

**The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Board**

**INDIVIDUAL (COMMEMORATIVE AND PHILANTHROPIC)
 NAMING POLICY
 Approved March 21, 2024**

I. PURPOSE AND SCOPE

The purpose of this policy ("Policy") is to establish guidelines to govern The Maryland-National Capital Park and Planning Commission / Prince George's County Department of Parks and Recreation and the Prince George's County Planning Board in the development and management of a program in Prince George's County of commemoratively or philanthropically naming certain assets -- including physical facilities and recreation programs within the Prince George's County Department of Parks and Recreation system -- for an individual.

This policy is not applicable to dedication of small Park Assets such as bricks, benches, and plaques, which the Department may approve for either Commemorative Naming or Philanthropic Naming purposes.

On March 21, 2024, the Planning Board adopted a companion "Policy on Naming Rights, Advertising Rights, and Sponsorship Benefits" that does not relate to the Commemorative Naming and Philanthropic Naming covered by this Policy.

This Policy supersedes Directive No. PR-5, as amended and restated on October 3, 2002.

II. KEY DEFINITIONS

Commemorative Naming: The process of naming of Park Assets to recognize an individual without regard to any financial contribution.

Commission: The Maryland-National Capital Park and Planning Commission.

Department: Maryland-National Capital Park and Planning Commission / Prince George's County Department of Parks and Recreation.

Director: Director of The Prince George's County Department of Parks and Recreation.

Executive Director: The Executive Director of the Commission.

Geographic Name: A name derived from nearby geographical or ecological features, a neighborhood identity, or a relationship to other nearby public facilities.

Park Assets: Park amenities such as recreation/athletic fields, playgrounds, pavilions, trails, structures, and other facilities, buildings, rooms, landscaping, art or other physical features, Commission recreation or interpretive programs, geographic areas, historic sites, in each case, owned by the Commission in Prince George’s County, Maryland or operated /managed by the Department, and deemed eligible by the Commission (when necessary) and/or the Department to be available for naming. Parks themselves are not eligible for Commemorative Naming or Philanthropic Naming.

Philanthropic Naming: The process of naming Park Assets for an individual in recognition of a significant financial contribution.

Planning Board: The Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission.

Secretary/Treasurer: The Secretary/Treasurer of the Commission.

III. POLICY STATEMENT: AUTHORITY; PREFERENCE FOR GEOGRAPHIC NAMING; DELEGATION OF AUTHORITY

A. Authority. The Commission has the exclusive right¹ to name or rename Park Assets and retains such authority even if a Park Asset is managed or operated by a third party such as a Commission lessee, unless the lease provides otherwise.

B. Preference for Geographic Naming. The Planning Board strongly encourages naming each Park Asset with a Geographic Name, generally, to assist the public in associating the Park Asset positively within a relevant named community or significant place.

C. Delegation of Authority. Recognizing the preference to name a Park Asset with a Geographic Name, in certain instances, it may be desirable to name a Park Asset with a Commemorative Name or a Philanthropic Name.

1. Commemorative Naming. The Commission has delegated to the Planning Board² the authority to commemoratively name or rename Park Assets and in appropriate circumstances the Planning Board will consider doing so as provided in this Policy.

2. Philanthropic Naming. The Commission has delegated to the Planning Board³ and the Planning Board hereby delegates to the Director of the Department the authority to

¹ Md. Code Ann., Land Use § 17-101(a) and (c) (“The Commission may acquire property... to carry out the Commission’s general plan for the physical development of the [park district]” and “controls the maintenance and operation of [such] property”).

² Maryland-National Capital Park and Planning Commission Practice 1-10.

³ Maryland-National Capital Park and Planning Commission Practice 1-10.

philanthropically name or rename Park Assets and in appropriate circumstances the Director will consider doing so as provided in this Policy.

The Commission encourages financial contributions of significance made directly by individuals, or on their behalf, to the Commission for the benefit of the Department. Implementation of this Policy has the potential to realize significant revenue for the Department to develop, maintain, improve, expand, support, preserve, fund, encourage and sustain its parks, facilities, programs and services for the benefit of users and the community at large. A successful Philanthropic Naming program can also help avoid increased taxation or higher user fees.

