

SUPERVISOR'S ORDER Book No. 10 PAGE 331.

MAY 7, 1973

AN ORDINANCE CREATING A RECREATION BOARD,
PRESCRIBING TERMS OF MEMBERS, ORGANIZATION,
POWERS AND DUTIES

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF RUSSELL
COUNTY:

1. Under the provisions of Section 15.1-271 of Chapter 8 of the General Laws of the Commonwealth of Virginia, there is hereby established a recreation commission. This commission shall consist of 18 persons serving without pay who shall be appointed by the Board of Supervisors. The term of office shall be for two years or until their successors are appointed and qualified, except that the members of such commission first appointed shall be appointed for such terms that the term of the members shall expire at the end of one year and bi-annually thereafter. Vacancies in such commission occurring otherwise than by expiration of term shall be filled by the Board of Supervisors for the unexpired term.

2. Immediately after their appointments, they shall meet and organize by electing one of their members president, and such other officers as may be necessary. The commission shall have the power to adopt by laws, rules, and regulations for the proper conduct of public recreation for the County.

3. The recreation commission shall provide, conduct, and supervise public playgrounds, athletic fields, recreation centers, and other recreation facilities and activities on any of the properties owned or controlled by the County, or on other properties with the consent of the owners and authorities thereof. It shall have the power to conduct, or to cooperate with other agencies in conducting, any form of recreation that will employ the leisure time of the people in a constructive and wholesome manner.

4. The recreation commission shall have the power to appoint or designate someone to act as superintendent who is trained and properly qualified for the work and such other personnel as the commission deems necessary.

5. Annually the recreation commission shall have the power to appoint or designate someone who shall submit a budget to the County governing body for its approval. The commission may also solicit or receive any gifts of bequests of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds and other recreation purposes.

6. The recreation commission shall make full and complete quarterly and annual reports to the governing body of the city and other reports from time to time as requested.

7. All ordinances, resolutions, or parts thereof, in conflict with the provisions and intent of this ordinance are hereby repealed.

Passed and Adopted this 9th day of May , 1973.

RUSSELL COUNTY PARKS REGULATIONS
ORDINANCE

Public hearing having been duly held pursuant to law and upon motion made by J. L. Porter and duly passed by the Russell County Board of Supervisors that the following ordinance with corrections be and hereby is adopted:

Regulation No. 1 Definition of Terms. Whenever used in any Russell County Parks Regulation, the following respective terms unless otherwise therein expressly defined, shall have the meaning given herein.

(a) "Park": The term park or parks, unless specifically limited, shall be deemed to include all designated public parks, historical sites, natural areas, and other recreational areas under the jurisdiction of the Russell County Board of Supervisors.

(b) "County": The Russell County Board of Supervisors or its appointed agent, the Russell County Recreation and Park Commission.

(c) "Regulation": Any regulation duly adopted by the Russell County Recreation and Park Commission pursuant to the powers contained in Virginia Code Section 15.1-1232(q).

(d) "Owner": Any person, firm, association, partnership or corporation owning, leasing, operating, or having the exclusive use of a vehicle, animal or any other property under a lease or otherwise.

(e) "Foot Path or Trail": Any path or trail maintained for pedestrians or handicapped persons.

(f) "Bicycle Path": Any path maintained for bicycles.

(g) "Permits": Any written license issued by or under authority of the Board of Supervisors or the Russell County Recreation and Park Commission, permitting the performance of a specified act or acts.

(h) "Persons": Any natural person, corporation, company, association, organization, firm or partnership.

(i) "Motor Vehicle": Any wheeled conveyance, whether motor powered animal-drawn. The term shall include any trailer in tow of any size, kind or description.

(j) "Camping Unit": Shall mean a tent, sleeping bag, etc., and shall not mean tent trailer, travel trailer, camping trailer, pick-up camper, motor home or any other type of temporary living quarters or shelter, whether motor driven or designed to be attached to or drawn by a vehicle.

