

SURRY COUNTY COMMISSIONERS

ARTICLE I: RECREATION, GENERAL

SECTION I: PREAMBLE

WHEREAS, the State of North Carolina General Assembly has indicated: That the lack of an adequate recreation program and facilities is a menace to the morals, happiness and welfare of the people of this State in time of peace as well as in times of war; that making available recreation opportunities for citizens of all ages is a subject of general interest and concern, and that recreation is a function requiring appropriate action by the governing bodies of the several political subdivisions of the State. The Legislative Assembly, therefore, declares that in its considered judgment, the public good and moral welfare of the citizens of this State requires an adequate recreation program and that the creation, establishment and operation of a recreation system is a governmental function and a necessary expense as defined by Article VII, Section Seven, of the Constitution of North Carolina;

AND WHEREAS, professional membership organizations of local government officials and other authorities in government have indicated that recreation is recognized as a function and a reasonable concern of government, and that the creation and maintenance of recreation areas and facilities and the operation of the recreation program is a communal duty;

AND WHEREAS, if life, liberty and the pursuit of happiness are the ends for which governments are created and if the opportunity to use leisure time to prolong life and to play in order to better understand the rights of others and to do both so that children and adults may enjoy greater happiness, then planned recreation lies well within the province of government;

AND WHEREAS, in fact, in law, and in public opinion, the need for community recreation causes it to be recognized as a suitable and essential function of local government because:

1. It affords a large percentage of people their only opportunity for a choice as to wholesome recreation and is of great personal and societal importance to all.
2. It is only through government that adequate recreation lands can be acquired and recreation structures developed for the larger part of our county's residents.
3. Planned (organized) recreation is inclusive, and within it are some of the brightest hope for a continuation, and refinement, of our democratic way of life.
4. In planned recreation, per units of participation and in breadth and depth of choice, the cost is relatively low.
5. The local governmental unit gives permanency and continuity to recreation.
6. The local governmental unit cannot afford not to provide recreation, for money spent for recreation is, in reality, invested in citizens' health and happiness as well as in increased and longer retained real estate values, is a resource to which industry is increasingly drawn, and which gives important help in securing and in holding business, tourists, and other industry in a community.
7. The non-revenue producing as well as the self-supporting recreation activities are an actual economy for they bring about a directly traceable reduction in cost of policing, crime prevention, operation of emergency and mental health wards (in hospitals) and contribute to other economic facets of the unit's health and welfare services.

THEREFORE, the Surry County Commissioners hereby invests its Recreation Commission with the duty, authority and responsibility to create opportunity for citizen participation in recreation as specified in this, its recreation ordinance.

SECTION II: DEFINITION OF RECREATION ACTIVITIES

For the purpose of this Ordinance, recreation is defined to mean those activities which fall within the general classification areas of: the arts; drama; crafts; athletics; sports and games; dance, hobbies; music; nature and outing; reading; writing; linguistics; social recreation; special community events and special activities; recreation travel; volunteer services; and recreation travel.

SECTION III: DEFINITION OF RECREATION AREAS; STRUCTURES, UNIT, MANAGER, GOVERNING BODY COMMISSION

Recreation Areas and Structures, for the purpose of this Ordinance, are defined to mean the outdoor and indoor areas and structures on or in which people derive opportunity for the pursuit of happiness through recreation, whether or not these areas and structures are owned, leased, borrowed, controlled, or operated within or outside of the corporate limits or boundaries of the local governmental unit(s).

Governing Body, for the purpose of this Ordinance, means the County Board of Commissioners.

Commission, means the commission appointed by the County Board of Commissioners.

SECTION IV: POWERS, GENERAL

It is the basic function of the Recreation Commission to promote recreation for its citizens and, in so doing, the Commission is authorized to aid and assist agencies and individuals (in line with reasonable and legally correct policies set up by the Recreation Commission) which include public, private, commercial, those which are quasi-public in character, and those which, although public in nature, are not a part of the unit's government, such as schools, churches, hospitals, military installations, orphanages, commercial recreation, business and industrial agencies, as well as civic, neighborhood and service groups, and individuals in their recreation interests and needs.

ARTICLE II: RECREATION COMMISSION

SECTION V: CREATION: NAME: NUMBER OF MEMBERS

There is hereby created a Commission composed of 19 citizens of the unit to be known as the Recreation Commission.

SECTION VI: COMMISSION: POWERS AND DUTIES

The Recreation Commission shall serve as the recreation policy body. The Commission shall establish policies within the powers and responsibilities as stated in this Ordinance. The Commission shall serve as a liaison between the Governing Body of the unit and citizens of the community. The Commission shall consult with and advise the Governing Body in matters affecting unit recreation overall policies, finances, and the acquisition and disposal of lands and properties related to the total community recreation program, and to its long-range, projected program for recreation.

