

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 10.
PARKS, PUBLIC BUILDINGS, GROUNDS,
AND SPACE.

CHAPTER 1.
GENERAL PROVISIONS.

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DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 1. GENERAL PROVISIONS.

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CHAPTER 1. GENERAL PROVISIONS.

§ 10-101. AUTHORITY TO ACQUIRE FEE TITLE TO LAND SUBJECT TO LIMITED RIGHTS RESERVED TO GRANTOR AND TO ACQUIRE LIMITED PERMANENT RIGHTS IN LAND ADJOINING PARK PROPERTY.

The authority of the National Capital Planning Commission, established by the Act approved April 30, 1926, is hereby enlarged as follows; said Commission is hereby authorized to acquire, for and in behalf of the United States of America, by gift, devise, purchase, or condemnation, in accordance with the provisions of the Act of June 6, 1924, as amended by the Act of April 30, 1926:

(1) Fee title to land subject to limited rights, but not for business purposes, reserved to the grantor; provided, that such reservation of rights shall not continue beyond the life or lives of the grantor or grantors of the fee; Provided further, that in the opinion of said Commission the permanent public park purposes for which control over said land is needed are not essentially impaired by said reserved rights and that there is a substantial saving in cost by acquiring said land subject to said limited rights as compared with the cost of acquiring unencumbered title thereto; and

(2) Permanent rights in land adjoining park property sufficient to prevent the use of said land in certain specified ways which would essentially impair the value of the park property for its purposes; provided, that in the opinion of said Commission the protection and maintenance of the essential public values of said park can thus be secured more economically than by acquiring said land in fee or by other available means; provided further, that all contracts for acquisition of land subject to such limited rights reserved to the grantor and for acquisition of such limited permanent rights in land shall be subject to the approval of the President of the United States.

(Dec. 22, 1928, 45 Stat. 1070, ch. 48, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-101.

1973 Ed., § 8-103.

References in Text

The Act approved April 30, 1926, referred to in the introductory paragraph of this section, means the Act of April 30, 1926, 44 Stat. 374, ch. 198, which amended § 1 of the Act of June 6, 1924, 43 Stat. 463, ch. 270.

The Act of June 6, 1924, referred to in the introductory paragraph of this section, means the Act of June 6, 1924, 43 Stat. 463, ch. 270.

Transfer of Functions

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, 43 Stat. 463, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

Miscellaneous Notes

Delegation of functions: Authority of the President of the United States under this section to approve contracts for acquisition of land subject to limited rights reserved to the grantor and for the acquisition of limited permanent rights in land adjoining park property was delegated to the Director of the Office of Management and Budget by § 9(5) of Executive Order No. 11609, July 22, 1971, 36 F.R. 13747.

§ 10-102. ESTABLISHING AND MAKING CLEAR TITLE OF UNITED STATES TO LANDS OR WATERS OF POTOMAC RIVER, ANACOSTIA RIVER, EASTERN BRANCH, AND ROCK CREEK.

For the purpose of establishing and making clear the title of the United States in and to any part or parcel

of land or water in, under, and adjacent to the Potomac River, the Anacostia River, or Eastern Branch, and Rock Creek, including the shores and submerged or partly submerged land, as well as the banks of said waterways, and also the upland immediately adjacent thereto, including made land, flat lands and marsh lands, in which persons and corporations and others may have or pretend to have any right, title, claim, or interest adverse to the complete title of the United States as set forth in an Act entitled "An Act providing for the protection of the interest of the United States in lands and water comprising any part of the Potomac River, the Anacostia River, Eastern Branch, and Rock Creek, and adjacent lands thereto," approved April 27, 1912 (37 Stat. 93), and in order to facilitate the same, by making equitable adjustments of such claims and controversies between the United States of America and such adverse claimants, the Secretary of the Interior is authorized to make and accept, on behalf of the United States, by way of compromise when deemed to be in the public interest such conveyances, including deeds of quitclaim and restrictive and collateral covenants, of the lands in dispute as shall be also approved by the National Capital Planning Commission and the Attorney General of the United States.

(June 4, 1934, 48 Stat. 836, ch. 375.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-102.

1973 Ed., § 8-104.

Transfer of Functions

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, 43 Stat. 463, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

§ 10-103. LEASE OF LANDS ACQUIRED FOR PARK, PARKWAY, OR PLAYGROUND; TERM; RENEWAL.

The Administrator of General Services is authorized, subject to the approval of the National Capital Planning Commission, to lease, for a term not exceeding 5 years, and to renew such lease, subject to such approval, for an additional term not exceeding 5 years, pending need for their immediate use in other ways by the public, and on such terms as the Administrator shall determine, land or any existing building or structure on land acquired for park, parkway, or playground purposes.

(Dec. 22, 1928, 45 Stat. 1070, ch. 48, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-103.

1973 Ed., § 8-105.

Transfer of Functions

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, 43 Stat. 463, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-104. CONTROL OF PARK SYSTEM; COMPOSITION THEREOF.

(a) The park system of the District of Columbia is placed under the exclusive charge and control of the Director of the National Park Service, under such regulations as may be prescribed by the President of the United States.

(b) The said park system shall be held to comprise; (1) all public spaces laid down as reservations on the map of 1894 accompanying the annual report for 1894 of the officer in charge of public buildings and grounds; (2) all portions of the space in the streets and avenues of the said District, after the same shall have been set aside by the Council of the District of Columbia for park purposes; provided, that no areas less than 250 square feet between sidewalk lines shall be included within the said park system, and no improvements shall be made in unimproved public spaces in streets between building lines or building lines prolonged until the outlines of such portions as are to be improved as parks shall have been laid out by the Council of the District of Columbia; and provided further, that the said Director is authorized temporarily to turn over the care of any of the parking spaces included in clauses (1) and (2) of this subsection, to private owners of adjoining lands under such regulations as he may prescribe and with the condition that the said private owners shall pay special assessments for improvements contiguous to such parking, under the same regulations as are or may be prescribed for private lands; and provided further, that the Council of the District of Columbia is authorized and directed to denominate portions of streets in the District of Columbia as business streets and to authorize the use, on such portions of streets, for business purposes by abutting property owners, under such general regulations as said Council may prescribe, of so much of the sidewalk and parking as may not be needed, in the judgment of said Council, by the general public, under the following conditions, namely:

(1) Wherein a portion of a street not already denominated a business street a majority of a frontage not less than 3 blocks in length is occupied and used for business purposes; and

(2) Where a portion of a street has already been denominated a business street, and there exists adjoining such portion a block or more whose frontage is occupied and used for business purposes.

(July 1, 1898, 30 Stat. 570, ch. 543, § 2; Feb. 2, 1904, 33 Stat. 10, ch. 89; Apr. 14, 1906, 34 Stat. 112, ch. 1622; Feb. 26, 1925, 43 Stat. 983, ch. 339, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-104.

1973 Ed., § 8-108.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(179) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat.

§ 10-105. POWER TO MAKE AND ENFORCE VEHICLE AND TRAFFIC REGULATIONS.

The Director of the National Park Service is authorized and empowered to make and enforce all regulations for the control of vehicles and traffic, and limiting the speed thereof on roads, highways, and bridges within the public grounds in the District of Columbia, under his control, subject to the penalties prescribed in the Act entitled "An Act regulating the speed of automobiles in the District of Columbia, and for other purposes," approved June 29, 1906.

(June 5, 1920, 41 Stat. 898, ch. 235, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-105.

1973 Ed., § 8-109.

References in Text

The Act entitled "An Act regulating the speed of automobiles in the District of Columbia, and for other purposes," approved June 29, 1906, referred to at the end of this section, was repealed by the Act of March 3, 1925, 43 Stat. 1125, ch. 446, § 16(a).

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-106. JURISDICTION AND CONTROL OF STREET PARKING.

The jurisdiction and control of the street parking in the streets and avenues of the District of Columbia is transferred to and vested in the Council of the District of Columbia.

(July 1, 1898, 30 Stat. 570, ch. 543, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-106.

1973 Ed., § 8-110.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(180) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively.

Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-107. SMALL PARKS AT INTERSECTIONS OF STREETS OUTSIDE ORIGINAL CITY LIMITS.

Public parks acquired by the condemnation of small park areas at the intersections of streets outside the limits of the original City of Washington, shown on the map on file showing areas surrounded by streets, in the Office of the Mayor of the District of Columbia, shall become a part of the park system of the District of Columbia and be under the control of the Director of the National Park Service.

(Mar. 4, 1913, 37 Stat. 971, ch. 150, § 1; July 21, 1914, 38 Stat. 550, ch. 191; Aug. 1, 1914, 38 Stat. 625, ch. 223, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-107.

1973 Ed., § 8-111.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-108. MERIDIAN HILL PARK.

Meridian Hill Park is a part of the park system of the District of Columbia, under the control of the Director of the National Park Service.

(June 25, 1910, 36 Stat. 700, ch. 383, § 36.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-108.

1973 Ed., § 8-112.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the

Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-109. MONTROSE PARK.

Montrose Park is a part of the park system of the District of Columbia, under the control of the Director of the National Park Service.

(Mar. 2, 1911, 36 Stat. 1006, ch. 192.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-109.

1973 Ed., § 8-113.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-110. PORTION OF WATER STREET AUTHORIZED TO BE PART OF PARK SYSTEM.

The Mayor of the District of Columbia is authorized to close upper Water Street, between Twenty-second and Twenty-third Streets, Northwest, lying north of Potomac Park and south of square 62; provided, that the consent in writing of the owners of three-fourths of all private property on the south side of square 62 is first had and obtained; and upon the closing of said street between the limits named the Mayor of the District of Columbia is authorized to transfer the land contained in the bed of said street to the Director of the National Park Service, as part of the park system of the District of Columbia; provided further, that the said Mayor is authorized to enter upon said closed area at all times for the purpose of maintenance and repair of all existing sewers and sewer appurtenances.

(May 13, 1932, 47 Stat. 154, ch. 180, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-110.