IV. COMMEMORATIVE NAMING BY PLANNING BOARD

Given the strong preference for a Geographic Name, only in exceptional circumstances will the Planning Board consider a Commemorative Naming proposal with respect to a particular Park Asset. A Commemorative Naming will not be considered unless each of the following conditions has been demonstrated to the satisfaction of the Planning Board:

- 1) The individual proposed as the subject for naming:
 - a) Is deceased (it is recommended but not required that a period of at least five (5) years has elapsed between the death and the proposal for Commemorative Naming); and
 - b) Achieved an exemplary level of community esteem during life.
- 2) A broad cross-section of community leaders:
 - a) Expresses formal support for the naming; and
 - b) Demonstrates that a substantial consensus in favor of the naming exists both in the area immediately surrounding the Park Asset to be named and in the larger Prince George's County community.
- 3) After appropriate research and evaluation, Department staff produces documentation sufficient for the Planning Board to conclude that:
 - a) The requirements and conditions set forth above in paragraphs (1) and (2) have been satisfied; and
 - b) During life, the individual proposed as the subject for naming established and maintained an exceptional level of support⁴ for the Park Asset, park system, or related trails and open spaces in Prince George's County.

⁴ "Exceptional level of support" means a sustained civic contribution during life that necessarily involved making personal sacrifices which resulted in the benefit to other people in their access, utilization or enjoyment of the Park Asset, park system, or related trails and open spaces in Prince George's County.

If a Park Asset already bears a Geographic Name, a Commemorative Naming that changes the way such Park Asset is publicly identified may result in confusion among Park patrons and a financial burden on the Department associated with acquiring and installing new signage, changing maps and other wayfinding resources, and publicizing the new name. If the Planning Board does consider a proposal to Commemoratively Name a Park Asset that already bears a Geographic Name, the Planning Board will evaluate among other factors whether funds to cover the direct and indirect costs of the renaming would be provided outside of the Department budget.

The Planning Board must approve of Commemorative Naming by majority vote, a quorum being present.

V. PHILANTHROPIC NAMING BY DIRECTOR

Financial Contribution

Given the strong preference for a Geographic Name, the Director will consider Philanthropic Naming opportunities in conjunction with charitable contributions made to the Department. With the exception of gifts of real property, non-cash contributions will generally not be considered for Philanthropic Naming opportunities. The Department will hold the proceeds from all charitable contributions to be utilized for the upkeep, maintenance, and/or operation of the specified Park Asset(s) or support of recreation programming. Financial contributions maintained by the Department will not be refundable under any circumstances.

The appropriate financial contribution for a particular Philanthropic Naming opportunity shall be determined by the Department through negotiation with the prospective donor.

The amount of the charitable contribution associated with a Philanthropic Naming opportunity should be sufficient to cover:

- All or a significant portion of annual maintenance and/or program expenses for the Park Asset during the full term of the donor agreement;
- Cost of design, production and installation of plaques, signage, and other recognition benefits.

Donor Agreement

When the Director approves a Philanthropic Naming opportunity, the Commission and the donor will execute a donor agreement based on a form approved by the Commission's General Counsel, Executive Director, and Secretary-Treasurer but customized to the transaction. The donor agreement will recognize the Commission as the owner of the Park Asset and recite that the Department is a beneficiary of the agreement. The donor agreement will outline the details of the Philanthropic Naming opportunity, the gift amount, and recognition benefits; provided, however, that no donor agreement shall give a donor an enforceable power to direct, or implied power to direct, the Commission, Planning Board, or Department on matters of policy or any other governmental process.

The minimum term of the donor agreement for a Philanthropic Naming opportunity depends on the nature of the Park Asset involved. The Department shall establish a standardized schedule reflecting the expected life cycle of the Park Asset or changes in facility use or design. When the term of the donor agreement expires, (a) the Department may offer the donor (or, if applicable, his/her heirs) the opportunity to renew the naming or renaming opportunity for such Park Asset; or (b) the Department may elect to consider other proposals for naming such Park Asset; or (c) the Commission, Planning Board and/or Department may deem that the Park Asset is no longer eligible for naming.

