

**TOWNSHIP OF WEST VINCENT  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 146 OF 2009**

**AN ORDINANCE OF WEST VINCENT TOWNSHIP: ESTABLISHING THE WEST VINCENT TOWNSHIP PARK AND RECREATION COMMISSION: ESTABLISHING THE APPOINTMENT, TERM AND VACANCY OF THE MEMBERS OF THE COMMISSION; ESTABLISHING THE MEMBERSHIP REQUIREMENTS; PROVIDING FOR A PROCEDURE FOR REMOVAL FROM THE COMMISSION; ESTABLISHING PROCEDURES FOR CONDUCT OF BUSINESS BY THE COMMISSION; ESTABLISHING THE POWERS AND DUTIES OF THE COMMISSION; PROVIDING FOR THE APPROPRIATION OF TOWNSHIP FUNDS TO THE COMMISSION; REQUIRING AN ANNUAL REPORT FROM THE COMMISSION AS TO ITS RECOMMENDATIONS; PROVIDING FOR THE REPEALER OF ANY INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF ANY PROVISIONS DETERMINED TO BE ILLEGAL; AND ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE.**

BE IT ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST VINCENT AND IT IS ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME:

**Section 1. Establishment.**

Pursuant to Section 2204 of the Second Class Township Code, the West Vincent Township Park and Recreation Board (which shall hereinafter be referred to as the "Commission") is hereby established by the West Vincent Township Board of Supervisors.

**Section 2. Appointment, term and vacancy.**

The Commission shall consist of seven (7) members, appointed by the Board of Supervisors for a term of five (5) years or until their successors are appointed, except that the initial members of the Commission shall be appointed for terms of length such that not more than two (2) members' terms expire on the same year. The members of the Commission shall serve without compensation. The Chairman of the Commission shall promptly notify the Board of Supervisors of any vacancies on the Commission, and such vacancy shall be filled for the unexpired term by said Board of Supervisors.

### **Section 3. Membership Requirements.**

All of the members of the Commission shall be residents of West Vincent Township, Chester County, Pennsylvania, at the time of appointment and for the term of the appointment.

### **Section 4. Removal.**

Any member of the Commission, once qualified and appointed, may be removed from office for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

### **Section 5. Conduct of Business.**

The Commission shall elect its own Chairman, a Vice Chairman and a Secretary, and create and fill such other offices as it may determine. Officers shall serve annual terms and may succeed themselves. The Commission may make and alter bylaws and rules and regulations to govern its procedures, provided that such are consistent with the ordinances of West Vincent Township and the laws of the Commonwealth of Pennsylvania.

### **Section 6. Powers and Duties.**

The Commission shall serve solely in an advisory capacity to: advise the Township Board of Supervisors on how to maintain, equip and operate parks and other recreational facilities; advise and provide recommendation to the Township Board of Supervisors on the development a program of recreation activities and services designed to meet the various leisure time interests of all Township residents; evaluate programs, facilities, services and relationships periodically to assure that the Township's goals and objectives are being achieved; review and advise the Board of Supervisors of proposed recreation plans and facilities in connection with proposed land development activities and plans; and advise and assist in the development and acquisition of adequate financial support for park and recreation facilities and programs.

### **Section 7. Appropriation and Expenditure of Township Funds.**

The Board of Supervisors may appropriate funds on an annual basis to support activities of the Commission. Any expenditures recommended by the Commission shall be on forms provided by the Township, and shall conform to the Township budget, as well as appropriate Township ordinances and resolutions and state and federal laws governing purchasing and expenditures.

**Section 8. Annual Report.**

The Commission shall keep a full record of its business, and shall, no less than annually and no later than March 1 of the succeeding year, make a written report of its activities to the West Vincent Township Board of Supervisors. Interim reports may be made as often as may be necessary or as requested by the Board of Supervisors.

**Section 9. Repealer.**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 10. Severability.**

If any sentence clause section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

**Section 11. Effective Date.**

This Ordinance shall become effective five (5) days after its adoption.

ORDAINED AND ENACTED this 26 day of January, 2009.

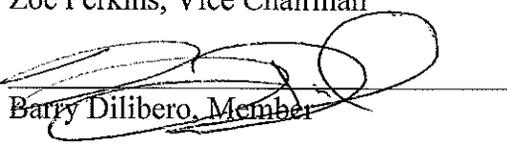
ATTEST:

  
\_\_\_\_\_  
Tammy Swavely, Secretary

WEST VINCENT TOWNSHIP  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Kenneth Miller, Chairman

  
\_\_\_\_\_  
Zoe Perkins, Vice Chairman

  
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Barry Dilibero, Member