

**The Maryland-National Capital Park and Planning Commission
Montgomery County Parks Department
Individual Naming and Dedication Policy**

I. PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to govern the Maryland-National Capital Park and Planning Commission, Montgomery County Parks Department, the Montgomery County Planning Board, and the Montgomery County Parks Foundation in the development and management of a program of naming and dedicating certain assets within the Montgomery County park system in honor of individuals whether alive or deceased. This policy does not address naming or dedications made in honor of any corporation, association, or other legal entity that is not an individual; whether the entity is organized for-profit or not.

II. DEFINITIONS

Board: The Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission.

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

Dedication: The process of dedicating, without naming, Park Assets in honor of an individual.

Department: The Montgomery County Parks Department of the M-NCPPC.

Foundation: The Montgomery County Parks Foundation, Inc.

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

Park Assets: Parks, fields, playgrounds, pavilions, structures and other facilities, buildings, rooms, landscaping, art or other physical features, and Commission recreation or interpretive programs, in each case, owned or operated and designated by M-NCPPC to be available for naming.

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

III. POLICY STATEMENT

The M-NCPPC has the exclusive right to name, rename or dedicate Park Assets and retains the exclusive right to name, rename or dedicate Park Assets being managed or operated by a third party.

The Board has adopted this policy to capture a positive fiscal impact from naming or renaming Park Assets in honor of individuals by encouraging financial contributions of significance made directly, or on their behalf, to the Foundation (Philanthropic Naming). Implementation of this policy has the potential to realize significant revenue for the M-NCPPC 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 naming program can also help avoid increased taxation or higher user fees.

In appropriate circumstances, the Board will continue to consider naming, renaming or dedicating Park Assets in honor of an individual for commemorative purposes (Commemorative Naming and Dedication) as provided in this policy.

IV. COMMEMORATIVE NAMING

The Board retains its sole and exclusive discretion to name, rename and dedicate Park Assets or provide memorials to individuals without regard to any charitable contribution. The factors the Board may consider for this purpose include whether the individual:

- 1) has performed extraordinary public service in support of parks, trails and/or open space;
- 2) is or was an outstanding community leader who made significant civic contributions to the County and/or the M-NCPPC; and/or
- 3) is or was an outstanding regional or statewide leader who significantly furthered the mission of parks and/or land conservation

V. PHILANTHROPIC NAMING

A. Financial Contributions

Philanthropic Naming opportunities will be considered in conjunction with charitable contributions made to the Foundation for the benefit of the Department and the M-NCPPC park system. Non-cash contributions, with the exception of land gifts, will generally not be considered for Philanthropic Naming opportunities. The Foundation will hold the proceeds from all charitable contributions in trust for the sole benefit of the Department to be utilized for the upkeep, maintenance, and/or operation of the specified Park Asset(s). Financial contributions maintained by the Foundation will not be refundable under any circumstances.

The appropriate financial contributions for Philanthropic Naming opportunities shall be determined by the Foundation 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 agreement;
- Naming expenses incurred by the Department, including design, production and installation costs for plaques, signage, and other recognition benefits;
- An administrative fee for the Foundation of up to 12%.

A customized donor agreement between the donor and the MCPF will be executed with each donor when Philanthropic Naming opportunities are approved. Each agreement will adhere to a form approved by M-NCPPC legal counsel, the Executive Director, and the Secretary-Treasurer and require the signature of the Director of the Department to evidence M-NCPPC consent. The agreement will recognize M-NCPPC as the owner of the Park Asset and stipulate the Department is a beneficiary of the agreement. The agreement will outline the details of the Philanthropic Naming opportunity, the gift amount and recognition benefits; provided, that no agreement shall give a donor an enforceable power to direct, or implied power to direct, the Department or M-NCPPC on matters of policy or any other governmental process.

B. Naming Standards

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

- 1) is widely known in the public domain;
- 2) is used to distinguish the individual from another individual with the same name;
- 3) does not include a title, honorary title, or word that gives impression of a title except for public officials as described below;
- 4) does not describe an activity, event or experience;
- 5) does not refer to a business or commercial enterprise of the individual; or
- 6) 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, renaming or dedication opportunity at the discretion of the Department. Consent must be granted by the individual being honored through the naming, renaming or dedication opportunity or, if the individual is deceased, by his or her heirs.

Names containing words or phrases that are reasonably deemed by the Foundation 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 M-NCPPC 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; or
- Relate events, activities or behaviors that are criminal.

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

C. Appeals

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

D. Recognition Benefits

As provided by agreement with the donor responsible for an approved Philanthropic Naming opportunity, the Foundation shall place semi-permanent naming plaques and/or signage in parks, on facilities, or in the general area where the approved Park Asset is located. The layout and content of any markers, signage or plaque must conform to all park signage standards, standardized text and related policies promulgated by the Department from time to time.

The minimum term of agreement for each Philanthropic Naming opportunity depends on the nature of the Park Asset involved. Generally, the minimum term for an entire park shall be twenty (20) years. The minimum term for other Park Assets shall be established by the Department by a standardized schedule developed to reflect the expected life cycle of the Park Asset or changes in facility use or design, and/or as determined by the Foundation in negotiation with the donor. When the term expires, the donor or their successors may be given the opportunity to renew the naming, renaming or dedication opportunity, the Department may elect to consider other Commemorative or Philanthropic naming proposals, or the Department may elect to eliminate the Park Asset from further naming.

In the event it becomes unnecessary, undesirable, or impractical to continue operating and maintaining the named facility or program designated as a Park Asset during the term of a Philanthropic Naming

agreement, the Foundation shall coordinate with the Department to offer the donor an opportunity to name a reasonably comparable Park Asset for the remainder of the term. Should the donor or its successor become unavailable, the Foundation shall be entitled to utilize the funds to support Department facilities or programs it deems to be comparable to those identified by the original donor, and the Foundation may continue an alternative naming, renaming or dedication opportunity as determined by the Foundation trustees and approved by the Department.

VI. ADMINISTRATION

Pursuant to a binding memorandum of understanding approved by the Board and Foundation for the purpose of incorporating and implementing this policy, the process for Philanthropic Naming will be administered by the Foundation. This process includes, but is not limited to the marketing of Philanthropic Naming opportunities, renaming or dedications, negotiating terms of proposed naming agreements, and presenting those agreements to Foundation trustees and the Department for approval. The process for commemorative requests will be administered by the Department. 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 Board and every six (6) months thereafter, the Foundation and the Department will provide to the Board, a list of the philanthropic naming opportunities that have been requested and/or the Park Assets that have been named or renamed as a result of a philanthropic naming opportunity.