog park, activities required to ensure that the dog park is in a state of repair and efficiency at all times as more clearly defined in the Department’s Dog Park Standards.

**Market-** a designated property for which an operator applies for a permitted use and where the sale of goods by vendors occurs.

**Marketing advertising-** includes hanging or adhering banners and signs for the sponsorship of teams, programs, and events on scoreboards, vending machines, and concession stands, or through other forms of promotion, marketing, and advertising.

**Member/Membership** - a person or organization that has paid the annual membership fee to the Department for a designated time period.

**Park-**space open to the public that is not designated as an athletic field.

**Partner/Programmatic Partner/Park Partner/Collaborative Partner-**includes a designated organization, friends group, or other group or agent that is recognized by the Department by a written partnership agreement.

**Permit** - permission designated for use of Department property for which the users do not pay for the activity organized under the permit.

**Permitted Use-**either a use requiring a permit or requiring a fee-based-use permit or both.

**Person-**for purposes of this Chapter may be a group or individual or applicant, generally.

**Potentially Dangerous Dog** - a dog that poses a threat to public safety by causing an injury to a person or domestic animal without provocation that is less severe than a serious injury, engaging in encouraged dog fighting, or running at large three (3) or more times within any twelve (12) month period.

**Primary Use Intended For the Property-** particular activity for which the use of a property is designated and is given priority for that activity.

**Principally Serving the District of Columbia, Organization-**an organization that has at least seventy-five percent (75%) of its participants live or work in the District.

**Property-** athletic fields, picnic shelters, community rooms, outdoor courts, parks, community gardens, and indoor recreation facilities including courts and swimming pools under the jurisdiction control or use of the Department.

**Programs**-activities that may include one (1)-time or intermittent use of a facility for fitness, aquatics, art, cultural, academic, or enrichment activities or uses that are part of a planned curriculum or certification, or from personal goals.

**PTA and PTSO**-Parent/Teacher Association or Parent/Teacher/Student Organization.

**Recreational Activity**- a Department activity not including permitted uses.

**Resident**-a person domiciled in the District as his or her primary residence.

**Registrant**-any person registering for a recreational activity.

**Revenue Share Fees:** fee-based-use permit fees that are typically applied when a vendor selling goods seeks to sell goods for multiple days over the maximum allowable permit time.

**Season or Seasonal Use**-incremental time periods up to sixteen (16) weeks designated for permits or fee-based-use permits that involve use over a period of time and not one (1)-time or incremental times designated for admission to facilities.

**Senior Citizen** - any person age fifty-five (55) years or over.

**Sensitive Habitat Area** - an area highly prone to erosion or the natural habitat of locally important, rare, threatened or endangered species of plant or wildlife as determined by the District Department of Energy and Environment (DOEE).

**Small Business**- an individually owned, operated and controlled business incorporated in the District.

**Special Events**- broad-based uses including but is not limited to festivals, private parties, holiday markets, social events, workshops, seminars, or other programs. Large special events include corporate activities like filming video for television, radio, or the like.

**Special Event Operator**-an applicant who applies for a permit to operate a special event. If the sale of goods is included in the event through vendors then the special event operator is a market operator.

**Summer Youth Camp**-activities planned by an applicant for youths for more than fifteen (15) hours per week during the period from June 15 through August 31 that may include instruction, classes, courses, athletics, art and cultural activities occurring Monday through Friday.

**Southeast Tennis and Learning Center** - the facility operated by the Department of Parks and Recreation located at 701 Mississippi Avenue, S.E., Washington, D.C., consisting of four (4) year-round indoor tennis courts, six (6) outdoor tennis courts, a weight/conditioning room, and a computer learning center primarily for youths participating in its tennis programs.

**Sponsor-** to pledge or promise support to a program, site, or operation on an intermittent, short-term, or one (1)-time basis. Unsolicited sponsorships are goods or services to support a Department program, site or operation given or supplied by sponsors seeking to assist the Department. Solicited sponsorships are goods or services sought by the Department to support a program, site, or operation.

**Team-** individuals grouped together to compete against another group within or outside of its league. If male teams compete separately from female teams then each group is considered a separate team for purposes of fees for fee-based-use permits.

**Vendor-** a seller of goods. A vendor may be deemed by the Department as an individual, small business, or large corporation.

**Youth** - a person age seventeen (17) years or younger who resides within the District of Columbia.