

**AN ORDINANCE OF THE COUNCIL
FOR THE TOWN OF ABINGDON, VIRGINIA
TO REPEAL, AMEND AND REENACT
PART II – CODE, CHAPTER 54, PARKS AND RECREATION, ARTICLE II. –
ADVISORY COMMISSION ORDINANCE**

WHEREAS, §15.2-2200 of the Code of Virginia 1950, as amended, established that the governing body of any town may enact and enforce ordinances for the general purpose of promoting the public health, safety, convenience and welfare of its general public; and

WHEREAS, the Town of Abingdon's current Code, Chapter 54, Parks and Recreation, Article II. – Advisory Commission, the Council for the Town of Abingdon has found it in the best interest of its Commission to repeal, amend and reenact the body of its ordinance; and

NOW, THEREFORE BE IT ORDAINED by the council of the Town of Abingdon that:

1. Should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Code of the Town of Abingdon, Virginia; and

2. The Town of Abingdon's Code – Part II, Chapter 54 – Parks and Recreation, Article II. – Advisory Commission that is proposed for repeal, amendment, and reenactment, currently appears as follows:

ARTICLE II. - ADVISORY COMMISSION

Sec. 54-26. - Creation; composition.

There shall be a parks and recreation advisory commission in the town, which shall be composed of up to nine members appointed by the council who shall serve without compensation.

Sec. 54-27. - Terms of office of members; filling vacancies.

The terms of office of the members of the parks and recreation advisory commission shall be for three years or until their successors are appointed and qualified; the term of three members shall expire annually. Vacancies in such commission occurring otherwise than by expiration of the term shall be filled by the council for the unexpired term.

Sec. 54-28. - Organization.

Immediately after their appointment, the members of the parks and recreation advisory commission shall meet and organize by electing one of their members chairman and such other officers as may be necessary.

Sec. 54-29. - Duties and responsibilities generally.

- (a) The parks and recreation advisory commission shall make recommendations for approval by the town council involving the establishment of a system of supervised recreation for the town; to set apart for use as parks, playgrounds, recreation areas and structures, any lands, water areas or buildings owned by or leased to or controlled by the town and may suggest improvements of such lands or buildings, and structures as may be necessary to the recreation program within those funds allocated to the division of parks and recreation.
- (b) The commission shall advise in the acceptance by the town of any grant, gift, bequest or donation, any personal or real property offered or made available for recreation purposes and which is judged to be of present or possible future use for recreation or parks.
- (c) The commission shall interpret the recreation and park services of the division of parks and recreation to the community and interpret the needs and desires of the community to the town council.
- (d) The commission shall determine and establish the general policies to be followed in carrying out the purpose for which the commission was established.

Sec. 54-30. - Financial duties and responsibilities.

- (a) The parks and recreation advisory commission shall have no authority to enter into any contract or incur any obligation binding the town.
- (b) The commission shall assist the director of parks and recreation in development and preparation of an annual budget for the division to be submitted to the town manager and subsequently to the town council, at the time designated by the town manager.
- (c) The commission shall assist the director of parks and recreation in the development and preparation of an annual budget for capital improvements (acquisition and development) in accordance with the master plan for parks and recreation for the town.

Sec. 54-31. - Planning duties and responsibilities.

- (a) The parks and recreation advisory commission, with the assistance of appropriate town agencies, shall prepare a master plan for the acquisition and development of an adequate system of parks, facilities, and recreation programs for the residents of the town and update same yearly, consistent with the town's master plan. The parks and recreation master plan shall be submitted to the town council for its review and approval.
- (b) The commission shall investigate and determine the needs and interests of the community for recreation facilities and programs and recommend a recreation program to meet those needs.

Secs. 54-32—54-50. - Reserved.

