

ORDINANCE NO. 1009-2024

AN ORDINANCE OF THE BOROUGH OF IRWIN AMENDING THE RECREATION BOARD CODE

WHEREAS, the Borough of Irwin owns and operates recreational places throughout the Borough; and

WHEREAS, the Borough of Irwin Recreation Board currently advises Mayor and Council on how to properly equip, operate and maintain recreation places; and

WHEREAS, Mayor and Council desire to clarify the qualifications for membership on the Recreation Board and the structure of the Board's leadership; and

WHEREAS, the Borough currently appoints a committee to organize civics related recreational events, including concerts in the Borough, called the Irwin Civics Activities Committee; and

WHEREAS, Mayor and Council of the Borough of Irwin find that providing concerts at Borough recreation places is a key function of the Borough's recreational program; and

WHEREAS, the Borough desires to formally create and appoint a Civics Activities Board, which, subject to oversight by Council, would organize and operate concerts and similar entertainment events at Borough recreational places.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Irwin, Westmoreland County, Pennsylvania, as follows:

SECTION 1: Borough of Irwin Code Chapter 44 is hereby renamed "Recreation".

SECTION 2: Borough of Irwin Code Sections 44-1 through 44-9 are hereby organized as Article I of Chapter 44, entitled "Recreation Board".

SECTION 3: Borough of Irwin Code Chapter 44 is amended by repealing and replacing Sections 44-2 and 44-3, as follows:

§ 44-2 Membership; powers; tenure; vacancies; service without pay.

The Board shall be composed of five members, to be appointed by the Council, with the power to provide, conduct and maintain public recreation areas, facilities and centers subject to all the responsibilities of the recreation-enabling legislation. The Board members shall serve for terms of five years and until their successors are appointed, except that the members first appointed shall be so appointed that the term of one member shall expire annually thereafter. Vacancies

shall be filled in the same manner as original appointments and for the unexpired term. Members shall serve without pay. Members shall be Borough of Irwin residents.

§ 44-3 Officers; bylaws, rules and regulations; meetings.

The Recreation Board shall appoint from its membership a Chairman, Secretary and such other officers as it may deem necessary for the orderly procedure of its business and may adopt bylaws, rules and regulations covering its procedure not inconsistent with the provisions of the state laws. The Recreation Board shall, from time to time, make rules governing the operation and conduct of the recreational facilities operated by the Board. The Board shall hold regular meetings at such times and places as it may designate.

SECTION 4. Borough of Irwin Code Chapter 44 is hereby amended by adding an Article II, entitled "Civics Activities Board", as follows:

§ 44-10 Creation of Civics Activities Board.

There is hereby created a recreation board known as the "Civics Activities Board," to organize and operate entertainment related activities, such as concerts, at Borough of Irwin recreational places, subject to oversight and approval of all such events by Council of the Borough of Irwin.

§ 44-11 Membership; powers; tenure; vacancies; service without pay.

The Board shall be composed of five members, to be appointed by the Council, with the power to organize and operate public entertainment events at Borough of Irwin recreational places pursuant to the recreation-enabling legislation. The Board members shall serve for terms of five years and until their successors are appointed, except that the members first appointed shall be so appointed that the term of one member shall expire annually thereafter. Vacancies shall be filled in the same manner as original appointments and for the unexpired term. Members shall serve without pay and shall be Borough of Irwin residents.

§ 44-12 Officers; bylaws, rules and regulations; meetings.

The Civics Activities Board shall appoint from its membership a Chairperson, Secretary and such other officers as it may deem necessary for the orderly procedure of its business and may adopt bylaws, rules and regulations covering its procedure not inconsistent with the provisions of the state laws. The Board shall hold regular meetings at such times and places as it may designate.

§ 44-13 Acceptance of grants and gifts; contracts; appropriations.

The Civics Activities Board may accept any grant, gift, bequest or donation of services, equipment, real estate or money from any individual or group, which shall immediately be turned over to the Borough. The Civics Activities Board shall have no authority to enter into any contract, incur any obligation, or accept any grant on specific terms binding upon the Borough. All contracts, obligations, acceptance of grants with specific spending terms, or any other matters binding the Borough of Irwin must first be approved by Borough Council.

§ 44-14 Deposit and disbursement of funds.

Funds appropriated by Borough Council and budgeted for Civics Activities Board organized recreational activities shall be disbursed by the Borough Manager upon recommendation from the Civics Activities Board within the budget appropriations made and approved by Council . Funds received by the Civics Activities Board from sources other than budgeted appropriations shall be deposited by the Borough for civics related uses and disbursed by the Borough Manager upon approval by Council, and in accordance with the donor's purposes if applicable.

§ 44-15 Reports; fiscal year.

The Civics Activities Board shall make full and complete reports to Borough Council at such times as may be designated or requested by Borough Council. The fiscal year of said Civics Activities Board shall conform to that of the Borough.

SECTION 5. Effective Date. The terms and provision set forth herein shall become effective as of the date of enactment.

ORDAINED AND ENACTED this 14th day of February, 2024, a full quorum being present and acting throughout.

ATTEST: Shari Martino
Shari Martino
Irwin Borough Secretary

BOROUGH OF IRWIN

By: Rick Burdelski
Rick Burdelski
Irwin Borough Council President

EXAMINED AND APPROVED by the Borough Mayor on this 14th day of February, 2024.

Jeffery Clem
Jeffery Clem
Irwin Borough Mayor