1973 Ed., § 8-114.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. I, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-111. TRANSFER OF JURISDICTION OVER PROPERTY BETWEEN UNITED STATES AND DISTRICT OF COLUMBIA--AUTHORIZATION.

Federal and District authorities administering properties within the District of Columbia owned by the United States or by the said District are authorized to transfer jurisdiction over parts or all of such properties among or between themselves for purposes of administration and maintenance under such conditions as may be mutually agreed upon; provided, that prior to the consummation of any transfer hereunder such proposed transfer shall be recommended by the National Capital Planning Commission; provided further, that the Mayor shall submit to the Council for approval by resolution any proposed transfer of jurisdiction of property pursuant to this section; provided further, that all such transfers and agreements shall be reported to Congress by the District authorities concerned.

(June 6, 1924, ch. 270, § 9; May 20, 1932, 47 Stat. 161, ch. 197, § 1; July 19, 1952, 66 Stat. 790, ch. 949, § 1; Aug. 30, 1954, 68 Stat. 967, ch. 1076, § 1(20); May 16, 1995, D.C. Law 10-255, § 11, 41 DCR 5193.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-111.

1973 Ed., § 8-115.

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2 of Transfer of Jurisdiction Over Georgetown Waterfront Park for Public Park and Recreational Purposes, S.O. 84-230, Temporary Act of 2000 (D.C. Law 13-109, May 9, 2000, law notification 47 DCR 4346).

For temporary (225 day) amendment of section, see § 2 of Transfer of Jurisdiction of Reservation 19 and 124 Temporary Act of 2002 (D.C. Law 14-223, March 25, 2003, law notification 50 DCR 2736).

Emergency Act Amendments

For temporary (90-day) clarification of an earlier resolution, see § 2 of the Transfer of Jurisdiction over Georgetown Waterfront Park for Public Park and Recreational Purposes, S.O. 84-230, Emergency Act of 1999 (D.C. Act 13-252, January 27, 2000, 47 DCR 825).

For temporary (90 day) transfer of jurisdiction, see § 3 of Closing of Portions of Virginia Avenue, S.E., K Street, S.E., L Street, S.E., and 7th Street, S.E., and Transfer of Jurisdiction or Reservations 19 and 124, S.O. 02-2677, Emergency Act of 2002 (D.C. Act 14-609, January 7, 2003, 50 DCR 699).

For temporary (90 day) transfer of jurisdiction, see § 2 of Transfer of Jurisdiction of Reservation 19 and 124 Emergency Act of 2002 (D.C. Act 14-452, July 23, 2002, 49 DCR 7891).

For temporary (90 day) transfer of jurisdiction, see § 2 of Transfer of Jurisdiction of Reservation 19 and 124 Congressional Review Emergency Act of 2002 (D.C. Act 14-519, October 24, 2002, 49 DCR 10507).

For temporary (90 day) transfer of jurisdiction, see § 4 of Modifications to the Permanent System of Highways and Designation of Water Lily Lane, N.E., and Cassell Place, N.E., S.O. 07-3090, and Transfer of Jurisdiction of Portions of Parcel 170/27 and Parcel 170/28, Emergency Act of 2009 (D.C. Act 18-173, August 3, 2009, 56 DCR 6636).

For temporary (90 day) addition, see § 1221 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) addition, see § 1221 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

Legislative History of Laws

Law 10-255, the "Technical Amendments Act of 1994," was introduced in Council and assigned Bill No. 10-673, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 21, 1994, and July 5, 1994, respectively. Signed by the Mayor on July 25, 1994, it was assigned Act No. 10-302 and transmitted to both Houses of Congress for its review. D.C. Law 10-255 became effective May 16, 1995.

Law 14-271, the "Closing of Portions of Virginia Avenue, S.E., K Street, S.E., L Street, S.E., and 7th Street, S.E., and Transfer of Jurisdiction of Reservation 19 and 124, S.O. 02-2677, Act of 2002", was introduced in Council and assigned Bill No. 14-836, and was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 3, 2002, and December 17, 2002, respectively. Signed by the Mayor on January 7, 2003, it was assigned Act No. 14-583 and transmitted to both Houses of Congress for its review. D.C. Law 14-583 became effective on April 2, 2003.

Delegation of Authority

Delegation of Authority to the Deputy Mayor for Planning and Economic Development to Execute Certain Documents with Respect to a portion of Fort Dupont Park, see Mayor's Order 2011-198, December 23, 2011 (58 DCR 11502).

Resolutions

Resolution 13-684, the "African-American Civil War Memorial Transfer of Jurisdiction Resolution of 2000", was approved effective November 8, 2000.

Resolution 14-375, the "Transfer of Jurisdiction of the D.C. General Hospital Campus and Old Jail Site Resolution of 2002", was approved effective March 5, 2002.

Resolution 15-287, the "Transfer of Jurisdiction of Part of U.S. Reservation 357 for the Mayor's Official Residence Resolution of 2003", was approved effective November 4, 2003.

Resolution 15-370, the "Transfer of Jurisdiction of Lot 812 in Square 391, Lot 811 in Square S 439 and Lot 820 in Square 472 Approval Resolution of 2003", was approved effective December 16, 2003.

Resolution 15-519, the "Transfer of Jurisdiction of the New York Avenue Animal Shelter Expansion Site Resolution of 2004", was approved effective May 4, 2004.

Resolution 15-763, the "Transfer of Jurisdiction of a Portion of Square 1171 Approval Resolution of 2004", was approved effective December 7, 2004.

Resolution 16-443, the "Transfer of Jurisdiction Over a Portion of U.S. Reservation 475, Fort Mahan Park Approval Resolution of 2006", was approved effective January 4, 2006.

Resolution 18-537, the "Transfer of Jurisdiction Over a Portion of U.S. Reservation 495 and Change in Purpose of a Previously Transferred Portion of U.S. Reservation 495 Approval Resolution of 2010", was approved effective July 13, 2010.

Resolution 18-538, the "Transfers of Jurisdiction over Portions of U.S. Reservations 334 and 334-I for the Reconfiguration of Columbus Circle, N.E., Approval Resolution of 2010", was approved effective July 13, 2010.

Resolution 19-143, the "Transfers of Jurisdiction over Portions of U.S. Reservation 542 and Lot 09 in Square 1772 Approval Resolution of 2011", was approved effective July 12, 2011.

Resolution 19-144, the "Transfers of Jurisdiction over Portions of Reservation 470 and Lot 811 in Square 1759 Approval Resolution of 2011", was approved effective July 12, 2011.

Miscellaneous Notes

Transfer of land for highway purposes: Pursuant to Resolution 5-156, the "Transfer of Jurisdiction Over Portions of Land Owned by the Government Printing Office to the District of Columbia for Highway Purposes Resolution of 1983", effective May 10, 1983, the Council accepted the transfer of jurisdiction over portions of lots 884 and 885 in Square 677 from the United States Government Printing Office to the District of Columbia for highway purposes as shown on the plat filed with the Surveyor's Office of the District of Columbia (S.O. 75-158).

Pursuant to Resolution 5-640, the "Transfer of Jurisdiction of Parts of Whitehaven Street, N.W., and Observatory Circle, N.W., and part of Reservation 357 Resolution of 1984," effective April 30, 1984, the Council approved the transfer of jurisdiction from the District of Columbia to the National Park Service, for park purposes, of parts of Whitehaven Street, N.W., and Observatory Circle, N.W., and accepted the transfer of jurisdiction from the National Park Service to the District of Columbia, for highway purposes, of part of Reservation 357, as shown on the Surveyor's plat filed under S.O. 82- 227.

Pursuant to Resolution 5-773, the "Transfer of Jurisdiction over part of United States Reservation 500 Resolution of 1984," effective July 10, 1984, the Council accepted the transfer of jurisdiction from the National Park Service of part of United States Reservation 500 for the Metropolitan Police Boys' and Girls' Club, as shown on the plat on file in the Office of the Surveyor of the District of Columbia under S.O. 83-245.

Pursuant to Resolution 8-232, the "Transfer of Jurisdiction over Portions of Public Streets Adjacent to the U.S. Navy's Bellevue Housing Complex, S.O. 87- 300, Resolution of 1990", effective June 22, 1990, the Council approved the transfer from the District of Columbia to the United States Department of the Navy of jurisdiction over portions of Chesapeake Street, S.W., Magazine Road, S.W., and an unnamed public street west of Overlook Avenue, S.W., in Ward 8.

Council approval of transfer of jurisdiction over Georgetown Waterfront park: Pursuant to Resolution 6-284, the "Transfer of Jurisdiction over Georgetown Waterfront Park for Public Park and Recreational Purposes, S.O. 84-230, Resolution of 1985," effective September 10, 1985, the Council approved the transfer of jurisdiction over Georgetown Waterfront Park in Ward 2 to the National Park Service for public park and recreational purposes.

Transfer of jurisdiction over certain property in Fort Lincoln New Town approved: Pursuant to Resolution 6-410, the "Transfer of Jurisdiction over Part of Parcel 173/142 in Fort Lincoln New Town, S.O. 84-285, Resolution of 1985," effective November 5, 1985, the Council approved the transfer for recreational purposes from the United States Department of Housing and Urban Development to the District of Columbia Redevelopment Land Agency of jurisdiction over part of Parcel 173/142 to Fort Lincoln New Town, as shown on the Surveyor's plat filed under S.O. 84-285.

Encouragement of acquisition of land by federal government: Pursuant to Resolution 8-189, the "National Park Service--Georgetown Branch Rail Right-of-Way Acquisition Resolution of 1990", effective February 2, 1990, the Council encouraged the federal government to acquire the District of Columbia portion of the abandoned rail right-of-way known as the Georgetown Branch.

Transfer of Jurisdiction over Lot 812 in Square 2939, S.O. 89-221, Resolution of 1990: Pursuant to Resolution 8-328, effective January 11, 1991, the Council approved the transfer of jurisdiction from the District of Columbia to the National Park Service of the United States Department of the Interior over Lot 812 in Square 2939, bounded by Quackenbush Street, N.W., Georgia Avenue, N.W., Peabody Street, N.W., and 13th Street, N.W., in Ward 4.