BE IT FURTHER ORDAINED, that upon the recommendation of the Council for the Town of Abingdon, Part II – Code, Chapter 54 – Parks and Recreation, Article II. – Advisory Commission be repealed, amended and reenacted as follows:

ARTICLE II. - ADVISORY COMMISSION

Sec. 54-26. - Creation; composition.

There shall be a parks and recreation advisory commission in the town, which shall be composed of up to nine members appointed by the council who shall serve without compensation.

Sec. 54-27. - Terms of office of members; filling vacancies.

The terms of office of the members of the parks and recreation advisory commission shall be for four-years or until their successors are appointed and qualified. Vacancies in such commission occurring otherwise than by expiration of the term shall be filled by the council for the unexpired term.

Sec. 54-28. - Organization.

Immediately after their appointment, the members of the parks and recreation advisory commission shall meet and organize by electing one of their members chairman and such other officers as may be necessary.

Sec. 54-29. - Duties and responsibilities generally.

- (a) The parks and recreation advisory commission shall make recommendations for approval by the town council involving the establishment of a system of supervised recreation for the town; to set apart for use as parks, playgrounds, recreation areas and structures, any lands, water areas or buildings owned by or leased to or controlled by the town and may suggest improvements of such lands or buildings, and structures as may be necessary to the recreation program within those funds allocated to the division of parks and recreation.
- (b) The commission shall advise in the acceptance by the town of any grant, gift, bequest or donation, any personal or real property offered or made available for recreation purposes and which is judged to be of present or possible future use for recreation or parks.
- (c) The commission shall interpret the recreation and park services of the division of parks and recreation to the community and interpret the needs and desires of the community to the town council.
- (d) The commission shall determine and establish the general policies to be followed in carrying out the purpose for which the commission was established.

Sec. 54-30. - Financial duties and responsibilities.

- (a) The parks and recreation advisory commission shall have no authority to enter into any contract or incur any obligation binding the town.
- (b) The commission shall assist the Director(s) of the Indoor Parks and Recreation and Director(s) of Abingdon Parks and Outdoor Recreation in development and preparation of

an annual budget for the division to be submitted to the town manager and subsequently to the town council, at the time designated by the town manager.

- (c) The commission shall assist the director of parks and recreation in the development and preparation of an annual budget for capital improvements (acquisition and development) in accordance with the master plan for parks and recreation for the town.

Sec. 54-31. - Planning duties and responsibilities.

- (a) The parks and recreation advisory commission, with the assistance of appropriate town agencies, shall prepare a master plan for the acquisition and development of an adequate system of parks, facilities, and recreation programs for the residents of the town and update same yearly, consistent with the town's master plan. The parks and recreation master plan shall be submitted to the town council for its review and approval.
- (b) The commission shall investigate and determine the needs and interests of the community for recreation facilities and programs and recommend a recreation program to meet those needs.

Secs. 54-32—54-50. - Reserved.

BE IT ORDAINED by the Council of the Town of Abingdon that said foregoing amendment to the Part II – Code, Chapter 54 – Parks and Recreation, Article II. – Advisory Commission become effective on February 6, 2020.

CERTIFICATE

Pursuant to Section 2-100 of the Code of the Town of Abingdon, Virginia, I hereby certify that I have reviewed the foregoing proposed ordinance to repeal, amend and reenact Part II – Code, Chapter 54 – Parks and Recreation, Article II. – Advisory, and find it to be in correct form, as set forth above, this ____ day of _____, 2019.



Cameron Bell, Counsel

This ordinance was adopted on January 6, 2020, to take effect on February 6, 2020.



J. Wayne Craig, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the “Town”), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on January 6, 2020. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further

certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
J. Wayne Craig, Mayor	Yes	aye
Cindy Patterson, Vice Mayor	Yes	aye
Al Bradley	Yes	aye
Donna Quetsch	Yes	aye
Derek Webb	Yes	aye

WITNESS MY HAND and the seal of the Town of Abingdon as of January 6, 2020.

(SEAL)


Kimberly Kingsley, Clerk