CONSTRUCTION AND SCOPE OF REGULATIONS

Regulation No. 2. Construction. In the interpretation of Russell County Park Regulation, their provisions shall be construed as follows: (1) Any terms in the singular shall include the plural; (2) Any term in the masculine shall include the feminine and the neuter; (3) Any requirements or prohibiton of any act shall extend to and include the causing or procuring, directly or indirectly of such act; (4) When not inconsistent with the context, words in the present tense include the future; (5) No provision hereof shall make unlawful any act necessarily performed by any officer, employee of the County, or agent of the County in the property and necessary execution of the terms of any agreement with the County; (6) Any act prohibited by Russell County Parks Regulations, provided it is not otherwise prohibited by law of local ordinance, shall be lawful if performed under, by virtue of and strictly within the provision of a permit so to do, and to the extent authorized thereby, and (7) These regulations are in addition to and supplement the Virginia Game, Inland Fish and Boat Laws which are incoporated herein and made a part thereof.

Regulation No. 3. All Russell County Parks Regulations shall be effective within and upon all public county parks, historical sites and natural areas, and other recreational areas in Russell County which may be under the jurisdiction of the Russell County Board of Supervisors and shall regulate the use thereof by all persons.

PRESERVATION OF THE PARK

Regulation No. 4. Flowers, plants, minerals, etc.

No person shall remove, destroy, cut down, carve, mutilate, transplant, take or gather in any manner any tree, flower, fern, shrub, rock or plant, historical artifact, or mineral in any park. Nor shall any person shall not dig in or otherwise disturb grass areas, or in any other way injure or impaid the natural beauty or usefullness of any area.

Regulation No. 5. Building, signs, structures, etc.

No person shall in any manner deface, disturb, destroy, or disfigure any part of any park, not any building, sign, equipment, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices of placecards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

REFUSE AND RUBBISH

Regulation No. 6. Disposal of refuse, garbage, etc.

No person shall discharge, deposit in any part of any park or body of water in or adjacent to any park any garbage, sewage, refuse, waste, vegetables, food stuffs, boxes, tin cans, paper, litter or any other waste or obnoxious material, except in proper trash receptacles where these are provided.

Regulation No. 7. Pollution of waters.

No person shall bathe dogs or other animals, wash vehicles or clothing in the streams, or other waters of any park, or throw, discharge or otherwise cause to be placed into streams, or other waters of the park or in any storm sewer or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

DISORDERLY CONDUCT

Regulation No. 8. Disorderly conduct prohibited.

No person shall disobey a lawful order of a Park Supervisor, Patrolman, or other duly authorized officer or agent; nor unreasonably disturb or annoy others; or do any act tending to or amounting to a breach of the peace not conduct himself in any disorderly manner whatsoever.

Regulation No. 9. Gambling.

Gambling in any park is prohibited.

Regulation No. 10. Intoxicating liquors or beverages.

No person shall have in his possession or be under the influence of intoxicants while in the confines of any park.

Regulation No. 11. Illegal drugs.

No person shall have in his possession or be under the influence of illegal drugs.

HOURS

CEDAR CREEK PARK - OLD RUSSELL COUNTY COURTHOUSE

Regulation No. 12.

No person except employees or officers of the County shall be allowed within the confines of Cedar Creek Park or the Old Russell County Courthouse from sunset of one day until dawn of the following day, except campers or persons with special permits for such purpose.

HOURS
ALL OTHER PARKS

Regulation No. 13. All Other Parks.

No person except employees or officers of the County shall be allowed within the confines of the park after normal operating hours during the regular sports season or in the confines of the park is not being used for the regular scheduled sports program of the Russell County Recreation and Parks Commission except for use of buildings and events specifically designated by the Commission or its Agents.

Regulation No. 14. Bathing prohibited.

No person shall swim in any waters in any park.

Regulation No. 15. Firearms.

No person except designated employees, police officers, or special police officers shall carry or possess firearms of any description, or slingshot, bow and arrow, dart device, or other device designated for high-speed missile projection.

Regulation No. 16. Explosives.

No person shall bring into or have in any park any explosive or explosive substance.

Regulation No. 17. Fires, lighted cigarettes, etc.

