

ORDINANCE NO. 2010-O-008

**An Ordinance to amend the Cherokee County Code of Ordinances; as shown at Article II. Boards and Committees, Division 1. Cherokee County Recreation and Parks Advisory Board; to promote the public health, safety and welfare; and for other purposes.**

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the county may adopt clearly reasonable ordinances, resolutions, and regulations; and

**WHEREAS**, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety, and welfare of the population of the unincorporated areas of the County; and

**WHEREAS**, the governing authority of Cherokee County, to wit, the Board of Commissioners, desires to exercise its authority in adopting this Ordinance; and

**WHEREAS**, the Cherokee County Board of Commissioners (the "Board") finds that it is in the public interest to amend Cherokee County Recreation and Parks Advisory Board duties and responsibilities to clarify the language and scope;

**BE IT ORDAINED** by the Cherokee County Board of Commissioners and it is hereby enacted pursuant to the authority of the same that the Cherokee County Recreation and Parks Advisory Board as shown in the Code of Ordinances at Article II. Boards and Committees, Division 1 is hereby amended to read as follows:

Section 2-36.       Established.

The Cherokee County Board of Commissioners (BOC) did hereby adopt an Ordinance on the 19<sup>th</sup> day of June, 2007 establishing the Cherokee County Recreation and Parks Advisory Board. (CCRP Advisory Board)

The CCRP Advisory Board's principle responsibilities are:

- (1) To advise in the initiation, planning, organization, implementation, and coordination of public recreation programs and activities for the county.
- (2) To recommend a system of parks and facilities that will accommodate the public's need for recreation programs and activities.

Section 2-37.       Duties and Scope

The duties and scope of the CCRP Advisory Board shall be advisory in nature, except as specifically authorized by the Board of Commissioners.

PLANNING:

(1) Assist and advise regarding “Vision” for future parks, programs, partnerships, etc.

(2) Assist and advise in determining direction and priorities for programs and utilization of resources. This could/would include, but is not limited to, impact and consideration of budgets and organizational structure, human resource allocation, etc.

(3) Assist and advise regarding evolution of future green space and passive recreation sites, scope, and priorities.

PROGRAMS:

(4) To assist in establishing and/or reviewing guidelines, rules and regulations by which parks and recreation programs may operate.

(5) To Approve fees and charges for use of facilities and participation in programs.

(6) To review staff recommendations of contracts for provision of programs and services.

FACILITIES:

(7) To ensure at all times safety and security of site locations and physical facility standards.

(8) To review new park and any major renovation concept design draft and submit recommendations to BOC to include in final concept design approval.

(9) When requested by BOC, participate in contract bid review process.

OTHER:

(10) To be the reference point for adjudication of complaints, disputes or other grievances from the public arising out of parks and recreation activities. If remain unresolved, these issues will pass to the BOC, as appropriate.

(11) To submit annual report to BOC citing key issues resolved, program accomplishments, program effectiveness, etc.

(12) To perform other duties and responsibilities as may be conferred by the Cherokee County Board of Commissioners from time to time.

Section 2-38. Membership.

The CCRP Advisory Board shall be representative of the community and shall consist of five (5) members who shall be residents of the county and who shall serve with compensation, as determined by the BOC. Each member of the BOC shall have one (1) appointee.

MEETINGS:

(a) Meetings of the CCRP Advisory Board shall be on a bi-monthly basis unless when determined otherwise by the CCRP Advisory Board. The chairperson of the CCRP Advisory Board, or in his absence, the vice-chair, may call a special meeting of the CCRP Advisory Board at any time by giving each member 24 hours notice. Notice of meetings and agendas must be posted on the Cherokee Recreation and Parks Agency web site, as soon as possible but at least 24 hours before the date and time set for the meeting.

(b) Special called meetings will be scheduled upon request by three or more members. A quorum of the CCRP Advisory Board shall be in attendance before action of an official nature can be taken. A quorum is three (3) of the appointed members. All meetings of the CCRP Advisory Board shall be subject to the Georgia Open Meetings Act.

(c) Attendance of members: An appointed member who misses more than three (3) consecutive meetings loses his status as a member of the CCRP Advisory Board until re-appointed or replaced by the respective appointing member of the BOC. Absences due to sickness or other emergencies of like nature, shall be regarded as approved absences and shall not affect the member's status on the CCRP Advisory Board, except that in the event of a long illness, or other such cause for prolonged absence, the member may be replaced.

(d) Election of officers.

The CCRP advisory board shall elect from its membership a chairperson and other officers as may be desired. Officers shall be elected on a calendar year basis and may be reelected for succeeding terms.

Section 2-39. Terms of office.

The terms of office of the members of the CCRP advisory board shall run concurrently with the term of the member of the board of commissioners who appointed that particular member. In any event, term shall not exceed four years in the absence of reappointment.

Section 2-40. Severability.

If any part of this Ordinance is for any reason held to be void or invalid, the validity of the remaining parts of this Ordinance or its application to other persons or set of circumstances shall not be affected thereby.

Section 2-41. Repealer.

All previous Ordinances, policies or resolutions in conflict with this Ordinance are hereby repealed.

So ordained this 21<sup>st</sup> day of December, 2010.