



Muriel Bowser
Mayor

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Parks and Recreation



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And

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September 15, 2020

Dear CutSeven Group and KIPP —

It has come to our attention that CutSeven has been using the Bundy Athletic Field (404 P St. NW, Washington, DC) for private fitness events. This field is a public amenity and commercial use is not allowed without a fee-based used permit issued by DPR.

In keeping with the regulations of the District of Columbia, commercial uses are prohibited on government property unless Council specifically authorizes such authority to an agency. For example, DC Municipal regulations 19 DCMR 712 prohibits commercial use of school or recreation centers but in DC Official Code §10-302.02, DPR has been given authority to issue Fee-Based Use permits to commercial entities.

Also, as you know, since March 11, 2020 DC government has issued a state of emergency in the District involving the spread of Covid-19 and has implemented various executive orders to stop the spread of the Coronavirus, including Orders regarding prohibitions on hosting outdoor events and field permits. At this time, field permits are not allowed.

The following was copied from the CutSeven Website:

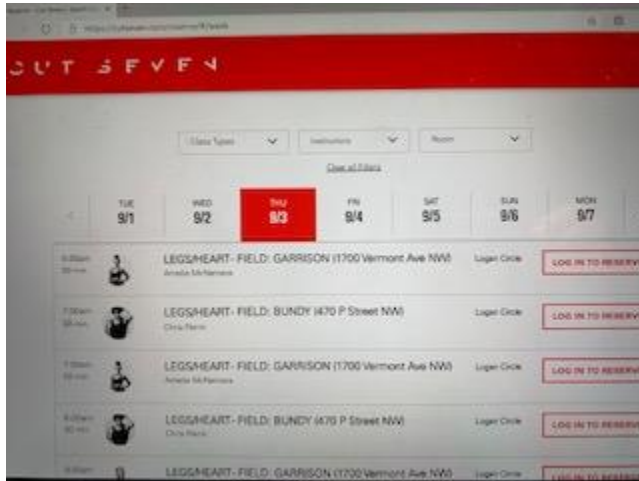
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Please see Mayor's Order 2020-075 was issued <https://coronavirus.dc.gov/phasetwo> continuing the District's Health Emergency (from March 2020) and mandating new requirements as to outdoor activities. See also DPR's regulations requiring a permit for private activity for groups with more than ten (10) people, and a fee-based use permit for commercial activity:

19 DCMR725.3:

Any member of the public who is interested in reserving Department property or equipment shall obtain a permit from the Department. A permit is required for any organized activity that involves members of a league, an organized program, an activity on Department property involving more than ten (10) people, any adult word-of-mouth pick-up games that occur on more than one occasion around the same place and time, and for the use of Department equipment. Failure to obtain a permit as required by this section shall result in the denial of the use of the facility or equipment and may result in civil fines, barring, or imprisonment.

19 DCMR 725.4:

If an applicant for a permit is charging fees to participant(s) or spectators for athletic play, classes, camps, lectures, conferences, or programs, or if an applicant is operating a special event or market pursuant to Section 729, then an additional fee-based use permit is also required for one (1) or more participants.

The Department's permitting system helps to maintain the health, safety and protection of DC residents and visitors and our property. <https://dpr.dc.gov/permits> and permits are required at least 30 days in advance of a scheduled activity. Permits may require portable bathrooms, security and trash removal, approval of amplified sound for large gatherings or fee-based use

permits for the sale of goods and commercial activities. See the District of Columbia Municipal Regulations Title 19, Sections 716-799. Please contact DPR for commercial permit inquiries.

In summary, CutSeven should refrain from commercial fitness activities on the Bundy field until CutSeven obtains a fee-based use permit. Thank you in advance for your cooperation. We trust that this matter is resolved and that no further action will be required. Thank you.

Gina S. Toppin

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Deputy Director, Recreation Services District of Columbia, Department of Parks and Recreation