

**ORDINANCE NO. 2019-3**  
**AN ORDINANCE CREATING THE CITY OF PINSON, ALABAMA,**  
**PARKS & RECREATION ADVISORY BOARD**

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**WHEREAS**, the City Council of Pinson, Alabama, desires to create an unincorporated, advisory-only board for the specific and limited purposes of offering organized community input regarding recreational and athletic programming; providing assistance to the City for the purpose of public outreach for its parks and recreation activities; and other similar supportive roles; and

**WHEREAS**, the City Council endeavors to design an advisory board which will offer educated input to city government on matters related to municipal recreation and the impact thereof on the individuals served; and

**WHEREAS**, the City Council finds it appropriate that the powers of such a board be specifically limited as advisory in nature and that its powers be specified as non-binding upon the municipal corporation or its employees, officers, or officials.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINSON, ALABAMA**, while in regular session on January 3, 2019, at 7:00 p.m., as follows:

**Section 1. Name.**

The name of the advisory board shall be the Pinson Parks & Recreation Advisory Board (“the Board”), and it shall be an unincorporated board of the City of Pinson, Alabama.

**Section 2. Purpose; authority; limitations; requirements.**

- (a) The Board shall be responsible for providing non-binding advice to the Mayor and City Council regarding the maintenance, preservation, operation, and use of all the recreational lands and grounds currently owned by the City or which may hereafter be acquired by the City for use as parks, playgrounds, athletic fields, or other places of recreation. The Board shall also be responsible for advising the Mayor and City Council regarding the direction and promotion of the City of Pinson recreational and athletic programs and activities, including but not limited to Pinson Youth Sports programs.
- (b) In order to carry out its purpose, the board is hereby authorized to:
  - (1) Elect a chair and any other officers it deems necessary.
  - (2) Adopt by-laws and rules of meeting procedure.
  - (3) Provide recommendations to the Mayor and City Council on current and forecasted recreational and athletic opportunities, needs, and activities within the City of Pinson.

- (4) Review policy and regulatory changes within the recreation and athletic industry and advise the Mayor and City Council regarding implementation of the same.
  - (5) Assist City personnel with the coordination of events between the various recreational and athletic events and activities.
- (c) Neither the Board nor its individual members shall have any power, right, or authority to bind or obligate the City in any way whatsoever, including, but not limited to, in any legal or fiscal capacity.
  - (d) The Board shall meet no less than quarterly.
  - (e) The Board shall report on its business in the manner required from time to time by the Mayor or City Council.

**Section 3. Board composition.**

- (a) The board shall consist of five (5) voting members. Each voting member shall be chosen and appointed by the City Council based on his or her particular interest in the development of city parks and community recreational and athletic opportunities.
- (b) Members of the board shall serve without compensation.
- (c) One (1) member of the City Council will be selected by the City Council to serve on the Board as a non-voting, *ex officio* member.
- (d) The City's Park Director and Assistant Park Director will serve on the Board as non-voting, *ex officio* members. In the case of a tie vote among the voting members of the Board, the City's Park Director will vote to break the tie, or if the City's Park Director is not in attendance at the time of the vote, then the Assistant Park Director will vote to break the tie.
- (e) Each voting member of the Board shall be appointed by the City Council for a one (1) year term, except that three (3) of the five (5) initial board members appointed by the City Council shall serve for two (2) year terms. The members of the Board serve at the pleasure of the City Council and may be removed by the City Council at any time.
- (f) As the term of any voting member expires, the successor shall be appointed for a one (1) year term. Vacancies in unexpired terms shall be filled in the same manner as original appointments are made, but such appointment shall only be for the length of time remaining in that place's unexpired term.
- (g) The Board, as a body, may make non-binding recommendations to the Mayor and City Council regarding upcoming appointments to the board.

**Section 4. Chairperson; duties.**

The Board shall elect from its membership a Chairperson who shall preside at all meetings and who shall have the authority to call special meetings when he or she deems the same to be necessary for the effective operation of the Board.

**Section 5. Specific notice of Board's limited authority.**

The public is hereby put on notice that the City of Pinson, Alabama, Parks & Recreation Advisory Board is not capable of encumbering the City in any manner; that it does not have separate financial authority or means of any kind; and that it does not have any authority over city personnel, whether elected, appointed, or hired. Further, the Board does not have any authority to expend or appropriate any public funds.

**Section 6. Effective date.**

This Ordinance shall become effective upon its adoption as provided by law.

**Section 7. Severability.**

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraph and sections, since the same would have been enacted by the City Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

ADOPTED AND APPROVED THIS THE 3<sup>rd</sup> DAY OF January, 2019.

  
HOYT SANDERS, MAYOR


ATTEST:

  
Marie Turner, City Clerk

**CERTIFICATION OF CITY CLERK**

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, Marie Turner, City Clerk of the City of Pinson, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Pinson, Alabama, on the 31<sup>st</sup> day of January, 2019.

  
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Marie Turner, City Clerk