The Recreation Commission shall exercise powers and assume duties for recreation purposes as follows: (1) Establish and maintain a system of supervised recreation for the unit; (2) set apart for use as parks, playgrounds, recreation centers, water areas, or other recreation areas and structures, any lands or buildings owned by or leased to the unit upon approval of the unit's authorized body and may improve such lands and construct and equip such buildings and structures as may be necessary to the recreation program within the funds of the Commission and Department; (3) acquire lands and structures through gifts, purchase, lease or loan, or by condemnation as provided by Chapter 40, eminent domain, of the General Statutes of North Carolina and as approved by the Governing Body of the unit; (4) accept for the unit 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 value, or of use, for recreation. Any gift, bequest of money or other property, any grant, devise of real or personal property so acquired shall be held, used and finally disposed of in accordance with the terms under which such grant, gift, or devise is made and accepted; (5) provide, construct, equip, operate and maintain, parks, playgrounds, recreation centers and all buildings and structures necessary or useful to recreational function; and set policies as to controls and operation of these and all other recreation facilities which are owned or controlled by the unit or leased or loaned, to the Recreation Commission by the owners or agents thereof; (6) develop regulatory and control rules and measures; (7) determine the amount and application of all fees, rentals and charges.

SECTION VII: APPOINTMENT OF THE COMMISSION

Each member of the Commission shall be appointed by the Governing Body of the unit, which may request recommendations from the Recreation Commission.

SECTION VIII: COMPOSITION

In addition to the 19 citizens who compose the Commission, a member of the Governing Body shall be designated by the Governing Body as an ex-officio member.

SECTION IX: LENGTH OF APPOINTMENT OF COMMISSION MEMBERS

Each member shall be appointed for a three-year term. Initial appointments shall be arranged so that approximately one-third of the terms will expire each year except that the ex-officio member from the Governing Body of the unit shall serve on the Recreation Commission concurrent with his term of office on the Governing Body.

SECTION X: MEETINGS

Commission meetings shall be held on a monthly basis unless when determined other wise by the Commission. The Chairman of the Commission or, in his absence, the Vice-Chairman, may call a special meeting of the Commission at any time by giving each member 24-hour notice. Special meetings shall be scheduled upon request by four or more appointed Commission members. A quorum of the Commission shall be in attendance before action of an official nature can be taken. A quorum is at least 1 more than the number absent.

SECTION XI: ATTENDANCE OF MEMBERS

An appointed member who misses more than three (3) consecutive regular meetings loses his status as a member of the Commission until or unless reappointed by the Governing Body of the unit. Absences due to sickness, death or other emergencies of like nature shall be regarded as approved absences and shall not affect the member's status on the Commission except that in the event of a long illness, or other such cause for prolonged absence, the member may be replaced.

SECTION IXX: COMPENSATION

Commission members shall serve without monetary compensation. Members shall be reimbursed for travel and subsistence costs to professional recreation meetings, conferences and workshops, with such reimbursement being made in compliance with the general policies of the unit.

SECTION XIV: OFFICERS

There shall be a Chairman, Vice-Chairman, and Secretary of the Commission. An annual election of the Chairman and Vice-Chairman shall be held by the Commission members and shall occur at the regular monthly meeting in June. Officers shall serve for one year from election with eligibility for re-election. New officers shall take office at the subsequent regular meeting in July. In the event of an officer's appointment to the Commission is terminated, a replacement to this office shall be elected by the Commission, from its membership, at the meeting following the termination.

SECTION XV: OFFICERS: DUTIES

The Commission Chairman shall preside at all meetings and sign all documents relative to action taken by the Commission. The Chairman shall appoint all committees including a nominating committee composed of two Commission members. A nominating committee shall be appointed at least thirty days prior to the June meeting and shall prepare a single slate of nominees for the offices of the Commission.

When the Chairman is absent, the Vice-Chairman shall perform the duties of the Chairman. When both the Chairman and Vice-Chairman are absent, a temporary Chairman shall be selected by those members who are present.

SECTION XVI: COMMITTEES

The Executive Committee shall consist of the Chairman, Vice-Chairman, Secretary, and the ex-officio member of the Governing Body who is designated to serve on the Commission.

The Commission Chairman is authorized to appoint such committees as, in the opinion of the Commission, are needed. Standing Committee suggestions are (1) program and activities; (2) areas and structures; (3) budget; (4) personnel; (5) policies and procedures. Temporary and project committees shall be appointed as needed by the Chairman of the Commission.

SECTION XVII: BY-LAWS

Operational policies and procedures may be incorporated into a set of By-laws as developed and approved by the Commission in line with this Ordinance and the policies of the unit.

