

No. 53-02

AN ORDINANCE

Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, creating an advisory commission to advise the Director of Parks and Recreation on budget issues, fees and charges, personnel recruitment and training and general operating responsibilities.

WHEREAS, the Administration has presented a reorganization plan for the county's parks that includes a new county department, a nonprofit organization and an advisory commission and councils; and

WHEREAS, such reorganization is not intended to replace the policy-making powers of the Chief Executive and County Council but is expected to augment the decisions being made to improve the parks; and

WHEREAS, community involvement is essential to the success of the reorganization plan and the future of parks in Allegheny County and the creation of an advisory commission to provide for that citizen input is integral to that success;

Therefore, the Council of the County of Allegheny hereby enacts as follows:

Section 1. Creation of Parks & Recreation Commission

There is hereby created an advisory commission to be known and designated as the Parks and Recreation Commission of Allegheny County, Pennsylvania. The commission shall be a county agency as defined in the Administrative Code and shall be subject to all provisions within the code relating to agencies.

Section 2. Definitions

Unless a different meaning clearly appears from the context, the following terms, as used in this ordinance, shall be defined as follows:

- A. "Commission" shall mean the Parks and Recreation Commission.
- B. "Department" shall mean the Department of Parks and Recreation.
- C. "Director" shall mean the Director of Parks and Recreation.
- D. "Fiscal Year" shall begin on the first day of January and end on the last day of December of each year unless changed by Ordinance.
- E. "Members" shall mean the members of the Parks and Recreation Commission.

Section 3. Membership and Terms of Office

- A. The Commission shall be comprised of seven (7) members appointed by the County Executive and shall be subject to confirmation by County Council. Vacancies shall be filled in the same manner for an unexpired term.
- B. Commission members shall include, to the extent possible, representation from the labor, the disability community, education, environmental advocates, sports and athletic programs, landscape architecture and historic preservation. Consideration shall also be given to geographic diversity among commission members.
- C. The members of the Commission must reside in the County at the time of their appointment and must maintain residence within the County at all times during their service on the Commission.
- D. The terms of office shall be four (4) years for each member of the Commission. Members may be reappointed after their initial term. The terms of the members shall be staggered with three of the seven members serving an initial two-year term. Those three members serving an initial two-year term shall be determined by the Chief Executive when appointment is made.
- E. The terms of office shall begin with the confirmation by County Council of the seventh member. The terms shall terminate at the end of the fiscal year or when member's successors are appointed and qualified.
- F. The members of the Commission shall receive no compensation for the performance of their official duties.
- G. Members of the Commission may be removed by the Chief Executive at will.

Section 4. Election of Officers

- A. The Commission shall have at least two officers, Chair and Vice Chair.
- B. All officers shall be elected by the members for a term of one year and no officer shall serve more than two successive terms in that office.
- C. The officers of the Commission shall perform such duties as are customarily assigned to such officers.

Section 5. Parks Commission -- Responsibilities

- A. The Commission shall have the following powers and duties:
 - 1. Enhance citizen involvement in policy-making issues by advising the Director of Parks and Recreation regarding the budget, fees and charges, personnel recruitment and training, and general operating responsibilities.

2. Conduct periodic public meetings to report to the community and to receive input on various issues from the citizens.
3. Recommend to the County Executive and the County Council plans for development, beautification and maintenance of public parks and recreational areas, including parks, recreation facilities, playgrounds, aquatic areas, trails, greenways, bridges and open space.
4. Investigate and recommend to the County Executive and the County Council the acquisition or abandonment of lands, lakes, waterways, trails, utility rights-of-way, greenways, buildings or other facilities for parks and recreation purposes.
5. Work with public and private sector partners to connect County parks to the system of greenways and open space; and with local municipalities to preserve valuable open space lands adjacent to County parks.
6. Review and recommend to the Director plans for the construction or improvement of buildings or other facilities to be used for parks, recreation and open space purposes.
7. Recommend fees and charges for parks and recreation services to the Director for consideration. Such fees and charges will be subject to the review and consent of County Council.
8. Perform such other duties relating to parks and recreation areas and facilities as may be required or suggested by the Chief Executive or County Council.

Section 6. Commission Meetings

- A. Regular meetings of the Commission shall be held, at a minimum, four times a year at a time and place to be determined by the Commission. Meetings shall be open to the public and shall be held within Allegheny County.
- B. Notice of the meeting and its agenda shall be given to the public prior to meeting. The Commission will set the meeting agenda.
- C. A majority of all the members of the Commission shall constitute a quorum for the transaction of business. A motion shall carry upon the affirmative vote of the majority of the members present at any meeting.
- D. Minutes of each meeting shall be kept and filed with the County Clerk and copies sent to the County Executive and County Council.
- E. The Commission may promulgate such rules and regulations for its conduct, as it deems necessary. Robert's Rules of Order shall prevail in matters which are not addressed in such rules and regulations or until such rules and regulations are implemented.

Section 7. Report to the County

- A. The Commission shall present an annual written report of its activities for the past fiscal year to the County Executive and County Council. The Commission may also make appropriate recommendations as part of that report.
- B. The report shall include the following items:
 - 1. Name of Commission;
 - 2. Its objectives and functions;
 - 3. A reference to all reports and communications presented to County Council;
 - 4. The number of meetings held;
 - 5. Attendance records of all members;
 - 6. The number of public hearings conducted;
 - 7. The amount of money, if any, expended in support of the Commission;
 - 8. A list of County personnel that regularly assist the Commission.

Section 8. Severability

If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

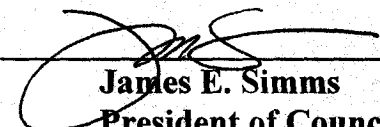
Section 9. Repealment

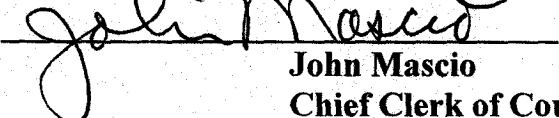
Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

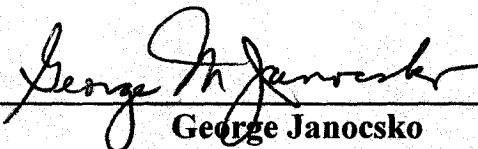
SPONSORED BY COUNCIL MEMBERS GASTGEB, JABBOUR, REA & FITZGERALD.

Enacted in Council, this 22nd day of October, 2002,

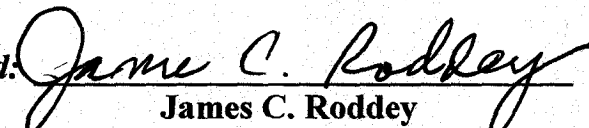
Council Agenda No. 0822-02

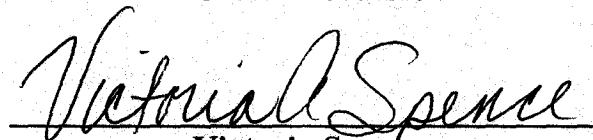

James E. Simms
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Approved as to form: 
George Janocsko
Acting County Solicitor

Chief Executive Office October 31, 2002.

Approved: 
James C. Roddey
Chief Executive

Attest: 
Victoria Spence
Executive's Secretary