Transfer of Jurisdiction over a Portion of U.S. Reservation 360, S.O. 89-245, Resolution of 1990: Pursuant to Resolution 8-329, effective January 11, 1991, the Council approved the transfer for public street purposes of jurisdiction from the National Park Service of the United States Department of the Interior to the District of Columbia over a portion of U.S. Reservation 360, at the intersection of Virginia Avenue, N.W., and I Street, N.W., in Ward 2.

Transfer of Jurisdiction over Children's Island, S.O. 92-252, Resolution of 1993: Pursuant to Resolution 10-91, effective July 30, 1993, the Council approved the transfer from the National Park Service of the United States Department of the Interior to the District of Columbia jurisdiction over property in the Anacostia River in Ward 6 known as National Children's Island, for public park and recreational purposes.

Transfer of Jurisdiction over a Portion of U.S. Reservation 7, S.O. 90-354, Resolution of 1994: Pursuant to Resolution 10-255, effective January 14, 1994, the Council approved the transfer of jurisdiction, for park purposes, from the District of Columbia to the National Park Service of the United States Department of the Interior over a portion of U.S. Reservation 7, bounded by 4th, E, 5th and F Streets, N.W., in Ward 6.

Transfer of Jurisdiction over a Portion of Square 1183, S.O. 93-81, Resolution of 1994: Pursuant to Resolution 10-448, effective November 18, 1994, the Council approved the transfer of jurisdiction, for park purposes, from the District of Columbia to the National Park Service of the United States Department of the Interior over a portion of Lot 807 in Square 1182, bounded by M Street, N.W., 34th Street, N.W., the Chesapeake and Ohio Canal, and Francis Scott Key Bridge, N.W., in Ward 2.

Transfer of Jurisdiction over a Portion of U.S. Reservation 515, S.O. 92-101, Resolution of 1994: Pursuant to Resolution 10-449, effective November 18, 1994, the Council approved the transfer of jurisdiction, for school and recreational purposes, from the National Park Service of the United States Department of the Interior to

the District of Columbia over a portion of U.S. Reservation 515, located adjacent to Murch Elementary School at Reno Road, N.W., and Ellicott Street, N.W., in Ward 3.

Transfer of jurisdiction over District of Columbia Correctional Facility: Section 6(b) of D.C. Law 11-276 provides that notwithstanding this section, the Council of the District of Columbia approves the transfer from the United States government to the District of Columbia of jurisdiction over that portion of Lot 800 of Square 1112 upon which is situated the District of Columbia Correctional Treatment Facility, as shown on a plat to be drawn and filed in the Office of the Surveyor of the District of Columbia.

Transfer of Jurisdiction over a Portion of Independence Avenue, S.W., S.O. 85- 96, Resolution of 1996: Pursuant to Resolution 11-207, effective February 6, 1996, the Council approved the transfer of jurisdiction, for park purposes, from the District of Columbia to the National Park Service of the United States Department of the Interior, over a portion of the north side of Independence Avenue, S.W., between 4th Street, S.W., and Maryland Avenue, S.W., in Ward 2.

Transfer of Jurisdiction over a Portion of Parcel 174-15 and Lot 802 in Square 4325, S.O. 85-182, Resolution of 1996: Pursuant to Resolution 11-235, approved March 5, 1996, and effective upon publication on March 15, 1996, Council approved the transfer of jurisdiction, for open space and urban renewal development purposes, from the National Park Service of the United States Department of the Interior to the District of Columbia over a portion of Parcel 17 4/15 and Lot 802 in Square 4325 located at the intersection of Bladensburg Road, N.E., and Eastern Avenue, N.E., in Ward 5.

Transfer of Jurisdiction over public land: Section 3 of D.C. Law 14-271 provides: " Pursuant to section 1 of An Act To Authorize the Transfer of Jurisdiction Over Public Land in the District of Columbia, approved May 20, 1932 (47 Stat. 161; D.C. Official Code § 10-111), the Council approves the transfer of jurisdiction of part of U.S. Reservation 19 from the District of Columbia to the U.S. Department of Defense, and the transfer of jurisdiction of U.S. Reservation 124 from the National Park Service of the U.S. Department of the Interior to the U.S. Department of Defense, as shown on the Surveyor's plat filed under S.O. 02-2677, for the purpose of facilitating construction of a new Marine Corps Residence Quarters Annex."

Transfer of Jurisdiction over public lands: Section 344 of Pub. L. 108-335, 118 Stat. 1350, the District of Columbia Appropriations Act, 2005, provides:

"Sec. 344. Transfer to District of Columbia.

"(a) *Transfer of Jurisdiction* --

"(1) *In general.* -- Not later than 90 days after the date of enactment of this Act, subject to subsection (b), the Director of the National Park Service (referred to in this section as the 'NPS'), acting on behalf of the Secretary of the Interior, shall transfer jurisdiction to the government of the District of Columbia, without consideration, the property described in paragraph (2).

"(2) *Property.* -- The property referred to in paragraph (1) is --

"(A) a portion of National Park Service land in Anacostia Park, U.S. Reservation 343, Section G, the boundaries of which are the Anacostia River to the west, Watts Branch to the south, Kenilworth Aquatic Gardens to the north, and Anacostia Avenue to the east which includes the community center currently occupied under permit by the District of Columbia known as the 'Kenilworth Parkside Community Center'; and

"(B) all of U.S. Reservation 523.

"(b) *Conditions of transfer.* --

"(1) *Term.* -- Jurisdiction will be transferred from the NPS to the District of Columbia.

"(2) *Condition of transfer.* -- The transfer of jurisdiction under subsection (a)(1) shall be subject to such terms and conditions, to be included in a Declaration of Covenants to be mutually executed between NPS and the District of Columbia to ensure that the property transferred under that subsection --

"(A) is used only for the provision of public recreational facilities, open space, or public outdoor recreational opportunities; and

"(B) nothing in this Act precludes the District of Columbia from entering into a lease for all or part of the property with a public not-for-profit entity for the management or maintenance of the property.

"(3) *Termination.* --

"(A) *In general.* -- The transfer under subsection (a)(1) shall terminate if --

"(i) any term or condition of the transfer described in paragraph (2) or contained within the Declaration of Covenants described in paragraph (2) is violated, as determined by the NPS; and

"(ii) the violation is not corrected by the date that is 90 days after the date on which the Mayor of the District of Columbia receives from the NPS a written notice of the violation.

"(B) *Determination of correction.* -- A violation of a term or condition of the transfer under subsection (a)(1) shall be determined to have been corrected under subparagraph (A)(ii) if, after notification of the violation, the District of Columbia and the NPS enter into an agreement that the NPS considers to be adequate to ensure that the property transferred will be used in a manner consistent with paragraph (2).

"(4) *Prohibition of civil actions.* -- No person may bring a civil action relating to a violation of any term or condition of the transfer described in paragraph (2) before the date that is 90 days after the person notifies the Mayor of the District of Columbia of the alleged violation (including the intent of the person to bring a civil action for termination of the transfer under paragraph (3)).

"(5) *Removal of structures; rehabilitation.* -- The transfer under subsection (a)(1) shall be subject to the condition that, in the event of a termination of the transfer under paragraph (3), the District of Columbia shall bear the cost of removing structures on, or rehabilitating, the property transferred.

"(6) *Administration of property.* -- If the transfer under subsection (a)(1) is terminated under paragraph (3), the property covered by the transfer shall be returned to the NPS and administered as a unit of the National Park System in the District of Columbia in accordance with --

"(A) the Act of August 25, 1916 (commonly known as the 'National Park Service Organic Act') (16 U.S.C. 1 et seq.); and

"(B) other laws (including regulations) generally applicable to units of the National Park System."

Transfer of Jurisdiction over portion of Parcel 170/27 and Parcel 170/28: Section 4 of D.C. Law 18-68 provides:

"Sec. 4. (a) Pursuant to section 1 of An Act to Authorize the Transfer of Jurisdiction Over Public Land in the District of Columbia, approved May 20, 1932 (47 Stat. 161; D.C. Official Code § 10-111), the Council approves the transfer of jurisdiction from the United States, by the National Park Service, for residential purposes, of that certain land commonly known as undeveloped land generally adjacent to Anacostia Avenue, N.E., and Hayes Street, N.E., and more particularly described as a portion of Parcel 170/27 and Parcel 170/28, containing approximately 203,903 square feet of land area, being the same property as previously transferred for park purposes as part of U.S. Reservation 343G through a transfer of jurisdiction from the District of Columbia to the National Park Service, as shown on that certain plat recorded on October 12, 1950, and in the Office of the Surveyor for the District of Columbia in Book 131 at Page 97 ("Property"). Approval of this transfer is subject to the restriction that the Property be used for residential purposes in accordance with the plans approved pursuant to Zoning Commission Case No. 06-30."

Short title: Section 1220 of D.C. Law 18-111 provided that subtitle W of title I of the act may be cited as the "Approval of Change in Use of Certain Properties Formerly Titled in the United States Government Act of 2009".

Section 1221 of D.C. Law 18-111 provides:

"The use of any property transferred to the District pursuant to the Second Fiscal Year 2010 Budget Request Act, passed on 1st reading on July 31, 2009 (Enrolled version of Bill 18-412), shall not be modified unless the new use is authorized pursuant to District law."

§ 10-112. TRANSFER OF JURISDICTION OVER PROPERTY BETWEEN UNITED STATES AND DISTRICT OF COLUMBIA--EXISTING LAWS UNAFFECTED.

Nothing in § 10-111 shall be construed to repeal the provisions of any existing law or laws authorizing the transfer of jurisdiction of certain lands between and among federal and District authorities, but all such laws shall remain in full force and effect.

(May 20, 1932, 47 Stat. 162, ch. 197, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-112.

