

**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 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; or
- (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.

SOURCE: Final Rulemaking published 49 DCR 2479 (March 15, 2002); as amended by Final Rulemaking published at 54 DCR 11714(December 7, 2007); as amended by Final Rulemaking published at 63 DCR 8248 (June 10, 2016).