

ORDINANCE NO. 2024-5

**AN ORDINANCE ELIMINATING THE PARKS AND RECREATION BOARD
AND DEPARTMENT OF PARKS AND RECREATION
OF THE TOWN OF GENEVA, INDIANA**

WHEREAS, the Town Council of the Town of Geneva, Indiana (the "Town Council") previously adopted Ordinance No. 1982-3, in which a Parks and Recreation Board was created pursuant to the provisions of Ind. Code § 36-10-3; and

WHEREAS, the Town of Geneva (the "Town"), over a period of time, had difficulty in keeping a fully seated Parks and Recreation Board, and therefore the Town Council eliminated said Parks and Recreation Board on October 8, 2019, by the adoption of Ordinance No. 2019-10; and

WHEREAS, the Town Council subsequently determined that there had been renewed interest by certain individuals in serving on a Parks and Recreation Board, and therefore the Town Council re-established the Parks and Recreation Board on August 9, 2022, by the adoption of Ordinance No. 2022-5; and

WHEREAS, the Town Council now believes that it is in the best interest of the Town to eliminate the Parks and Recreation Board with respect to its management and supervision of the Department of Parks and Recreation; and

WHEREAS, pursuant to I.C. § 36-10-3-3, any department of parks and recreation created by a town fiscal body shall consist of a parks and recreation board that complies with the requirements of I.C. §§ 36-10-3 *et seq.*; and

WHEREAS, the Town Council has determined it appropriate to eliminate the Department of Parks and Recreation, and that it is in the best interest of the residents of the Town for the parks and recreation functions and services to be provided by the Town Council as the designated park authority pursuant to I.C. § 36-10-5-2.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Geneva, Indiana as follows:

SECTION I

Title III, Chapter 32, Sections 35 through 39 of the Town of Geneva Code of Ordinances are hereby repealed in their entirety.

SECTION II

Title III, Chapter 30, Section 8 is hereby added to the Town of Geneva Code of Ordinances, and shall read as follows:

§ 30.08 DESIGNATION OF PARK AUTHORITY.

I.C. § 36-10-5-2, as amended from time to time, which addresses the designation and powers and duties of a park authority in certain municipalities, is adopted and incorporated in full by this reference, and is supplemented by the additional terms of this section. The Board of Trustees of the town is designated as the park authority of the town, and may adopt rules and regulations concerning the laying out, improvement, preservation, ornamentation, and management of all parks and recreation areas that are owned by the town.

SECTION III

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed and of no further force or effect. This Ordinance shall become and remain in full force and effect immediately upon its adoption.

Duly passed, adopted, and ordained by the Town Council of the Town of Geneva, Indiana, on December 10, 2024.

TOWN COUNCIL OF THE TOWN OF GENEVA

AGNES A. SCHOCH, President



ANDREW J. BRIGGS



GARY L. HENDERSHOT




ARLEN R. MITCHELL



MARVIN R. SCHWARTZ

ATTEST:



SALLY D. BURRY, Deputy Clerk-Treasurer