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CITY OF HYATTSVILLE

ORDINANCE 2021-04

An ordinance whereby the City Council amends the City of Hyattsville Code to strike any reference to “Magruder Park” and replace it with the “David C. Driskell Community Park.”

WHEREAS, the City on June 7, 2021 renamed the “William Pickney Magruder Park” the “David C. Driskell C. Community Park” by Resolution No. 2021-05; and

WHEREAS, the Council recognizes that any reference to “Magruder Park” contained in the City Charter and Code must be stricken to reflect this change; and

WHEREAS, the term “Magruder Park,” or any variation thereof, appears in the City Code and does not appear in the City Charter.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hyattsville in regular session assembled that provisions of the City Code are hereby amended as follows:

THE CODE

Chapter 84

PARKS AND RECREATIONAL FACILITIES

§ 84-1. Definitions.

For the purposes of this chapter, the following words and terms shall have the meanings respectively ascribed to them by this section:

~~LIBRARY—The William Pickney Magruder Memorial Library Branch of the Prince George’s County Library System.~~ **[Added 12-19-83 by HB No. 15-83]**

PARKS - All property owned, leased or operated by the City for park, playground or recreational purposes and shall include all the property described in the deed from William P. Magruder and wife, dated April 11, 1927, as the same is recorded in Liber 279 at Folio 447 in the land records of Prince George’s County, Maryland; the property described in the deed from Hillary T. Willis and Annie E. Willis, dated June 13, 1944, as the same is recorded in Liber J.W.B. No. 8 at Folio 455 in the land records of Prince George’s County; and the property described in the deed from the Maryland-National Capital park & Planning Commission, dated August 27, 1946, as the same is recorded in Liber 603 at Folio 26 in the land records of Prince George’s County, Maryland, which is collectively and which is known as the “William Pickney Magruder Park.” “David C. Driskell Community Park.”

1 PUBLIC PROPERTY - All buildings, fountains, public conveniences or other improvements to
2 the parks and all equipment used for the recreational activity and for the increase of the enjoyment
3 of the parks, whether the same may have been purchased, acquired or owned by the City, as well
4 as any property donated by any individual, group of individuals, firm or corporation to the City for
5 use in the parks and for recreational activity and enjoyment of such parks.

6 VEHICLE - All conveyances, whether drawn by horse or other beast of burden, bicycles or any
7 motor vehicle or conveyance propelled by machinery, whether gasoline, steam or electricity.

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9 **§ 84-3. Area designations for ~~William Pickney Magruder Park~~ David C. Driskell Community
10 Park. [Repealed and Reenacted on 2-16-99 by HB 99-02, Amended 6-4-18 by HO 2018-03]**

11 A. For the purpose of this chapter, the City Administrator or his or her designee shall be
12 responsible for submitting a plan designating permitted uses and areas of such permitted uses in
13 ~~William Pickney Magruder Park~~ David C. Driskell Community Park to the City Council. The
14 City Council shall approve the plan, subject to any modifications or changes deemed necessary
15 and proper by the City Council.

16 B. From time to time, as deemed necessary, changes to designated uses and areas of such uses
17 incorporated in the plan may be initiated by the City Administrator or his or her designee and
18 submitted to the City Council in the form of a resolution for the Council’s approval.

19 C. A listing of uses and the designated areas of uses for ~~William Pickney Magruder Park~~ David
20 C. Driskell Community Park, as set forth in the plan shall be maintained by the City Clerk and
21 shall be made available to the public upon request.

22 D. Set aside for the availability of use of the fields of ~~William Pickney Magruder Park~~ David C.
23 Driskell Community Park will be extended in order of priority as defined below. First priority
24 for use of available fields shall be given to the City of Hyattsville for City use and activities. All
25 other organizations can obtain permits for field time, if at the time requested fields are available
26 for use and, at the sole determination of the City Administrator or his or her designee, they will
27 not be damaged from overuse.

28 **§ 84-4. Use of parks by residents and nonresidents of City; fees.** [Amended 9-21-87 by No. 9-
29 **87 and 4-19-93 by HB No. 2-93, Amended 6-4-18 by HO 2018-03]**

30 A. The right to use parks for the purpose of recreation is hereby reserved for the residents of the
31 City, provided that the parks may be used by persons not residing in the City when no permit for
32 a particular area has been issued for the use thereof to a resident so long as the hours for which
33 the use is desired do not conflict with permits issued.

34 B. Fees charged for the use of the pavilion area within ~~Magruder Park~~ David C. Driskell
35 Community Park shall be set by resolution of the City Council who may exempt charitable or
36 non-profit organizations from this fee.

37 ***

38 **§ 84-12. Washing, waxing or other vehicle maintenance prohibited in or near parks.**

39 It shall be unlawful for any person to wash, polish, wax, or in any way work upon any automobile
40 or other vehicle within the confines of any park or on Fortieth Avenue bordering on ~~William~~
41 Pickney Magruder Park David C. Driskell Community Park.

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AND BE IT FURTHER ORDAINED that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public;

AND BE IT RESOLVED that the City Administrator, or his designee, is authorized to negotiate amendments to any agreements impacted by this adjustment provided that such negotiations do not modify the existing base fee/fine schedule.

INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on June 7, 2021.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on July 19, 2021.

Adopted: _____

Attest: _____
Laura Reams, City Clerk

Kevin Ward, Mayor

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13 **Effective Date: August 8, 2021**