

**BOROUGH OF PARKESBURG
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 538

**AN ORDINANCE OF PARKESBURG BOROUGH, CHESTER COUNTY,
PENNSYLVANIA, ESTABLISHING A COMMISSION TO BE NAMED
"PARKESBURG PARKS AND RECREATION COMMISSION"**

WHEREAS, The Borough of Parkesburg is a Borough and Municipality in the Commonwealth of Pennsylvania organized and governed by the Borough Code; and,

WHEREAS, the Borough of Parkesburg desires to establish a Commission in the Borough to assist in the use, improvement and maintenance of parks and open space in the Borough; and,

WHEREAS, the Borough Code specifically authorizes the creation of such a board or commission under the authority of 8 Pa. C.S.A. § 2709 and general powers granted to the Borough Council to create such a commission by Ordinance as found in Chapters 12 and 33 of the Borough Code.

NOW, THEREFORE, in accordance with the foregoing authority, the Borough of Parkesburg hereby establishes a commission to be named the "Parkesburg Parks and Recreation Commission".

SECTION 1— Purpose

The purpose of this commission shall be to assist in the development, use, improvement and maintenance of the Borough parks, open space and recreational facilities.

SECTION 2 — Duties

The Parkesburg Parks and Recreation Commission shall:

- A. Review and make recommendations for adoption to the Borough Council regarding the following:
 - 1) Any rules and regulations necessary for the operation of all parks, open space, and recreational facilities owned by the Borough;
 - 2) Maintenance, use, removal, or improvement of existing parks and recreational facilities;
 - 3) Acquisition and development of new parks and facilities;

- 4) Creation of recreational and community programs in Borough owned parks, open space and recreational facilities; and
 - 5) Ordinance provisions that relate to the preservation of open space, use of the parks and recreational areas, and management of these areas.
- B. Provide, organize and undertake any special projects or events related to parks and recreation deemed appropriate to meet the needs of the citizens of the Borough. This may also come in the form of a request by the Borough Council. (Any funds generated by the Commission as a result of events shall be earmarked for a specific purpose, budget item or capital project. This earmarking will be done prior to the fund-raising event, if at all possible; however, if not earmarked, the monies will accrue in a fund for future parks and recreational projects. Periodic activities notwithstanding, all issues relating to the use and/or scheduling of park and athletic facilities shall be handled jointly with the Parkesburg Parks and Recreation Commission and with the Borough Administration.)
- C. Submit an annual report to the Borough Council, including an analysis of the adequacy and effectiveness of Borough parks, recreation areas, facilities and leadership. Also included in the annual report should be:
- 1) Recommendations for improvements, additions, deletions or upgrades for parks and recreation facilities; and
 - 2) A review of the Borough-owned open space tracts and recommendation to the Borough Council for possible uses, improvements and required maintenance.
- D. Use the most current Parkesburg Borough Comprehensive Plan as a tool to guide the Borough's role in parks, open space and recreational efforts, and make recommendations to the Borough Council to revise and update this and other documents from time to time.

SECTION 3 — Composition; Terms; Vacancies; Removal

- A. The Borough Council Parks Committee Chair will sit on the Parkesburg Parks and Recreation Commission as the Borough Council representative and this member shall initially be assigned the one-year member appointment and shall continue to be a "one-year appointment" held by the person assigned to be the Borough Council Parks Committee Chair on an annual basis (a term of office which overrides the general three-year term set forth in subparagraph C below);

- B. The Parkesburg Parks and Recreation Commission shall have five (5) members; all members shall be Borough residents. All members shall be appointed by the Borough Council;
- C. Each Parkesburg Parks and Recreation Commission member shall serve for a term of three (3) years. Upon formation of the Commission, members' terms will be staggered with initial terms established as: one (1) one-year member appointed (the Borough Council representative as noted previously), two (2) two-year members appointed, and two (2) three-year members appointed; and
- D. Borough Council may fill a vacancy for the duration of any unexpired term; and,
- E. The Borough may, after a duly advertised public hearing, remove any member of the Commission from office for inefficiency, neglect of duty, malfeasance in office or conflict of interest.

SECTION 4 — Officers; Rules of Order

The Parkesburg Parks and Recreation Commission shall elect a Chairperson who will direct the activities of the Commission, a Vice Chairperson and a Secretary. All officers shall serve yearly. The Parkesburg Parks and Recreation Commission shall establish its own rules of order.

SECTION 5 — Role of Borough Staff

The Borough Manager will attend regular Parkesburg Parks and Recreation Commission meetings as necessary in an effort to facilitate communication between the Commission, the Borough council and the Administration. The Borough Manager will work with the Commission on researching and applying for available grant monies.

SECTION 6 — Meetings; Reports

Public meetings shall be held to conduct the business of the Parkesburg Parks and Recreation Commission in accordance with the Sunshine Law. Meetings shall be held at least quarterly to more frequent as deemed reasonable by the Commission. A report of the preceding year's activities shall be presented to Borough Council prior to March 1st of each year.

SECTION 7 — Conflicts with Statutory Provisions

In all matters that are regulated by the law of the Commonwealth of Pennsylvania by regulations or regulated by departments or an agency of the Commonwealth promulgated by authority of law, such law or regulations, or other Ordinance of the Borough of Parkesburg, as the case may be, shall control where the requirements thereof are the same or in excess of the provisions of this Ordinance. This Ordinance controls in all circumstances where the state requirements or the requirements of other Ordinances of the Borough are not as strict as those contained in this Ordinance.

SECTION 8 — Severability


If any portion of the Ordinance shall be determined to be unconstitutional, illegal or unenforceable, then the portion and only that portion of this Ordinance, which is deemed to be unconstitutional, illegal or unenforceable, shall be severed from the remainder of this Ordinance and all other terms thereof shall remain in full force and effect.

SECTION 9 — Effective Date

This Ordinance shall be effective as required by the Borough Code thirty (30) days after adoption.

ORDAINED and ENACTED by the Parkesburg Borough Council this 20th day of May, 2019

PARKESBURG BOROUGH COUNCIL


CHARLES J. PERSCH, President

ATTEST:


WENDY A. KEEGAN, Secretary

Approved this 20th day of May, 2019.


JOHN P. HAGAN, II, Mayor