

**TOWNSHIP OF UPPER BERN
COUNTY OF BERKS
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO.: 101 -2010

**AN ORDINANCE OF UPPER BERN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA,
REPEALING PRIOR ORDINANCES REGARDING A RECREATION BOARD AND
CREATING A RECREATION BOARD AND ESTABLISHING ITS POWERS AND DUTIES
PURSUANT TO 53 P.S. SECTION 67204**

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Upper Bern Township, Berks County, Pennsylvania, as follows:

Section 1: Repealer. This Ordinance specifically repeals Upper Bern Township Ordinance Number 59-2001 and terminates any Boards formed under Ordinance 59-2001. All other Ordinances or Resolutions, or parts of Ordinances or Resolutions, insofar as they are inconsistent herewith, shall be in the same or hereby repealed.

Section 2: Recreation Board. The Supervisors of Upper Bern Township, pursuant to 53 P.S. Section 67204, hereby creates a Recreation Board to consist of five (5) citizens who are residents of Upper Bern Township. The members shall be appointed by the Supervisors and shall serve for terms of five years or until their successors are appointed, except that the members first appointed shall be appointed so that three members are appointed for an initial two year term and two members for an initial three year term. Members shall serve without pay but may be reimbursed by the Township for all expenses incurred in performing their duties. All persons appointed shall serve their full terms unless voluntarily resigned, no longer have residency in the Township, or are removed by the board of supervisors for dereliction or neglect of duty. The Supervisors shall be given discretion in their determination of a dereliction or neglect of duty. Vacancies occurring other than by expiration of term shall be for the unexpired term and shall be filled by an appointment of the Supervisors.

Section 3: Powers and Duties. The Recreation Board, as hereby established, shall have only those powers and duties specifically delegated to the Board by the Supervisors.

- A. The Board shall have the following powers and duties:
1. The Recreation Board has the duty to submit an annual report to the Board of Supervisors, including an analysis of the adequacy and effectiveness of community recreation areas and facilities.
 2. The Recreation Board shall report any issues with the community recreation areas and facilities to the Supervisors as such issues may arise.
 3. The Recreation Board shall oversee and organize community volunteer cleanups and other routine volunteer maintenance at the community recreation areas, and shall provide notice of such activities to the supervisors.

4. The Supervisors may confer additional powers and duties, as allowed by law, to the Recreation Board by resolution of the Supervisors.

B. The Recreation Board shall not have the power to authorize any expenditure and shall request any necessary expenditure from the Township. The Recreation Board is prohibited from maintaining its own funds.

Section 4: Officers. The members of a Recreation Board shall elect a chairman and secretary and select all other necessary officers to serve for a period of one year.

Section 5: Additional Members. The Supervisors of Upper Bern Township may expand the Board to a total of seven (7) members who are Township residents, if, in the discretion of the Supervisors, additional members will serve the best interests of the Recreation Board and the Township in general. Said expansion of the Board may be accomplished by resolution of the Supervisors.

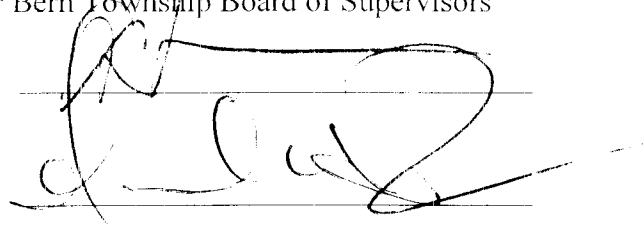
Section 6: Validity. If any Section or part of a Section of this Ordinance shall be declared invalid, such invalidity shall not affect the remaining parts or Sections of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been enacted as if such invalid Section or portion thereof had not been included therein.

Section 7: Effective Date. This Ordinance shall become effective upon adoption.

ORDAINED AND ENACTED this 12th day of May, 2010, by a vote of 3 Yes
 0 No 0 Abstained 0 Absent.

Upper Bern Township Board of Supervisors

By: _____



Attest:

Donald K. Shaffer
Secretary
