

ARTICLE II. RECREATION COMMITTEE***Sec. 58-31. Establishment.**

The parks and recreation committee is established as an advisory board with members appointed by the mayor and city council.
(Code 1983, § 13-1; Ord. No. 9-16-02(1))

Sec. 58-32. Composition of committee; appointment; terms.

The recreation committee shall consist of nine members in total, of whom seven shall be regular members and two shall be ex officio members. All members shall serve with the same duties and powers.

Regular members: One regular member shall be appointed by the mayor and the remaining six regular members shall be appointed by the city council. Members are not required to be residents of the city but should have an interest in the enhancement of the city recreation programs and in the goals of the government of the city as expressed by the policies of the city council as implemented by the city recreation department. The committee shall advise the city council and the parks and recreation department as to public recreation concerns, including but not limited to long-term goals, capital outlay, fees and charges, and programs. The committee shall also recommend to the city council such rules and regulations for the operation of municipal public parks and recreation areas as shall seem appropriate to the committee.

Three of the regular members shall be appointed for a term of one year, three shall be appointed for a term of two years, and one shall be appointed for a term of three years. As the term of each member expires, each new term shall have a duration of three years, but no member shall immediately succeed himself or herself beyond two consecutive terms.

Ex officio members: One of the ex officio members shall be appointed from the membership of the city council and the other shall be a representative of the school system which serves the city. The council representative shall be appointed for a term of one year and the school system representative shall be appointed for a term of three years. No ex officio member shall serve a term of office to exceed six years.

(Code 1983, § 13-2; Ord. of 2-21-00; Ord. of 9-16-02(1))

***Editor's note**—An ordinance adopted September 16, 2002 specifically renamed article II as recreation committee. Formerly, such article pertained to recreation commission. Therefore, all references to recreation commission were changed to recreation committee, at the editor's discretion.

Cross references—Administration, ch. 2; boards, commissions and committees, § 2-101 et seq.

State law reference—Authority to establish commission to operate parks and recreation system, G.S. 160A-354.

Sec. 58-33. Filling of vacancies.

Vacancies on the recreation committee shall be filled for the unexpired terms by the city council.

(Code 1983, § 13-3)

Sec. 58-34. Compensation of members.

The members of the recreation committee shall serve without compensation.

(Code 1983, § 13-4)

Sec. 58-35. Officers.

The recreation committee shall appoint from its membership a chairman and such other officers as it may deem necessary for the orderly transaction of its business.

(Code 1983, § 13-5)

Sec. 58-36. Time and place of meetings.

The recreation committee shall hold regular meetings at such times and places as it may designate.

(Code 1983, § 13-6)

Sec. 58-37. Rules of procedure.

The recreation committee may adopt bylaws, rules and regulations covering its procedure, not inconsistent with the provisions of state law.

(Code 1983, § 13-7)

Sec. 58-38. Appointment of director of recreation and other personnel.

The city manager, with the advice of the personnel director and the recreation committee, may appoint and designate a director of recreation who possesses the necessary training and who demonstrates by actual work his or her ability to organize and direct a community recreation system. Such other trained persons as may be necessary in the maintenance and operation of the recreation facilities and system may also be employed.

(Code 1983, § 13-8; Ord. of 9-16-02(1))

Sec. 58-39. Management of facilities and programs.

The recreation committee shall provide, maintain, operate and supervise the public parks and playgrounds, athletic fields and recreation centers and other recreational facilities owned or controlled by the city or leased or loaned to the recreation committee by the owners thereof. The recreation committee shall have complete supervision of the facilities and activities provided and conducted on or in connection with the parks, playgrounds, athletic fields and recreation centers provided, and shall have the power to conduct any form of recreational or cultural activity.

(Code 1983, § 13-9)

State law reference—Authority to vest operation of parks and recreation system in commission, G.S. 160A-354.

Sec. 58-40. Additional powers.

Such powers as are now provided by the statutes of the state or by the provisions of this Code and other ordinances of the city relating to the development and operation of recreation systems, parks and playgrounds are hereby vested in the recreation committee, to be exercised by it subject to any and all restrictions contained in such statutes, provisions of this Code and ordinances.

(Code 1983, § 13-10)

Sec. 58-41. Authority to prescribe rules for operation of facilities.

The recreation committee shall, from time to time, make rules and regulations governing the operation and conduct of the recreational facilities operated by the recreation committee.

(Code 1983, § 13-11)

Sec. 58-42. Acceptance and use of grants, gifts, etc.

The recreation committee may accept any grant, gift, bequest or donation of any personal property offered for recreational purposes and, with the approval of the city council, may

accept any grant, gift or devise of real estate. Any gift, bequest of money or other personal property, grant or devise of real estate shall be held, used and finally disposed of in accordance with the terms or conditions under which such grant, gift or devise is made and accepted.

(Code 1983, § 13-12)

Sec. 58-43. Receipt and disbursement of funds.

Funds appropriated by the city council and budgeted to the recreation committee shall be disbursed by the director of finance, upon vouchers issued by the recreation committee and within the budget appropriations made. Funds received by the recreation committee from sources other than budget appropriations shall be deposited by the city and disbursed as budget funds are disbursed, except that funds received by gift, bequest or otherwise shall be disbursed in accordance with the terms of such gift or bequest.

(Code 1983, § 13-13)

Sec. 58-44. Limitation on power to obligate city.

The recreation committee shall have no authority to enter into any contract or incur any obligation binding upon the city other than current obligations or contracts to be fully executed within the then current fiscal year and all within the budget appropriations made by the city council.

(Code 1983, § 13-14)

Sec. 58-45. Fiscal year.

The fiscal year of the recreation committee shall conform to that of the city.

(Code 1983, § 13-15)

State law reference—Fiscal year established, G.S. 159-8(b).

Sec. 58-46. Reports to council.

The recreation committee shall make full and complete reports to the city council at such times as the city council may require.

(Code 1983, § 13-16)

Sec. 58-47. Fees for the operation of municipal public parks and recreation.

The city council, after receiving recommendations from the recreation committee and the recreation staff, shall establish fees for the use of any or all the municipal public parks and recreations areas. Upon establishment by the city council it shall be unlawful for any person to commence using any municipal public parks and recreation areas before payment of the fees except where provided for otherwise in the rules and regulations. Changes in the fees shall become effective ten days succeeding approval by the city council. A copy of the fees shall be filed with the city clerk.

(Ord. of 9-16-02(1))

§ 160A-354. Administration of parks and recreation programs.

A city or county may operate a parks and recreation system as a line department, or it may create a parks and recreation commission and vest in it authority to operate the parks and recreation system. (1945, c. 1052; 1971, c. 698, s. 1.)

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