No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purposes except by special permit. Any fire shall be continuously under the care and direction of a competent person over sixteen years of age from the time it is kindled until it is extinguished. No person within the confines of any park shall throw away or discard any lighted match, cigarette, cigar, or other burning object. Any lighted match, cigarette, cigar, or other burning object must be entirely extinguished before being properly disposed of.

Regulation No. 18. Smoking.

No person shall smoke in any structure or place in any park where smoking is prohibited. No smoking is allowed when walking nature trails. Smoking may be forbidden by the County or its authorized agent in any part of any park when it is deemed that the fire hazard makes such action advisable.

HUNTING AND FISHING

Regulation No. 19. Hunting.

No person within the confines of any park, shall hunt, pursue, trap, shoot, injure, kill or molest in any way any bird or animal, nor shall any person have any wild bird or animal in his possession within the park. Shooting into park area from beyond the park boundaries is prohibited.

Regulation No. 20. Fishing.

Fishing is permitted in the designated areas of such parks possession fishable waters. All persons fishing must have a State Fishing License where required by law and comply with the Game and Inland Fisheries rules and regulations. No commercial

fishing is allowed.

DOGS AND OTHER ANIMALS

Regulation No. 21. Animals at Large.

No person shall cause or permit any animal owned by him, in his custody, or under his control, except an animal restrained by a leash not exceeding six feet in length, to enter any park, and each such animal found at large may be seized and disposed of as provided by the law.

MODEL ROCKETS OR AIRPLANES

Regulation No. 22. Certain activities prohibited.

No person shall engage in the flying of powered model rockets or airplanes.

TRAFFIC AND PARKING

Regulation No. 23. Vehicles, when prohibited.

No person shall drive a motor vehicle in any park within or upon a safety zone, walk, bicycle path, nature trail, fire truck trail, service road or any part of any park not designated for, or customarily used by motor vehicles, except properly authorized individuals engaged in fire control, park maintenance, or other necessary park-related activities.

Regulation No. 24. Parking.

(a) In General. No owner or driver shall cause or permit a vehicle to stand any where in any park outside of designated parking spaces, except a reasonable time in a drive to receive or discharge passengers. Parking shall be in accordance with the posted direction at the parking area and/or with the instructions of any attendant who may be present.

(b) For Handicapped. No owner or driver shall cause or permit a vehicle to stand in any space designated for use by the handicapped in any park unless the vehicle displays a license plate or decal issued by The Commissioner of Motor Vehicles of Virginia, under authority of Section 46.1-104.1 or Section 46.1-149.1 of the Code of Virginia, or a similar identification issued

by similar authority in some other state or The District of Columbia.

Regulation No. 25. Obstructing traffic.

No person shall cause or permit a vehicle to obstruct traffic by unnecessary stopping.

Regulation No. 26. Speed limit.

Rate of speed in excess of 15 miles per hour is prohibited.

Regulation No. 27. Excessive loads.

No person shall operate an excessively loaded vehicle anywhere in any park. The determination of whether a load is excessive will be made by the Park Official and will be based upon the load and the condition of the road.

AVIATION

Regulation No. 28. Aviation.

No person shall voluntarily bring, land or cause to descend or alight within or upon any park, any airplane, flying machine, balloon, parachute or other apparatus for aviation except under permit. "Voluntarily" in this connection shall mean any thing other than a forced landing.

CLOSED AREAS

Regulation No. 29.

No person shall enter or use an area posted as "Closed to the Public".

ENFORCEMENT

Regulation No. 30. (a) Officials.

The Director and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this Ordinance.

PENALTIES

Regulation No. 31.

It shall be unlawful and constitute a misdemeanor for any person to violate any of the provisions of the Russell County Park Commission Rules, as promulgated under the authority of Virginia Code Section 15.1-1232(q).

Each day any person continues to act in violation of any of the rules shall constitute a separate offense.

Every person convicted of a misdemeanor for violation of any of the rules shall be punished by a fine of not less than ten dollars nor more than five hundred dollars, and the trial of all violations of this ordinance shall be enforced by proceedings before the Sheriff and all deputies, Virginia Game Warden, and all police officers of Russell County are hereby authorized to issue summons in writing to the violators of this ordinance to appear before said Court. All fines collected from any person for violating any portion of this ordinance, upon conviction thereof, shall be credited to the general revenue funds of the County of Russell and deposited by the Treasurer or Russell County in the same manner as provided for other county monies.