1973 Ed., § 8-116.

§ 10-113. WHITEHAVEN PARKWAY--ADJUSTMENT OF BOUNDARIES AT HUIDEKOPER PLACE.

In order to readjust the boundaries of Whitehaven Parkway at Huidekoper Place and preserve the trees and other natural park values, the Mayor of the District of Columbia is authorized to close, vacate, and abandon for highway and alley purposes the area contained in parcel designated "A," as shown on map filed in the Office of the Surveyor of the District of Columbia and numbered as map 1817, and to transfer said area so closed, vacated, and abandoned to the United States to be under the jurisdiction of the Director of the National Park Service for park purposes.

(Apr. 13, 1934, 48 Stat. 575, ch. 114, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-113.

1973 Ed., § 8-117.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-114. WHITEHAVEN PARKWAY--EXCHANGE OF FEDERAL PROPERTY.

The Mayor of the District of Columbia is authorized to use for street and alley purposes the area comprised within the parcels designated "B," as shown on map filed in the Office of the Surveyor of the District of Columbia and numbered as map 1817; and the Director of the National Park Service is authorized to make the necessary transfer of said land to the District of Columbia, same to be under the jurisdiction of the said Mayor for street and alley purposes.

(Apr. 13, 1934, 48 Stat. 575, ch. 114, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-114.

1973 Ed., § 8-118.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-115. WHITEHAVEN PARKWAY--EXCHANGE AUTHORIZED WITH PROPERTY OWNERS.

Upon the dedication by the lawful owner or owners of the land contained in the parcel designated "C" and the transfer by plat as provided herein and/or the conveyance by deed of the land contained in the parcel designated "D," in accordance with map showing said parcels filed in the Office of the Surveyor of the District of Columbia, numbered as map 1817, the said parcel "C" to be dedicated to the District of Columbia for street purposes and the said parcel "D" transferred by plat and/or conveyed by deed to the United States, to be under the jurisdiction of the Director of the National Park Service, then the said Director, with the approval of the Secretary of the Interior, acting for and in behalf of the United States of America, is authorized and directed to transfer by plat as provided herein and/or convey by deed all the land comprised in the parcel designated "E" as shown on said map filed in the Office of the Surveyor of the District of Columbia and numbered as map 1817, said transfer and/or conveyance to be made to the owner or owners making the transfer and/or conveyance of said parcel designated "D" to the United States, such transfers and/or deeds of conveyance to pass title in fee simple to the said land, and any and all of such transfers when duly executed and consummated shall constitute legal conveyances of the parcels herein described to the parties in interest; provided, however, that good and sufficient title, satisfactory to the Mayor of the District of Columbia and the Director of the National Park Service, shall be given with respect to the land contained in said parcels "C" and "D," respectively; and provided further, that upon the transfer by plat and/or the conveyance by deed of the said parcel designated "E," as provided herein, the land contained in said parcel shall be subject to assessment and taxation the same in all respects as other private property in the District of Columbia.

(Apr. 13, 1934, 48 Stat. 575, ch. 114, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-115.

1973 Ed., § 8-119.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the

performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-116. WHITEHAVEN PARKWAY--PLATS TO BE PREPARED.

The Surveyor of the District of Columbia is hereby authorized to prepare the necessary plat or plats showing the parcels of land to be transferred and dedicated in accordance with the provisions of §§ 10-113 to 10-116, with certificates affixed thereon to be signed by the parties in interest making the necessary transfers and dedication, which plat or plats, after being signed by the various interested parties and officials, and approved by the Mayor of the District of Columbia, upon recommendation of the National Capital Planning Commission, shall be recorded upon order of said Mayor in the Office of the Surveyor of the District of Columbia, and said plat or plats and certificates when so recorded shall constitute a legal dedication and legal transfers of the property described for the purposes designated according to the provisions of §§ 10-113 to 10-116.

(Apr. 13, 1934, 48 Stat. 575, ch. 114, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-116.

1973 Ed., § 8-120.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, 43 Stat. 463, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

§ 10-117. BEACH PARKWAY--EXCHANGE OF PROPERTY TO EXTEND AUTHORIZED.

In order to extend Beach Parkway northward to Western Avenue as provided for by the plans of the National Capital Planning Commission for the park system of the District of Columbia and to preserve the flow of water in Rock Creek Park and to extend West Beach Drive to connect Beach Drive and Rock Creek Park with Western Avenue, the Secretary of the Interior is authorized to convey by and on behalf of the United States of America to the owners of parcel 78/5, or to such party or parties as said owner or owners shall designate, the title of the United States in and to a piece of land containing approximately 55,000 square feet at and near the intersection of Western Avenue and West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, being a part of reservation 339; provided, that the owners of said parcel 78/5 shall furnish the United States of America with a good and sufficient title in fee simple, free of all encumbrances, to that piece of land lying along and east of the center line of West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, and extending east to the creek immediately north of the present north line of United States reservation 432 and extending north to United States reservation 339

and containing approximately 58,500 square feet; provided further, that the owners of parcel 78/5 dedicate to the District of Columbia for street purposes the west half, 45 feet in width, of West Beach Drive as proposed in accordance with the plan of the permanent system of highways of the District of Columbia, along their property immediately north of the north line of reservation 432.

(Aug. 27, 1935, 49 Stat. 881, ch. 741, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-117.

1973 Ed., § 8-121.

Transfer of Functions

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, 43 Stat. 463, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

§ 10-118. BEACH PARKWAY--DEDICATION AND CONVEYANCES OF EXCHANGED LAND.

The dedication and transfers provided for in § 10-117 hereof are designated approximately upon plat file numbered 3.9-97 in the files of the National Capital Planning Commission. The dedication and conveyances shall be by proper deed and other instruments containing full legal description by exact survey of the land exchanged and dedicated as provided for by law.

(Aug. 27, 1935, 49 Stat. 881, ch. 741, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-118.

1973 Ed., § 8-122.

Transfer of Functions

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, 43 Stat. 463, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

§ 10-119. BEACH PARKWAY--POWER OF SECRETARY OF INTERIOR TO SELL NOT CURTAILED.

Nothing in §§ 10-117 to 10-119 shall be construed as curtailing the power of the Secretary of the Interior to sell the remainder of parcel 4 as provided for in Public Law No. 299, 72nd Congress, and should the exchange and dedication as provided for in § 10-117 fail to become effective the Secretary of the Interior is still authorized to sell the entire area of parcel 4 as provided for in that Act.

(Aug. 27, 1935, 49 Stat. 882, ch. 741, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-119.

1973 Ed., § 8-123.

§ 10-120. SQUARES 612 AND 613 MADE PART OF PARK SYSTEM.

Squares 612 and 613, so called, shall become a part of the park system of the District of Columbia and be under the control of the Director of the National Park Service.

(Apr. 17, 1917, 40 Stat. 10, ch. 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-120.

1973 Ed., § 8-124.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. I, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-121. FORT DAVIS AND FORT DUPONT PARKS.

The public parks on the sites of Fort Davis and Fort Dupont shall become a part of the park system of the District of Columbia and be under the control of the Director of the National Park Service.

(June 26, 1912, 37 Stat. 179, ch. 182.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-121.

1973 Ed., § 8-125.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. I, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-122. JURISDICTION OVER RESERVATION 185.

Control and jurisdiction over reservation 185 is vested in the Mayor of the District of Columbia, said reservation to be used by said District as a property yard; provided, that when in the judgment of the Director of the National Park Service the use of said reservation for park purposes is desirable, the Mayor of the District of Columbia, upon his request, is authorized and directed to retransfer said reservation to his jurisdiction.

(May 18, 1910, 36 Stat. 383, ch. 248.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-122.

1973 Ed., § 8-126.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-123. USE OF SPACES OR RESERVATIONS FOR WIDENING ROADWAYS.

When, in the judgment of the Mayor of the District of Columbia, the public necessity or convenience requires them to enter upon any of the spaces or reservations under the jurisdiction of the Director of the National Park Service for the purpose of widening the roadway of any street or avenue adjacent thereto or to establish sidewalks along the same, the Director of the National Park Service is authorized to grant the necessary permission upon the application of the Mayor.

(July 1, 1898, 30 Stat. 570, ch. 543, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-123.

1973 Ed., § 8-127.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat.

1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-124. USE OF PUBLIC GROUNDS FOR PLAYGROUNDS.

The Director of the National Park Service may authorize the temporary use of the Monument Grounds or ground south of the Executive Mansion or other reservations in the District of Columbia for playgrounds for children and adults, under regulations to be prescribed by him.

(Mar. 3, 1903, 32 Stat. 1122, ch. 1007.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-124.

1973 Ed., § 8-128.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-125. LICENSES FOR TEMPORARY STRUCTURES ON RESERVATIONS USED AS PLAYGROUNDS.

The Director of the National Park Service is authorized to grant licenses, revocable by him, without compensation, to erect temporary structures upon reservations used as children's playgrounds, under such regulations as he may impose.

(May 27, 1908, 35 Stat. 355, ch. 200, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-125.

1973 Ed., § 8-129.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the

Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-126. PART OF WASHINGTON AQUEDUCT MAY BE TRANSFERRED FOR PLAYGROUND PURPOSES.

The Chief of Engineers is authorized to transfer for playground purposes the possession, use, and control of all that portion of the land of the Washington Aqueduct adjacent to the Champlain Avenue pumping station and lying outside of the fence around said pumping station existing on August 31, 1918, to the control and jurisdiction of the Mayor of the District of Columbia. Nothing herein shall be construed as affecting the superintendence and control of the Secretary of the Army over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same and over appropriations and expenditures therefor as now provided by law.

(Aug. 31, 1918, 40 Stat. 951, ch. 164, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-126.

1973 Ed., § 8-130.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Government Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-127. AUTHORITY TO MAKE RULES AND REGULATIONS FOR PLAYGROUNDS AND RECREATION CENTERS.

Authority is granted the Mayor of the District of Columbia to make rules and regulations governing the conduct of the municipal playgrounds and recreation centers coming under his control.