ARTICLE III: FINANCE

SECTION XVIII: GRANTS, GIFTS, BEQUESTS AND OTHER CONTRIBUTIONS

The Recreation Commission may accept any proper grant, gift, bequest or donation of any personal or other property offered or made for recreation purposes and, with the approval of the Governing Body of the unit, may accept any grant, gift, or devise of real estate. Any gift, bequest of money or of other personal or real property, or any grant or devise 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. The Recreation Commission shall not enter into any contract or incur any obligation binding upon the unit except within the budget appropriations made by the Governing Body or within the amount of other monies properly available to the Commission.

SECTION XIX: BUDGET REQUEST, APPROPRIATED MONIES AND REVENUE PRODUCING ACTIVITIES

The Manager and the Governing Body of the unit shall receive the annual budget request of the Recreation Commission and shall appropriate an annual budget to be used in defraying the costs and expenses of the operation of the Recreation Commission. The money will be expended in a manner to further promote the health, happiness, safety, moral and economic interest of the citizens of the community through planned recreation services, recreation areas, community recreation coordination, recreation structures and program.

Appropriated monies for Recreation may be from general fund revenues as received from profits of a local sale of power; from water, sewerage, or other, similar charge and fees; from all tax sources permitted under the State Recreation Enabling Act; from any unit general fund sources other than taxation; from profits derived through any operation conducted by the unit; from all profits of Recreation revenue-producing activities; and from any gift, bequest, grant, or devise made to the unit, or the Recreation Commission.

SECTION XX: DISBURSEMENT: FISCAL YEAR

The funds appropriated by the Governing Body and budgeted shall be disbursed by the fiscal disbursing officer of the unit, upon order from the Recreation Commission and within the budgeted funds of the Recreation Commission. Funds received from revenue-producing activities shall be deposited with the unit's Fiscal Officer to the credit of the Recreation Commission and shall be disbursed by the unit's Disbursing Officer, upon order by the Recreation Commission. Funds from all other sources shall be deposited with the unit to the credit of and for the use of the Recreation Commission and shall be disbursed as are unit-appropriated monies of the Commission except that funds received from (1) gifts, bequests or from other than the unit's general fund such as (2) revenues produced by the Commission

or (3) from recreation tax sources of the unit, shall be deposited and disbursed in accordance with the terms of the voted tax and/or of such gift or bequest.

The fiscal year of the Recreation Commission shall conform to be fiscal year of the unit.

ARTICLE IV: PLANNING

SECTION XXI: PLANNING

The Recreation Commission shall take the necessary steps (by employing a professional recreation planner or in some other acceptable manner) to create a scientifically developed long-range plan for the proper and adequate acquisition and program of recreation areas and the development of recreation facilities, structures and program for the present and future needs of the citizens of the unit. In such a process the recreation wishes and needs of all citizens will be taken into account. All existing, publicly and privately owned areas and facilities will be studied from the standpoint of their best potential use for recreation purposes and every effort will be made to realize their full value as recreation resources, but the economic values and the functional efficiency of recreation developed, owned and operated areas and facilities shall not be overlooked.

The master, long-range, local recreation plan will be so developed that it will include much more than a survey of existing areas and facilities, and of future needs in these categories. It will also recognize the value of broad, basic recreation policies and program, of competent leadership, of a constant process of analysis of needs and opportunities for recreation services, and of a continuous refinement and revision of details of the long-range plan, for which experience and the changing, local needs will reveal the need. Professional planning assistance may be secured, from time to time, to assist in bringing the long-range plan up to date where such is found to be in the interest of the Community and its citizens.

The Recreation Commission shall be responsible for giving active assistance in the development of a priority schedule of recreation land and water area acquisition, structure and program development, and for the proper and effective meshing of the recreation plan and action with that of other aspects of community development and of the unit's governmental growth and expansion.

The Recreation Commission shall select one of its members to meet with the unit's planning, development and zoning bodies at all times that they meet so that recreation needs will be weighed when matters are considered which have impact upon the present or future recreation potentials of the unit. These will include recreation in planning, subdivision recommendations and unit subdivision action, in all proposals for annexation and all suggestions for land and water acquisition, release or other temporary or permanent disposition of unit-owned lands, water and structures. Any of these resources may be turned over to the Commission for its use.

This Recreation Commission member shall have full status on the unit's planning, development, and zoning bodies, shall be given adequate notification of all meetings and shall be given opportunity to present the suggestions and needs of recreation for proper and adequate consideration by these planning, development and zoning bodies, and to actively assist in the presentation to, and the support of their findings with, the Governing Body of the unit.

ARTICLE V

A Recreation Department and a Recreation Council will be established when and if the need arises and the Recreation Commission shall have the authority to do this with the approval of the governing unit.

Upon the Motion of Harry Folger, seconded by Roxie Roth, this Resolution and Ordinance was adopted. Voting for the Resolution and Ordinance were Commissioners A.H. Merritt, Gaston Brinkley, and Claybern Taylor.

A. H. Merritt /s/

Chairman

Debbie Brindle /s/

Clerk