Regulation No. 32. Saving Clause.

If any section, phrase or part of this ordinance should for any reason be held invalid by a court of competent jurisdiction, such decision shall not effect the remainder of this ordinance; and every remaining section, phrase or part thereof shall continue in full force and effect.

AN ORDINANCE CREATING A RECREATION BOARD, PRESCRIBING TERMS OF
MEMBERS, ORGANIZATION, POWERS AND DUTIES

Be it ordained by the Board of Supervisors of Russell County:

1. Under the provisions of Section 15.1-271 of Chapter 8 of the General Laws of the Commonwealth of Virginia, there is hereby established a recreation commission. This commission shall consist of 18 persons serving without pay who shall be appointed by the Board of Supervisors. The term of office shall be for two years or until their successors are appointed and qualified, except that the members of such commission first appointed shall be appointed for such terms that the term of ____ of the members shall expire at the end of one year and bi-annually thereafter. Vacancies in such commission occurring otherwise than by expiration of term shall be filled by the Board of Supervisors for the unexpired term.
2. Immediately after their appointments, they shall meet and organize by electing one of their members president, and such other officers as may be necessary. The commission shall have the power to adopt bylaws, rules, and regulations for the proper conduct of public recreation for the County.
3. The recreation commission shall provide, conduct, and supervise public playgrounds, athletic fields, recreation centers, and other recreation facilities and activities on any of the properties owned or controlled by the County, or on other properties with the consent of the owners and authorities thereof. It shall have the power to conduct, or to cooperate with other agencies in conducting, any form of recreation that will employ the leisure time of the people in a constructive and wholesome manner.
4. The recreation commission shall have the power to appoint or designate someone to act as superintendent who is trained and properly qualified for the work and such other personnel as the commission deems necessary.
5. Annually the recreation commission shall have the power to appoint or designate someone who shall submit a budget to the County governing body for its approval. The commission may also solicit or receive any gifts of bequests of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds and other recreation purposes.
6. The recreation commission shall make full and complete quarterly and annual reports to the governing body of the city and other reports from time to time as requested.
7. All ordinances, resolutions, or parts thereof, in conflict with the provisions and intent of this ordinance are hereby repealed.

Passed and Adopted this 9th day of May, 1973.

EXECUTIVE SECRETARY-- C. R. Lynch, Jr.,-- SECRETARY FOR

Upon motion made, seconded and duly passed, it is ordered that C. R. Lynch, Jr., Executive Secretary for Russell County, be and he is hereby authorized to advertise in different news papers for the hiring of secretarial help.

Upon motion, it is ordered that this Board adjourn until the 10th day of May, 1973, at 10:00 O'clock A. M.

G. H. Jackson
Clerk-

R. W. Lickman
Chairman

BYLAWS OF THE
RUSSELL COUNTY PARK AND RECREATION
COMMISSION

ARTICLE I

Office

Section 1.01. Principal office. The principal office of the Russell County Park and Recreation Commission (hereinafter called the "Commission") in the State of Virginia shall be located in Lebanon, in the County of Russell.

ARTICLE II

Members

Section 2.01. Eligibility of membership. The Commission shall have one class of members. Any legal competent person of good reputation who resides in the County of Russell shall be eligible to serve on the Commission.

Section 2.02. Appointment of members. Members of the Commission shall be appointed by the Russell County Board of Supervisors with the exception of three members who shall be appointed by the Mayor or Town Councils of the Towns of Lebanon, Cleveland and Honaker, respectively. The county members shall be appointed by the Board to represent the areas of Cleveland, Dante, Castlewood, Honaker and Lebanon. Three members from each area shall be appointed.

Section 2.03. Membership. Minimum number. The Board of Supervisors shall make a very reasonable effort to maintain a county-wide membership of not less than 18 members, of which three members shall represent the incorporated towns of Cleveland, Honaker and Lebanon.

