

ORDINANCE AMENDING AND RE-ENACTING
TITLE 9, CHAPTER 1
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Title 9, Chapter 1 – Parks and Recreation Commission be amended as shown:

Title 9 - PARKS, RECREATION AND CULTURAL AFFAIRS

Chapter 1.	Parks and Recreation Advisory -Commission
Chapter 2.	Regulations (Reserved)
Chapter 3.	City Historian
Chapter 4.	Libraries (Reserved)
Chapter 5.	Arts and Cultural District
Chapter 6.	Public Tree Ordinance

CHAPTER 1. - PARKS AND RECREATION ADVISORY COMMISSION^[1]

Footnotes:

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State Law reference— Authority of city to establish and conduct a system of public recreation and playgrounds and to delegate the administration of these programs to a park and recreation commission, Va. Code, §§ 15.1-271 and 15.1-272.

Sec. 9-1-1. - Composition; election of members; appointment of honorary members.

The ~~p~~Parks and ~~r~~Recreation Advisory eCommission is hereby established with those powers and duties as set forth elsewhere in this chapter, and shall be composed of eight (8) members ~~elected~~ appointed by ~~the City Council~~ from persons eligible to register to vote in the city as follows: two (2) from the west ~~voting~~ ward; two (2) from the east ~~voting~~ ward; two (2) at large; one (1) member of the school board; ~~and;~~ one (1) member of the council. The Council may appoint honorary, nonvoting members to the commission who shall continue on the commission at the pleasure of the council.

(Code 1973, § 2-173; Ord. of 11-26-02; Ord. of 2-24-04)

Sec. 9-1-2. - Terms of members.

The terms of the members of the ~~p~~Parks and ~~r~~Recreation Advisory eCommission shall be four (4) years, staggered on the basis now in effect. No member may be appointed to serve more than two (2) successive terms as a ward or at large member. ~~and none of the six (6) members elected from the voting precincts or wards in the city shall serve more than two (2) successive four-year terms.~~

(Code 1973, § 2-174)

Cross reference— Recreation commission, city Charter, § 52.

Sec. 9-1-3. - Vacancies.

Vacancies on the ~~p~~Parks and ~~r~~Recreation Advisory eCommission occurring other than by expiration of term shall be filled by the council for the unexpired term in accordance with ~~s~~Section 2-1-2.

(Code 1973, § 2-175)

~~Sec. 9-1-4. - Election and term of chairman; meetings; rules and regulations; etc.~~

~~(a) The parks and recreation commission shall elect its chairman from amongst the appointive (four (4) year) members and may create and fill such other of its offices as it may determine. The term of chairman shall be one year, with eligibility for re-election.~~

~~(b) The commission shall hold at least one regular meeting in each month, a majority of members being required for transaction of business. It shall adopt rules and regulations not inconsistent~~

~~with the charter and the state laws for the proper conduct of the city parks and recreation department and shall keep a record of its resolutions, transactions and determinations, which shall be a public record.~~

(Code 1973, § 2-176)

Sec. 9-1-~~45~~. - Powers and duties generally.

The Parks and Recreation Advisory Commission is a volunteer advisory group to the City Council and Director of Parks and Recreation. The Commission serves as a sounding board by holding public meetings and exercising influence throughout the City to improve and expand recreational opportunities.

The Commission will advise and make recommendations on matters pertaining to parks, recreation areas, programs and activities and provide input regarding long-range planning for resources for capital projects.

The Commission may ~~propose~~ ~~adopt~~ rules and by-laws for its own procedure and governance, to be approved by City Council.

~~(a) The parks and recreation commission shall have power and shall be required to:~~

- ~~(1) Plan in detail the ground areas designated for parks and recreation on the city's comprehensive park and recreation plan. When any such designated area includes a school building or ground, such detailed plan shall be prepared jointly by the commission and the school board; in so doing, it shall be the duty of the commission to first ascertain from the school board the existing and foreseeable future needs of that particular school program, especially those needs which appertain to its athletic or recreation program, and, second, to assist in coordinating the school program with the plans of the commission. The purpose of such planning shall be to avoid possible conflict of interests and to effect the greatest possible utilization of school property in community recreation programs. In accomplishing the objectives of this paragraph, section 10-1-6 of this Code shall be adhered to.~~
- ~~(2) Develop and maintain the areas shown on the comprehensive parks and recreation plan, including the financing thereof, according to officially approved detailed plans. Where any such area includes school facilities, development and maintenance, including the financing thereof, shall be accomplished by a mutually acceptable agreement between the commission and the school board, such agreement to apply only insofar as such area relates to public recreation.~~
- ~~(3) Conduct a workable program of city-wide recreation.~~
- ~~(4) Submit annually to the city manager, via the city planning commission, not less than one hundred twenty (120) days prior to the beginning of the fiscal year, a list of recommended capital improvements, including the acquisition of land or buildings for park and recreation purposes, whether by gift, purchase, lease, condemnation or otherwise, and the~~

~~development, equipment and maintenance of same, which in the opinion of the parks and recreation commission are necessary or desirable to be acquired or constructed during the forthcoming six year period. Such list shall be arranged in order of preference, with recommendations as to which projects shall be acquired or constructed in which year with the estimated cost therefor itemized.~~

~~(5) Submit annual reports to the council at the end of each fiscal year and such other reports as may be necessary or are requested by the city manager.~~

~~(6) Promote public interest in and understanding of the city wide system of parks and recreation.~~

~~(b) The parks and recreation commission shall have power to:~~

~~(1) Contract with consultants for such services as it may require, within its budget appropriation.~~

~~(2) In general, the parks and recreation commission shall have the power to provide, conduct and supervise any form of recreation as will contribute to the welfare and happiness of the citizens, utilizing suitable properties and facilities owned or controlled by the city or other properties and facilities with the consent of the owners and authorities thereof. In no case, however, shall school properties and facilities be used when needed by school authorities in the interest of the educational program.~~

~~(Code 1973, § 2-177)~~

~~Sec. 9-1-6. Appointment and qualifications of director of parks and recreation; recommendation of other qualified personnel.~~

~~The director of parks and recreation shall be appointed by the city manager. He shall have the necessary training and shall have demonstrated, by experience, the ability to organize and direct park facilities and recreation programs for the city. There shall be such other qualified persons to help conduct recreation activities as may be recommended by the park and recreation commission subject to the approval of the city manager.~~

~~(Code 1973, § 2-178)~~

~~Sec. 9-1-7. Finances, contracts, etc.~~

~~Funds appropriated by the council to the parks and recreation commission shall be dispensed as other appropriations by the council and shall be accounted for in the annual budgets of the city. Funds received from other sources shall be accounted for, deposited to the credit of the city for use of and at the direction of the parks and recreation commission.~~

~~(Code 1973, § 2-179; Ord. of 6-28-94)~~

~~Sec. 9-1-8. Rates, fees and charges.~~

~~The parks and recreation commission is authorized to impose such rates, fees and charges as deemed necessary for the operation of the city park facilities and recreation programs, provided such rates, fees and charges shall be approved by the council.~~

This Ordinance shall be effective upon the date of its adoption.

ADOPTED AND APPROVED this _____ day of April, 2018.

MAYOR

ATTESTE:

DEPUTY CITY CLERK