If during the term of a Philanthropic Naming donor agreement it becomes unnecessary, undesirable, or impractical for the Department to continue operating and maintaining the named Park Asset, the Department shall offer the donor⁵ an opportunity to name a reasonably comparable Park Asset for the remainder of the term. If the donor declines, the donor agreement shall terminate and the donor shall not be entitled to a refund of its contribution, in whole or in part.

Appeals

Any applicant for a Philanthropic Naming opportunity who is aggrieved by a decision of the Director may appeal that decision to the Planning Board. The Planning Board will provide the applicant with an opportunity to be heard and consider the basis of appeal on the merits. After due consideration, the Planning Board will provide its decision on the appeal in writing and that decision will be final.

VI. NAMING STANDARDS APPLICABLE TO BOTH COMMEMORATIVE NAMING AND PHILANTHROPIC NAMING

For Commemorative Naming and for Philanthropic Naming, the Department shall place permanent or semi-permanent (respectively) naming plaques and/or signage in the general area where the relevant Park Asset is located. The layout and content of any markers, signage or plaques must conform to all park signage standards, standardized text, and related policies promulgated by the Department from time to time.

The legal first, middle, and last given names (or respective initials) of individuals will be considered. Nicknames may be considered in the Department's discretion, provided that the individual's nickname:

- 1) is widely known in the public domain or is used to distinguish the individual from another individual with the similar name;

⁵If the donor is deceased, for the remainder of the term of the donor agreement, in fulfillment of donor intent, the Director shall name a Park Asset that is as comparable as possible to the Park Asset that the donor originally selected; if a comparable asset cannot be identified, the Commission shall seek judicial input.

- 2) does not include a title, honorary title, or word that gives impression of a title except for public officials as described below;
- 3) does not describe an activity, event or experience;
- 4) does not refer to a business or commercial enterprise of the individual; and
- 5) is not rejected for the reasons outlined below.

The names of fictional characters, professional titles and academic degrees are not permitted. Titles established by federal, state or local law for public officials may be included for a naming or renaming opportunity at the discretion of the Planning Board (as to Commemorative Naming) or Director (as to Philanthropic Naming).

Names containing words or phrases that are reasonably deemed by the Commission or Department to be harmful or otherwise developmentally inappropriate for the purpose of communication with, or public display to, children under six years of age are not permissible. This standard is used so as to maintain family appropriateness in the Commission park system. Examples of names that may be rejected for this reason are those with words and phrases that:

- Are sexually suggestive or obscene;
- Denigrate people on the basis of race, ethnicity, religion, or any other classification protected by law;
- Connote inappropriate violence or intimidation;
- Relate events, activities or behaviors that are criminal or otherwise violate law (including without limitation, violations or applicable environmental, controlled substance or safety laws); or
- Promote activities or products that are reasonably determined to be detrimental to the public health or safety.

The name of any individual who is convicted of a crime of infamy or moral turpitude is not eligible for a Commemorative Naming or Philanthropic Naming opportunity, and the Department may revoke its prior consent if an individual is convicted after a Commemorative Naming or after the term of a Philanthropic Naming agreement begins.

Park Assets that have already been named for an individual, group, corporation or company are not available for renaming, unless the original name has been revoked for cause or (in the case of Philanthropic Naming) the donor agreement has expired.

VII. ADMINISTRATION; REPORTING

The process for requests for both Commemorative Naming and Philanthropic Naming will be administered by the Department.

As to Philanthropic Naming, this process includes, but is not limited to, the marketing of Philanthropic Naming opportunities, renaming, negotiating terms of a proposed donor agreement, and presenting a proposed donor agreement to the Commission's Secretary/Treasurer and to the Director for approval.

The Department is authorized to promulgate appropriate standards, policies and regulations necessary to effectuate the purpose of this Policy.

Commencing six (6) months after the adoption of this policy by the Planning Board and every quarter thereafter, the Department will provide to the Planning Board a list of the Commemorative Naming and Philanthropic Naming opportunities that have been requested and/or the Park Assets that have been named or renamed as a result of a Commemorative Naming or Philanthropic Naming opportunity.