Section 2.04. Terms of Office of members. The terms of office of members of the Commission shall be for a period of two years or until their successors are appointed and qualified except that the initial appointment of members of the Commission shall be appointed for such terms that the terms of nine members of the Commission shall expire at the end of one year and bi-annually thereafter.

Section 2.05. Voting Rights. Each member of the Commission shall be entitled to one vote on each matter submitted to a vote of the members.

Section 2.06. Termination of membership. A member may be suspended or expelled, for just cause, by the vote of not less than three-fourths of the members present at a meeting of the Commission, provided notice of such proposed action shall have been duly given in the notice of the meeting and provided the member has been informed in writing of the charges preferred against him at least ten days prior to such meeting.

Section 2.07. Resignation. Any member of the Commission may resign by filing a written resignation to the Chairman or Secretary of the Commission.

Section 2.08. Transfer of membership. Membership in the Commission is not transferrable or assignable.

Section 2.09. Membership - Liability of Commission's obligations. Members shall not be liable for any debts or obligations of the Commission and shall not be subject to any assessment.

ARTICLE III

Meetings of Members

Section 3.01. Special meetings. Special meetings of the members may be called by the Chairman, or not less than one-third of the members.

Section 3.02. Place of meetings. The members of the Commission may designate any place within the county as the place for any regular or special meeting of its members.

Section 3.03. Notice of meetings. Written or printed notice stating the place, day and hour of any meeting of the members shall be mailed or each member shall be contacted by telephone at least three days before the date of such meeting.

Section 3.04. Quorum. The majority of the members of the Commission shall constitute a quorum for conducting the affairs of the Commission.

ARTICLE IV

Members of the Commission

Section 4.01. General powers. The affairs of the Commission shall be managed by its members.

Section 4.02. Specific duties. The Commission shall have the authority to adopt bylaws, rules and regulations for the proper conduct of public recreation for Russell County. The Commission shall provide athletic fields, recreation centers and other recreation facilities and activities on any of the properties owned or controlled by the county or other properties with the consent of the owners and authorities thereof.

Section 4.03. Policy. The Commission grants the following recreation clubs the right to operate recreation programs on county or leased property:

- A-1. Dante - Dante softball club and Dante community outside recreation Commission.
- A-2. Castlewood - Castlewood Senior League.
- A-3. Cleveland - Cleveland Recreation Club.
- A-4. Lebanon - Lebanon Little League.
- A-5. Honaker - Honaker Little League.

Section 4.04. Policy change. A club decision can be changed by Section 3.04 of Article III.

Section 4.05. Termination of Club. A club can be terminated for just cause of not carrying out its obligation for the community by three-fourths vote of the members present at a meeting of the Commission, provided notice of such proposed action shall have been duly given in the notice of the meeting and provided the club has been informed in writing of the charges preferred against them at least ten days prior to such meeting.

Section 4.06. Other clubs. Other clubs would be allowed to use facilities (but they would have to be responsible for all expenses, clean-up and any damage done to equipment or property) as long as they didn't interfere with organized games. Event should be scheduled several months in advance so it could be scheduled with other events already on shcedule.

Section 4.07. Concession. The concession is to be operated by local club, unless they are willing to give it up for that event. Concession rights are given to local club to run to help pay expenses, such as lighting, etc. Norton Bottling Co. given drink rights for all recreation part control by the local clubs, in exchange for 8' X 12' electric scoreboard, donated to the major field in county.

Section 4.08. Horseshows and Carnivals. No horseshow or Carnival to be allowed on county or leased recreation property.

Section 4.09. Appointment of Director. The Commission shall have the power to appoint or designate someone to act as the Director to supervise the work of the Commission or other personnel as the Commission deems necessary.

Section 4.10. The Commission shall submit reports to the Russell County Board of Supervisors periodically or as the Board requests informing the Board of the Commission's activities.

Section 4.11. Vacancies. Any vacancies occurring on the Commission shall be reported to the Russell County Board of Supervisors promptly and the Board shall be asked to fill the vacancy. A member appointed to fill a vacancy shall be for the unexpired term of his predecessor.

Section 4.12. Members - Residuary powers. The Commission members shall have the powers and duites necessary or appropriate for carrying out the affairs of the Commission. All powers of the Commission except those specifically reserved in these bylaws or by law shall be vested in the members of the Commission.