(Mar. 3, 1915, 38 Stat. 905, ch. 80.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-127.

1973 Ed., § 8-131.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3

of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-128. WHEN AUTHORIZATION BY CONGRESS NEEDED FOR BUILDING.

On and after August 24, 1912, there shall not be erected on any reservation, park, or public grounds, of the United States within the District of Columbia, any building or structure without express authority of Congress.

(Aug. 24, 1912, 37 Stat. 444, ch. 355, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-128.

1973 Ed., § 8-133.

§ 10-129. LETTERS OF TRANSFER AND ACCEPTANCE DEEMED AUTHORITY FOR CHANGE IN MAPS AND FOR RECORD.

When in accordance with law or mutual legal agreement, spaces or portions of public land are transferred from the jurisdiction of the Director of the National Park Service, as established by §§ 6-404, 10-104, 10-106, 10-123, 10-129 and 10-137, to that of the Mayor of the District of Columbia, or vice versa, the letters exchanged between them of transfer and acceptance shall be sufficient authority for the necessary change in the official maps and for record when necessary.

(July 1, 1898, 30 Stat. 570, ch. 543, § 5.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-129.

1973 Ed., § 8-135.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in

buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-130. TRANSFER OF JURISDICTION--RESERVATION 32.

The jurisdiction and control of public reservation numbered 32, bounded by Pennsylvania Avenue, Fourteenth Street, E Street, and Thirteen-and-a-half Street Northwest, in the City of Washington, District of Columbia, is hereby transferred from the Chief of Engineers of the United States Army to the Mayor of the District of Columbia, in order to provide a suitable approach to the new District building to be located fronting said reservation.

(Feb. 10, 1904, 33 Stat. 12, ch. 155.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-130.

1973 Ed., § 8-136.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-131. TRANSFER OF JURISDICTION--RESERVATION 290.

The action of the Mayor of the District of Columbia in locating a pound and stable for the Department of Human Services on reservation numbered 290, located along James Creek Canal at the intersection of South Capitol and I Streets Southeast, under the authorization contained in the District Appropriation Act approved March 2, 1911, is ratified and confirmed, and the jurisdiction and control over said reservation is transferred to the Mayor of the District of Columbia; and the title to said reservation shall be in the name of the District of Columbia.

(Mar. 4, 1913, 37 Stat. 962, ch. 150.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-131.

1973 Ed., § 8-137.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Miscellaneous Notes

Health Department abolished: The Health Department of the District of Columbia, including the office of the head thereof, was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. Reorganization Order No. 57 of the Board of

Commissioners, dated June 30, 1953, and Reorganization Order No. 52, dated June 30, 1953, combined and redesignated Organization Order No. 141, dated February 11, 1964, established under the direction and control of a Commissioner, a Department of Public Health headed by a Director, for the purpose of planning, implementing, and directing public health and hospital care programs, and for performing certain other allied medical and paramedical functions. The Anatomical Board was established under the direction and control of the Director of Public Health consisting of members as prescribed in the D. C. Code. Prior to redesignation, the Ord. abolished the previously existing Health Department, Gallinger Hospital, Glenn Dale Sanatorium, and the Anatomical Board, and transferred their functions and positions to the new Department. The organization of the new Department was set out in the Order. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Functions stated in Organization Order No. 141 were transferred to the Director of the Department of Human Resources by Commissioner's Order No. 69-96, dated March 7, 1969, as amended by Commissioner's Order No. 70-83, dated March 6, 1970. The Department of Human Resources was replaced by Reorganization Plan No. 2 of 1979, dated February 21, 1980, which Plan established the Department of Human Services.

§ 10-132. TRANSFER OF JURISDICTION--RESERVATION 8.

The jurisdiction and control of such portion of public reservation numbered 8 as may be required for the location and operation of a public convenience station and approaches thereto is hereby transferred from the Chief of Engineers of the United States Army to the Mayor of the District of Columbia, such transfer to take effect from the date of notice by said Mayor to the Chief of Engineers of the United States Army of the portion of said reservation selected, and the Council of the District of Columbia is further authorized to make all necessary rules and regulations for the management of said station and fix the charges to be made for the use thereof.

(May 26, 1908, 35 Stat. 286, ch. 198.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-132.

1973 Ed., § 8-138.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(182) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-133. PUBLIC CONVENIENCE STATIONS--ESTABLISHMENT; LOCATION; CONTROL.

(a) The Mayor of the District of Columbia is authorized and empowered to construct and establish, in the City of Washington, District of Columbia, 2 public convenience stations, each of the same to afford accommodations for 20 males and 10 females.

(b) The said public convenience stations shall be located on public space to be selected by the said Mayor of the District of Columbia. And the jurisdiction and control of such portion of any public reservation so selected as shall be required for the location of such stations and their approaches is hereby transferred from the Chief of Engineers of the United States Army to the Mayor of the District of Columbia, such transfer to take effect from the date of notice by the said Mayor to the Chief of Engineers of the United States Army of the location of sites of such stations.

(Mar. 3, 1905, 33 Stat. 984, ch. 1414, §§ 1, 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-133.

1973 Ed., § 8-139.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-134. PUBLIC CONVENIENCE STATIONS--AUTHORITY TO MAKE RULES, REGULATIONS, AND CHARGES.

Upon the construction and establishment of the public convenience stations referred to in § 10-133 the Council of the District of Columbia is further authorized and empowered to make all necessary rules and regulations for the management of the same, as well as to fix the charge, if any, to be made for the use of these conveniences.

(Mar. 3, 1905, 33 Stat. 984, ch. 1414, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-134.

1973 Ed., § 8-140.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(183) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-135. PART OF RESERVATION 13 TRANSFERRED FOR USE AS INDIGENT BURIAL GROUND.

All of that portion of reservation 13 lying 600 feet east of the east curb line of Nineteenth Street east and south of the south line of B Street south is transferred to the control of the Mayor of the District of Columbia for the purpose of the burial of the indigent dead of the District, to be an addition to the burial grounds of the Washington Asylum.

(Aug. 6, 1890, 26 Stat. 306, ch. 724.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-135.

1973 Ed., § 8-141.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of

Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-136. SITE OF FORMER GEORGETOWN RESERVOIR.

The site of the former Georgetown Reservoir (Wisconsin Avenue, between R Street and Brown Place, Northwest) is transferred to the jurisdiction and control of the Mayor of the District of Columbia.

(Feb. 23, 1931, 46 Stat. 1381, ch. 282.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-136.

1973 Ed., § 8-142.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-137. AUTHORITY TO MAKE RULES AND REGULATIONS FOR CARE OF PUBLIC GROUNDS--GENERALLY.

The Director of the National Park Service and the said Mayor of the District of Columbia are authorized to make all needful rules and regulations for the government and proper care of all the public grounds placed by §§ 6-404, 10-104, 10-106, 10-123, 10-129 and 10-137, under their respective charge and control; and to annex to such rules and regulations such reasonable penalties as will secure their enforcement.

(July 1, 1898, 30 Stat. 571, ch. 543, § 6.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-137.

1973 Ed., § 8-143.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all

agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-137.01. AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF RECREATION AND PARKS TO REGULATE DISTRICT PARKS.

(a) The Council finds that, in order to protect the public health and safety, environmental and scenic values, natural or cultural resources, equitable allocations and use of District park facilities, and to alleviate conflict among park visitors, it is necessary to implement management responsibilities for District parks.

(b) The Director of the Department may:

- (1) Establish a reasonable schedule of hours for the operation of parks;
- (2) Impose limits, conditions, and restrictions on the public use of parks;
- (3) Close all or a portion of a park area to public use or to a specific use or activity; or
- (4) Terminate a limit, condition, restriction, or any other decision made pursuant to this subsection.

(c)(1) Except in emergency situations, the Director of the Department shall inform the public of closures, designations, use restrictions or conditions, or the termination or relaxation of such, which is of a nature, magnitude and duration that will result in a significant alteration in the public use pattern of the park area, adversely affect the park's natural, aesthetic, scenic or cultural values, require a long-term or significant modification in the resource management objectives of the unit, or is of a highly controversial nature, by publishing such changes as rulemaking in the District of Columbia Register and a major Washington, D.C. metropolitan newspaper.

(2) Except in emergency situations, prior to implementing or terminating a restriction, condition, public use limit or closure, the Director of the Department shall prepare a written determination justifying the action. That determination shall set forth the reasons why the restriction, condition, public use limit or closure authorized by subsection (b) of this section has been established, and an explanation of why less restrictive measures will not suffice, or in the case of a termination of a restriction, condition, public use limit or closure previously established under subsection (b) of this section, a determination as to why the restriction is no longer necessary and a finding that the termination will not adversely impact park resources. This determination shall be available to the public upon request.

(d) To implement a public use limit, the Director of the Department may establish a permit, registration, or reservation system. Permits shall be issued in accordance with, or in exception to, the criteria in subsection (b) of this section. Applications for use permits may be sent to the Director of the Department, 30 days in advance of the event, by writing a letter which describes the event including the date, day, starting and ending time of the event, a description of what the event will be, and approximately how many people are expected.

(e) Violating a closure, designation, use or activity restriction or condition, schedule of visiting hours, or public use limit is prohibited. The District of Columbia Metropolitan Police Department may enforce the provisions contained in subsection (b) of this section. Any person violating the provisions of subsection (b) of this section may be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or both.

(July 1, 1898, ch. 543, § 6a, as added Mar. 16, 1995, D.C. Law 10-226, § 2, 42 DCR 1; Apr. 18, 1996, D.C. Law 11-110, § 19, 43 DCR 530.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-137.1.

1981 Ed., § 8-137.1.

Temporary Addition of Section

Section 2 of D.C. Law 17-336 added a section to read as follows:

"Sec. 2. Analysis of proposed child day care services and senior citizen programs.

"(a) The Mayor shall submit to the Council a comprehensive analysis of proposed child day care services and

senior citizen programs offered by the Department of Parks and Recreation prior to the closing, discontinuing, or relocating of any child day care or senior citizen program offered by the department.

