



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

## Legislation Text

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September 11, 2012

**To The President and Members of  
The Council of the City of Philadelphia:**

Today, September 11, 2012, I have signed bills 120145 and 120274, which were passed by Council at its session on June 21, 2012. I am writing to note a legal issue raised by these bills.

These bills purport to re-name two park facilities: Old Line Park, to be re-named "Jack Horgan and Memorial Field;" and Cobbs Creek Playground, to be renamed "Rufus O. Williams Memorial Playground."

Both of these facilities were formerly under the jurisdiction of the Fairmount Park Commission and, by operation of the 2008 amendment to the Home Rule Charter consolidating the Park system with the Recreation Department, they are now under the jurisdiction of the Department of Parks and Recreation. The City Solicitor has advised that the power to name facilities subject to the former Fairmount Park's jurisdiction is vested solely in the Department of Parks and Recreation and that a City Council ordinance cannot control the Department's discretion regarding the naming of such facilities. A copy of the Solicitor's Opinion is attached.

I am advised that the re-namings in the two ordinances conform to the Department of Parks and Recreation's policies regarding the renaming of facilities and that the Department is in accord with Council regarding the specific proposed re-namings. For those reasons, I am signing the two ordinances, while noting the opinion of the Solicitor provide herewith.

Respectfully,  
Michael A. Nutter,  
Mayor