Section 4.13. Compensation. Commission members shall not receive any compensation for their services as members.

ARTICLE V

Officers

Section 5.01. Officers. The officers of the Commission shall be a Chairman, Vice-Chairman, a Secretary and Treasurer. The members may elect or appoint other officers or committees as it shall deem desirable and such officers to have the authority to perform the duties prescribed from time to time by the Commission.

Section 5.02. Election and terms of office. The officers of the Commission shall be elected from the membership of the Commission at any regularly scheduled meeting. Each officer shall hold office for a period of one year or until the next annual election of officers or until his successor shall have been duly elected.

The term of office shall be for one year.

Section 5.03. Vacancies. A vacancy in any office may be filled by the board by majority vote of members for the unexpired portion of the term.

Section 5.04. Removal. Any officer elected or appointed by the Commission may be removed by the Commission by two-thirds vote whenever in its judgement the best interest of the Commission would be served thereby.

Section 5.05. Chairman. The Chairman shall be the principal executive officer of the Commission and shall in general supervise and control the business and affairs of the Commission. He shall preside at all meetings of the Commission. He may sign, with attestation of the secretary or any other officer of the Commission authorized by the Commission, any deed, mortgage, contracts or other instruments which the Commission authorizes to be executed. In general, he shall perform all duties incidental to the office of the Chairman and other duties which may be prescribed by the Commission.

Section 5.06. Vice-Chairman. In the absence of the president or in the event of his inability to act, the Vice Chairman shall perform the duties of the Chairman, and, when so acting, shall have all powers of and be subject to all the restrictions upon the Chairman. The Vice-Chairman shall perform such other duties as from time to time may be assigned to him by the Chairman or the Commission.

Section 5.07. Treasurer. The Treasurer shall, in general, perform all duties incident to the office of Treasurer and other such duties as from time to time may be assigned to him by the Chairman of the Commission.

Section 5.08. The Secretary. The secretary shall keep the minutes of the meetings of the members and of the Commission, see that all notices are duly given in accordance with the provisions of the by-laws and in general perform all duties incident to the office of Secretary and such other duties as may be assigned to him by the Chairman.

ARTICLE VI

Order of Business

Section 6.01. Order of Business. The order of business at any regular or special meeting of the members of the Commission shall be:

- a. Reading and Approval of any unapproved minutes.
- b. Reports of officers and committees
- c. Unfinished business
- d. New business
- e. Adjournment

Section 6.02. Parliamentary Procedure. On questions of parliamentary procedure not covered in these by-laws, a rule by the Chairman shall prevail.

ARTICLE VII

Books and Records

Section 7.01. The Commission shall keep complete and accurate books of accounts and shall keep minutes of proceedings of the Commission members and any Committee reports. All books and records of the Commission may be inspected by any member and Board of Supervisors member or any member of the general public for any proper purpose at any reasonable time. The Chairman may require an audit of the books of the Commission if he deems necessary.

ARTICLE VIII

Repeal or Amendment of By-Laws

Section 8.01. The by-laws may be repealed or amended by a majority vote of the members present at any regular or special meeting of the Commission members at which a quorum is present.

ARTICLE IX

County Events

Section 9.01. No two softball tournaments are to be held in the county on the same week.

Section 9.02. Men's softball tournaments are scheduled every other week with a women's tournament in between.

Section 9.03. All tournaments are run to raise money for local clubs to pay expenses for the year.

Section 9.04. No more than two men's slo-pitch softball tournaments allowed per location unless district is granted a tournament.

Section 9.05. Teams for county tournament are to be single, no more than two teams to make one, or four team league

can have two all star teams, or 6-3 or 8-4 and so on.

Section 9.06. County tournaments are to be rotated from one location to another.

Section 9.07. County events in tennis and horseshow will eventually be set up.

Section 9.08. All teams must be in local league or originate from within the county boundary.

Section 9.09. All Little League tournaments and sites are set at the district level of Little League baseball.

ARTICLE X

Budget

Section 10.01. Commission members are to work with local clubs toward their needs to insure more and better facilities if they are needed.