"(b) The analysis shall include:

"(1) A pedestrian safety and transportation option analysis for participants near proposed, closed, or discontinued locations to the nearest site with comparable services;

"(2) The possible effect, if any, on any federal funding of the closing, discontinuing, or relocating of services and programs; and

"(3) A plan to increase participation in the affected programs and services."

Section 4(b) of D.C. Law 17-336 provides that the act shall expire after 225 days of its having taken effect.

Emergency Act Amendments

For temporary (90 day) addition, see § 2 of Day Care and Senior Services Emergency Act of 2008 (D.C. Act 17-615, December 19, 2008, 56 DCR 42).

For temporary (90 day) addition, see § 2 of Day Care and Senior Services Congressional Review Emergency Act of 2009 (D.C. Act 18-25, March 16, 2009, 56 DCR 2313).

Legislative History of Laws

Law 10-226, the "Parks Amendment Act of 1994," was introduced in Council and assigned Bill No. 10-443, which was referred to the Committee on Public Services and Youth Affairs. The Bill was adopted on first and second readings on November 1, 1994, and December 6, 1994, respectively. Deemed approved without the signature of the Mayor on December 28, 1994, it was assigned Act No. 10-367 and transmitted to both Houses of Congress for its review. D.C. Law 10-226 became effective on March 16, 1995.

Law 11-110, the "Technical Amendments Act of 1996," was introduced in Council and assigned Bill No. 11-485, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 5, 1995, and January 4, 1996, respectively. Signed by the Mayor on January 26, 1996, it was assigned Act No. 11-199 and transmitted to both Houses of Congress for its review. D.C. Law 11-110 became effective on April 18, 1996.

References in Text

Pursuant to Mayor's Order 2000-20, the agency formerly known as the Department of Recreation and Parks shall be known as the Department of Parks and Recreation.

§ 10-138. AUTHORITY TO MAKE RULES AND REGULATIONS FOR CARE OF PUBLIC GROUNDS--EXTENSION OF SIDEWALKS AND CARRIAGEWAYS.

The application of the rules and regulations prescribed prior to March 4, 1909, or that may be thereafter prescribed by the Director of the National Park Service, under the authority granted by §§ 6-404, 10-104, 10-106, 10-123, 10-129 and 10-137, for the government and proper care of all public grounds placed by that act under the charge and control of the said Director of the National Park Service, is hereby extended to cover the sidewalks around the public grounds and the carriageways of such streets as lie between and separate the said public grounds.

(Mar. 4, 1909, 35 Stat. 994, ch. 299, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-138.

1973 Ed., § 8-144.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. I, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to

acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-139. PUBLIC SPACES RESULTING FROM FILLING OF CANALS PART OF PARK SYSTEM; EXCEPTIONS.

All public spaces resulting from the filling of canals in the original City of Washington, except such portions as are included in the navy yard or in actual use as roadways and sidewalks, and except the portions assigned by law to the District of Columbia for use as a property yard and the location of a sewerage pumping station, respectively, are placed under the jurisdiction of the Director of the National Park Service and shall be laid out as reservations as a part of the park system of the District of Columbia.

(Aug. 1, 1914, 38 Stat. 633, ch. 223, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-139.

1973 Ed., § 8-145.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-140. ROCK CREEK PARK--ESTABLISHMENT.

The tract of land lying on both sides of Rock Creek, beginning at Klinge Ford Bridge, and running northwardly, following the course of said creek, acquired under the Act of September 27, 1890, Chapter 1001, shall be perpetually dedicated and set apart as a public park or pleasure ground for the benefit and enjoyment of the people of the United States, to be known by the name of Rock Creek Park.

(Sept. 27, 1890, 26 Stat. 492, ch. 1001, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-140.

1973 Ed., § 8-146.

§ 10-141. ROCK CREEK PARK--AREA.

The total area of lands finally to be acquired for said parkway shall not exceed the area and parcels described and delineated on map numbered 2, contained in House Document Numbered 1114 of the 64th Congress, First Session.

(July 1, 1916, 39 Stat. 282, ch. 209, § 1; Mar. 4, 1921, 41 Stat. 1382, ch. 161, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-141.

1973 Ed., § 8-147.

§ 10-142. ROCK CREEK PARK--CONTROL; DUTIES OF DIRECTOR; REGULATIONS.

The public park authorized and established by § 10-140 shall be a part of the park system of the District of Columbia, defined by § 10-104 and shall be under the control of the Director of the National Park Service, whose duty it shall be, as soon as practicable, to lay out and prepare roadways and bridle paths, to be used for driving and for horseback riding, respectively, and footways for pedestrians; and whose duty it shall also be to make and publish such regulations as he deems necessary and proper for the care and management of the same. Such regulations shall provide for the preservation from injury or spoilation of all timber, animals, or curiosities within said park, and their retention in their natural condition, as nearly as possible.

(Sept. 27, 1890, 26 Stat. 495, ch. 1001, § 7; July 1, 1918, 40 Stat. 650, ch. 113, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-142.

1973 Ed., § 8-148.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-143. ROCK CREEK PARK--LEASING AUTHORIZED; DISPOSITION OF PROCEEDS.

The Director of the National Park Service is authorized to rent or lease, for periods not exceeding 1 year at any one time, the buildings and arable ground in Rock Creek Park, for such rental as shall seem proper to the Director, and deposit the proceeds of such rents or leases with the Collector of Taxes to the credit of the General Fund of the District of Columbia.

(Aug. 7, 1894, 28 Stat. 252, ch. 232; July 1, 1918, 40 Stat. 650, ch. 113, § 1; Feb. 22, 1921, 41 Stat. 1144, ch. 70, § 7; June 28, 1944, 58 Stat. 533, ch. 300, § 18.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-143.

1973 Ed., § 8-149.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions,

transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

Miscellaneous Notes

Office of Collector of Taxes abolished: The Office of the Collector of Taxes was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. All functions of the Office of the Collector of Taxes including the functions of all officers, employees and subordinate agencies were transferred to the Director, Department of General Administration by Reorganization Order No. 3, dated August 28, 1952. Reorganization Order No. 20, dated November 10, 1952, transferred the functions of the Collector of Taxes to the Finance Office. The same Order provided for the Office of the Collector of Taxes headed by a Collector in the Finance Office, and abolished the previously existing Office of the Collector of Taxes. Reorganization Order No. 20 was superseded and replaced by Organization Order No. 121, dated December 12, 1957, which provided that the Finance Office (consisting of the Office of the Finance Officer, Property Tax Division, Revenue Division, Treasury Division, Accounting Division, and Data Processing Division) would continue under the direction and control of the Director of General Administration, and that the Treasury Division would perform the function of collecting revenues of the District of Columbia and depositing the same with the Treasurer of the United States. Organization Order No. 121 was revoked by Organization Order No. 3, dated December 13, 1967, Part IVC of which prescribed the functions of the Finance Office within a newly established Department of General Administration. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Functions of the Finance Office as stated in Part IVC of Organization Order No. 3 were transferred to the Director of the Department of Finance and Revenue by Commissioner's Order No. 69-96, dated March 7, 1969.

§ 10-144. ROCK CREEK PARK--ACCEPTANCE OF DEDICATED PROPERTY AUTHORIZED.

The Director of the National Park Service is authorized to accept dedications of land for the purpose of adding to Rock Creek Park, without expense to the United States or the District of Columbia, and such land, when accepted, shall become a part of said park and be under the jurisdiction of the said Director.

(Apr. 27, 1904, 33 Stat. 376, ch. 1628.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-144.

1973 Ed., § 8-150.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat.

§ 10-145. ROCK CREEK PARK--PROTECTION OF ROCK CREEK AND ITS TRIBUTARIES.

In order to protect Rock Creek and its tributaries, none of the moneys appropriated on or before June 7, 1924, for the opening, widening, or extending of any street, avenue, or highway in the District of Columbia shall be expended for the opening, widening, or extension of any street, avenue, or highway which shall or may in the judgment of the Mayor of the District of Columbia permanently injure or diminish the existing flow of Rock Creek or any of its tributaries, nor shall permission so to do at private expense be granted to any private person or corporation except by the joint consent and approval of the Mayor of the District of Columbia and the Director of the National Park Service.

(June 7, 1924, 43 Stat. 574, ch. 302.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-145.

1973 Ed., § 8-151.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-146. PINEY BRANCH PARKWAY.

The Piney Branch Parkway is made a part of the park system of the District of Columbia defined by § 10-104.

(July 1, 1918, 40 Stat. 650, ch. 113, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-146.

1973 Ed., § 8-152.

§ 10-147. POTOMAC PARK--ESTABLISHMENT.

The entire reclaimed area formerly known as the Potomac Flats, together with the tidal reservoirs, are made and declared a public park, under the name of the Potomac Park, and to be forever held and used as a park for the recreation and pleasure of the people.

(Mar. 3, 1897, 29 Stat. 624, ch. 375.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-147.

1973 Ed., § 8-153.

§ 10-148. POTOMAC PARK--CONTROL.

The Potomac Park is made a part of the park system of the District of Columbia under the exclusive charge and control of the Director of the National Park Service and subject to the provisions of § 10-137.

(Aug. 1, 1914, 38 Stat. 634, ch. 223, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-148.

1973 Ed., § 8-154.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. I, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-149. POTOMAC PARK--RESTRICTION ON CONSTRUCTION OF LAGOON, ETC., OR SPEEDWAY.

No part of any money appropriated in any act shall be expended for or toward the construction of any lagoon, or other artificial body of water, or speedway, on any portion of said Park unless specifically authorized by Congress.

(Aug. 1, 1914, 38 Stat. 634, ch. 223, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-149.

1973 Ed., § 8-155.

§ 10-150. POTOMAC PARK--TEMPORARY OCCUPANCY BY DEPARTMENT OF AGRICULTURE.

The Director of the National Park Service is authorized to grant permission to the Department of

Agriculture for the temporary occupation of such area or areas of Potomac Park, not exceeding a total of 75 acres in extent, as may not be needed in any one season for the reclamation or park improvement, the said areas to be used by the Department of Agriculture as testing grounds; provided, that nothing herein contained shall be construed to change the essential character of the lands so used, which lands shall continue to be a public park, as provided in § 10-147; and provided further, that said area or areas shall be vacated by the Department of Agriculture at the close of any season upon the request of the said Director; and provided further, that the entire Park shall remain under the charge of the said Director.

(Mar. 3, 1899, 30 Stat. 1378, ch. 458, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-150.

1973 Ed., § 8-156.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. I, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-151. POTOMAC PARK--LICENSES FOR BOATHOUSES ON BANKS OF TIDAL RESERVOIR.

Licenses may be granted for the erection of boathouses along the banks of the tidal reservoir on the Potomac River fronting Potomac Park, under regulations to be prescribed by the Director of the National Park Service, and all such licenses granted under this authority shall be revocable, without compensation, by the Secretary of the Army.

(May 27, 1908, 35 Stat. 355, ch. 200, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-151.

1973 Ed., § 8-157.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. I, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested

to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-152. PARKWAY CONNECTING POTOMAC PARK WITH ZOOLOGICAL AND ROCK CREEK PARKS--ACQUISITION OF LAND AUTHORIZED; REIMBURSEMENT OF COSTS.

For the purpose of preventing the pollution and obstruction of Rock Creek and of connecting Potomac Park with the Zoological Park and Rock Creek Park, a commission, to be composed of the Secretary of the Treasury, the Secretary of Defense, and the Secretary of Agriculture, is authorized and directed to acquire, by purchase, condemnation or otherwise, such land and premises as were not, on March 4, 1913, the property of the United States in the District of Columbia shown on the map on file in the Office of the Mayor of the District of Columbia, dated May 17, 1911, and lying on both sides of Rock Creek, including such portion of the creek bed as may be in private ownership, between the Zoological Park and Potomac Park; and the sum of \$1,300,000 is hereby authorized to be expended toward the acquirement of such lands. All lands belonging, on March 4, 1913, to the United States or to the District of Columbia lying within the exterior boundaries of the land to be acquired by this section as shown and designated on said map are appropriated to and made a part of the parkway herein authorized to be acquired. One-half of the cost of the said lands shall be reimbursed to the Treasury of the United States out of the revenues of the District of Columbia in 8 equal annual installments, with interest at the rate of 3 per centum per annum, upon the deferred payments.

(Mar. 4, 1913, 37 Stat. 885, ch. 147, § 22.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-152.

1973 Ed., § 8-158.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Miscellaneous Notes

Lands reincluded within parkway: Act of September 1, 1916, 39 Stat. 689, ch. 433, provided certain described lands were reincluded as a part of the connecting parkway between Potomac Park, the Zoological Park and Rock Creek Park.

§ 10-153. PARKWAY CONNECTING POTOMAC PARK WITH ZOOLOGICAL AND ROCK CREEK PARKS--TAKING LINES AUTHORIZED TO BE EXTENDED.

The authority of the commission created by § 10-152 is extended to include the acquisition of such additional lands and premises lying adjacent to or in the immediate vicinity of the taking lines as shown on the map on file in the Office of the Executive and Disbursing Officer and known as the map of the Rock Creek and Potomac Parkway (in 4 sheets) dated May, 1923, as may in its discretion, subject to the approval of the Commission on the Arts and Humanities, be necessary for the best development of the connecting parkway between Rock Creek Park, the Zoological Park, and Potomac Park; provided, that the total sum expended for lands needed for this parkway shall not exceed that authorized by § 10-152, and amended by the Second Deficiency Act of May 5, 1926; provided further, that the commission may exclude such lands and premises, not owned by the United States on March 2, 1929, but within the taking lines heretofore authorized for the said Parkway, as may in its discretion, and upon the advice of the Commission on the Arts and Humanities, be found not to be desirable or necessary for the connecting parkway.

(Mar. 2, 1929, 45 Stat. 1523, ch. 542.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-153.

1973 Ed., § 8-159.

§ 10-154. CONNECTING PARKWAY TO BE PART OF PARK SYSTEM.

When the lands authorized to be purchased pursuant to §§ 10-141 and 10- 152, for a connecting parkway between Potomac Park, the Zoological Park, and Rock Creek Park, shall have been acquired, said lands shall be a part of the park system of the District of Columbia subject to the provisions of § 10- 104.

(July 1, 1916, 39 Stat. 282, ch. 209.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-154.

1973 Ed., § 8-160.

Miscellaneous Notes

Acquisition of land authorized: Act of February 28, 1923, 42 Stat. 1366, ch. 148, provided authorization for the acquisition of certain land described in that Act.

§ 10-155. ANACOSTIA PARK.

The entire area of the Anacostia River and Flats reclaimed and to be reclaimed from the mouth of the river to the District line is made and declared a part of the park system of the District of Columbia and designated Anacostia Park.

(Aug. 31, 1918, 40 Stat. 950, ch. 164, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-155.

1973 Ed., § 8-161.

Miscellaneous Notes

Tree nursery: Act of May 7, 1926, 44 Stat. 405, ch. 251, transferred to the jurisdiction of the District of Columbia a certain portion of Anacostia Park for use as a tree nursery.

**§ 10-156. GLOVER PARKWAY AND CHILDREN'S PLAYGROUND--
ACCEPTANCE OF LAND AUTHORIZED.**

The Council of the District of Columbia is authorized and directed to accept the land lying along Foundry Branch between Massachusetts Avenue and Reservoir Street, dedicated by Charles C. Glover for park purposes, and containing approximately seventy-seven and one-half acres, as more accurately shown on map number 1003, filed in the Office of the Surveyor of the District of Columbia, which tract of land shall be known as "The Glover Parkway and Children's Playground"; and the Council is further authorized to accept any dedications of additional land contiguous to this tract for park purposes.

(June 6, 1924, 43 Stat. 464, ch. 271, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-156.

1973 Ed., § 8-162.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402 (184) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of

Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-157. GLOVER PARKWAY AND CHILDREN'S PLAYGROUND--PART OF PARK SYSTEM.

The Glover Parkway and Children's Playground and additions thereto, when acquired, shall become a part of the park system of the District of Columbia.

(June 6, 1924, 43 Stat. 464, ch. 271, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-157.

1973 Ed., § 8-163.

§ 10-158. THEODORE ROOSEVELT ISLAND--MAINTENANCE, ADMINISTRATION AND DEVELOPMENT.

The island, known as Theodore Roosevelt Island, shall be maintained and administered by the Director of the National Park Service as a natural park for the recreation and enjoyment of the public; provided, that no general plan for the development of the island be adopted without the approval of the Theodore Roosevelt Association; and so long as this Association remains in existence, no development, inconsistent with this plan, be executed without the Association's consent.

(May 21, 1932, 47 Stat. 163, ch. 200, § 1; Feb. 11, 1933, 47 Stat. 799, ch. 48, § 1; May 21, 1953, 67 Stat. 27, ch. 63, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-158.

1973 Ed., § 8-164.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-159. THEODORE ROOSEVELT ISLAND--MEANS OF ACCESS; APPROPRIATIONS.

The Director of the National Park Service is authorized to provide suitable means of access to and upon the said Theodore Roosevelt Island as appropriations are made available from time to time and subject to the approval of the National Capital Planning Commission; and the appropriations needed for such

construction and annually for the care, maintenance, and improvement of the said lands and improvements, are hereby authorized to be made from any funds not otherwise appropriated from the Treasury of the United States.

(May 21, 1932, 47 Stat. 164, ch. 200, § 2; Feb. 11, 1933, 47 Stat. 799, ch. 48, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-159.

1973 Ed., § 8-165.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, 43 Stat. 463, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

§ 10-160. THEODORE ROOSEVELT ISLAND--STRUCTURES AUTHORIZED; APPROPRIATIONS.

That the Secretary of the Interior shall erect on Theodore Roosevelt Island such monument or memorial to the memory of Theodore Roosevelt, and related structures, as may be approved by the living children of Theodore Roosevelt, the Theodore Roosevelt Association, the Commission on the Arts and Humanities, and the National Capital Planning Commission. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

(May 21, 1932, 47 Stat. 164, ch. 200, § 3; Feb. 11, 1933, 47 Stat. 799, ch. 48, § 1; May 21, 1953, 67 Stat. 27, ch. 63, § 2; Sept. 13, 1960, 74 Stat. 904, Pub. L. 86-764.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-160.

1973 Ed., § 8-166.

§ 10-161. THEODORE ROOSEVELT ISLAND--DESIGNATION.

In all public documents, records, and maps of the United States in which such island is designated or referred to it shall be designated as "Theodore Roosevelt Island."

(Feb. 11, 1933, 47 Stat. 799, ch. 48, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-161.

1973 Ed., § 8-167.

§ 10-162. PUBLIC BATHING BEACH AUTHORIZED.

The Mayor of the District of Columbia is hereby authorized and permitted to construct a beach and dressing houses upon the east shore of the tidal reservoir against the Washington Monument Grounds, and to maintain the same for the purpose of free public bathing, under such regulations as the Council of the District of Columbia shall deem to be for the public welfare; and the Secretary of the Army is requested to permit such use of the public domain as may be required to accomplish the objects above set forth.

(Sept. 26, 1890, 26 Stat. 490, ch. 949.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-162.

1973 Ed., § 8-168.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(185) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 10-163. BATHING POOLS AND BEACHES--CONSTRUCTION AUTHORIZED; APPROPRIATIONS.

The Director of the National Park Service is authorized and directed to locate and construct in the District of Columbia, subject to the approval of the National Capital Planning Commission, and after consultation with the Commission on the Arts and Humanities, as appropriations shall be provided therefor, artificial bathing pools or beaches, not exceeding 6 in number, with suitable buildings, shower baths, lockers, provisions for the use of filtered water, purification of the water, and all things necessary for the proper conduct of such pools or beaches, and to conduct and maintain the same. The cost of construction of any of these pools or beaches, with buildings and equipment, shall not exceed \$150,000 each, and the appropriation of the sums necessary for the purposes named is hereby authorized to be paid in like manner as other appropriations for the expenses of the government of the District of Columbia.

(May 4, 1926, 44 Stat. 394, ch. 234; Feb. 28, 1929, 45 Stat. 1412, ch. 384, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-163.

1973 Ed., § 8-169.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat.

1270.

The functions, powers and duties of the National Capital Park and Planning Commission were transferred to the National Capital Planning Commission by the Act of June 6, 1924, 43 Stat. 463, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1.

§ 10-164. BATHING POOLS AND BEACHES--POSSESSION, CONTROL, AND MAINTENANCE; FEES.

The Director of the National Park Service may, in the interest of economy and good administration, with the consent of the Mayor of the District of Columbia, transfer for such period as he shall determine, to said Mayor the possession, control, and maintenance of any of said bathing pools or beaches. Otherwise they shall be operated and maintained by the said Director of the National Park Service and in either case the official conducting any bathing pool or beach is hereby authorized to charge and collect a reasonable fee for the use and enjoyment of such pool or beach, such fees to be paid weekly to the Collector of Taxes of the District of Columbia for deposit in the treasury to the credit of the District of Columbia.

(May 4, 1926, 44 Stat. 394, ch. 234; Feb. 28, 1929, 45 Stat. 1412, ch. 384, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-164.

1973 Ed., § 8-170.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. 1, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

Miscellaneous Notes

Office of Collector of Taxes abolished: The Office of the Collector of Taxes was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. All functions of the Office of the Collector of Taxes including the functions of all officers, employees and subordinate agencies were transferred to the Director, Department of General Administration by Reorganization Order No. 3, dated August 28, 1952. Reorganization Order No. 20, dated November 10, 1952, transferred the functions of the Collector of Taxes to the Finance Office. The same Order provided for the Office of the Collector of Taxes headed by a Collector in the Finance Office, and abolished the previously existing Office of the Collector of Taxes. Reorganization Order No. 20 was superseded and replaced by Organization Order No. 121, dated December 12, 1957, which provided that the Finance Office (consisting of the Office of the Finance Officer, Property Tax Division, Revenue Division, Treasury Division, Accounting

Division, and Data Processing Division) would continue under the direction and control of the Director of General Administration, and that the Treasury Division would perform the function of collecting revenues of the District of Columbia and depositing the same with the Treasurer of the United States. Organization Order No. 121 was revoked by Organization Order No. 3, dated December 13, 1967, Part IVC of which prescribed the functions of the Finance Office within a newly established Department of General Administration. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Functions of the Finance Office as stated in Part IVC of Organization Order No. 3 were transferred to the Director of the Department of Finance and Revenue by Commissioner's Order No. 69-96, dated March 7, 1969.

§ 10-165. BATHING POOLS AND BEACHES--OPERATION; DISPOSITION OF MONEYS RECEIVED.

The Director of the National Park Service in his discretion, is authorized to operate, through the Public Building Service of the General Services Administration, bathing pools under his jurisdiction, and thereupon there may be deposited in the treasury under the special fund to the credit of said association moneys received for the operation of such pools and be there available for the purposes of said special fund and this shall be a compliance with the provisions of §§ 10-163 and 10-164.

(July 3, 1930, 46 Stat. 1007, ch. 853.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-165.

1973 Ed., § 8-171.

Transfer of Functions

The functions of the Director of the National Park Service relating to public buildings were transferred to the Federal Works Administrator by § 303 (b) of Reorganization Plan No. I, July 1, 1939, 4 F.R. 2729, 53 Stat. 1427. All functions of all officers of the Department of the Interior (including the Director of the National Park Service) and all functions of all agencies and employees of such Department were, with 2 exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorganization Plan No. 3, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1262. All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, and all functions of the Commissioner of Public Buildings and the Public Buildings Administration, were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380, ch. 288. The Federal Works Agency, the Office of Federal Works Administrator, the Office of Commissioner of Public Buildings, and the Public Buildings Administration, were abolished by § 103(b) of said Act. All functions with respect to acquiring space in buildings by lease and all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in government-owned buildings), were, with certain exceptions, transferred from the respective agencies in which theretofore vested to the Administrator of General Services by § 1 of 1950 Reorganization Plan No. 18, 15 F.R. 3177, 64 Stat. 1270.

§ 10-166. DIVISION OF PARK SERVICES.

(a) Pursuant to § 1-204.04(b), jurisdiction over all public space park areas, maintained by the Department of Public Works before July 1, 1989, shall be transferred to and become the responsibility of the Department of Recreation. For purposes of this section, the phrase "all public space park areas" ("parks") includes all parcels, lots, squares of land, green spaces, and monuments located within and owned or maintained by the District of Columbia government and not owned or maintained by the federal government.

(b) The Department of Public Works, Division of Roadside and Parks Maintenance, shall retain jurisdiction over, and responsibility for maintenance, landscaping, beautifying, promoting, and regulation of roadsides, interstate gateways, and cloverleaves.

(c) The Facility Maintenance Administration within the Department of Recreation shall have jurisdiction over, and be responsible for the maintenance, landscaping, beautifying, promotion, and regulation of the parks transferred pursuant to this section.

(d) Funds and existing continuing full-time employees and positions authorized for the Department of Public Works, Division of Roadside and Parks Maintenance (Responsibility Center 4044) within the Public Space Administration (Control Center 40) in the Fiscal Year 1989 Budget for the District of Columbia and allocated for the maintenance, landscaping, beautifying, promotion, and regulation of parks transferred pursuant to this section, shall be transferred to the Department of Recreation, Facility

Maintenance Administration (Responsibility Center 2700) within Recreation Operations (Control Center 20).

(e) The Facility Maintenance Administration (Responsibility Center 2700) within Recreation Operations (Control Center 20) is renamed the Parks and Facility Maintenance Administration.

(f) The Department of Recreation is renamed the Department of Recreation and Parks.

(Mar. 16, 1989, D.C. Law 7-209, § 2, 36 DCR 476.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 8-166.

Legislative History of Laws

Law 7-209, the "Division of Park Services Act of 1988," was introduced in Council and assigned Bill No. 7-300, which was referred to the Committee on Public Works. The Bill was adopted on first and second readings on November 29, 1988 and December 13, 1988, respectively. Signed by the Mayor on January 6, 1989, it was assigned Act No. 7-280 and transmitted to both Houses of Congress for its review.

References in Text

Pursuant to Mayor's Order 2000-20, the agency formerly known as the Department of Recreation and Parks shall be known as the Department of Parks and Recreation.

§ 10-166.01. PARK POLICY AND PROGRAMS DIVISION.

(a) There is established the Park Policy and Programs Division ("Division") within the Department of Parks and Recreation. The purpose of the Division is to improve the parks and park programs to broaden the use and enjoyment of the parks to enhance the quality-of-life of residents of, and visitors to, the District.

(b) The Division shall be administered by a Chief Park Policy and Programs Officer who shall:

- (1) Have authority over its functions and personnel;
- (2) Staff, as necessary, the programs and activities of the Division;
- (3) Establish a small parks improvement program, which shall:
 - (A) Categorize, prioritize, and develop systems, options, and processes for pocket-park improvements and long-term maintenance, including sustainability practices; and
 - (B) In conjunction with the Partnerships & Development divisions, develop partnerships with community-based organizations and Friends groups to assist in small parks improvements, programming, and maintenance;
- (4) Establish a community gardens program, which shall:
 - (A) Support the Mayor's Sustainable DC initiative to provide healthy, affordable food, by:
 - (i) Developing standards for community gardens;
 - (ii) Identifying suitable parcels of land for community gardens; and
 - (iii) Assisting community groups to implement community gardens; and
 - (B) Implement Chapter 4 of Title 48;
- (5) In conjunction with the Operations Division, prioritize park improvement projects in the capital improvement program;
- (6) In conjunction with the Office of Planning, coordinate the implementation of the District's responsibilities regarding the park elements of the Capital Space Plan, as adopted by the National Capital Planning Commission on April 1, 2010;
- (7) In conjunction with the Department of General Services, inventory all real property park assets under the control of the District; and
- (8) Coordinate appropriate government agencies, as needed.

(Mar. 16, 1988, D.C. Law 7-209, § 2a, as added Sept. 20, 2012, D.C. Law 19-168, § 5082, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 19-168, the "Fiscal Year 2013 Budget Support Act of 2012", was introduced in Council and assigned Bill No. 19-743, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 15, 2012, and June 5, 2012, respectively. Signed by the Mayor on June 22, 2012, it was

assigned Act No. 19-385 and transmitted to both Houses of Congress for its review. D.C. Law 19-168 became effective on September 20, 2012.

Miscellaneous Notes

Short title: Section 5081 of D.C. Law 19-168 provided that subtitle I of title V of the act may be cited as "Park Policy and Programs Division Amendment Act of 2012".

§ 10-167. CRISPUS ATTUCKS PARK INDEMNIFICATION.[NOT FUNDED]

(Mar. 2, 2007, D.C. Law 16-202, § 2, 53 DCR 9053.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 16-202, the "Crispus Attucks Park Indemnification Act of 2006", was introduced in Council and assigned Bill No. 16-324, which was referred to the Committee on Judiciary. The Bill was adopted on first and second readings on July 11, 2006, and October 3, 2006, respectively. Signed by the Mayor on October 24, 2006, it was assigned Act No. 16-502 and transmitted to both Houses of Congress for its review. D.C. Law 16-202 became effective on March 2, 2007.

Miscellaneous Notes

Section 2(c) of D.C. Law 16-202 provides that this section shall be subject to the availability of appropriations. The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 16-202 has not been included in an approved budget and financial plan. Therefore, the provisions of this section, enacted by Law 16-202, are not in effect.