

ORDINANCE \_\_\_\_\_

ORDINANCE AMENDING CHAPTER 54, PARKS AND RECREATION OF THE CODE OF ORDINANCES  
COUNTY OF BUNCOMBE, NORTH CAROLINA

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WHEREAS, by authority granted to counties in GS §153A-121, §153A-169 and §153A-444, Buncombe County previously adopted Chapter 54, Parks and Recreation of the Code of Ordinances County of Buncombe, North Carolina;

WHEREAS, following review by Buncombe County personnel and facilities users, it is recognized that more flexibility is needed for management of Buncombe County facilities and for the users of those facilities; and

WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to amend the Parks and Recreation Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That Chapter 54, Parks and Recreation of the Code of Ordinances County of Buncombe, North Carolina is hereby revised by adding the following provision:

**Sec. 54-12:**

Any individual, organization, corporation, association, society, fraternity, club, order or group of whatever kind desiring the use of the public parks owned or controlled by the county as the location for a sporting event or recreational activity shall make written request therefor to the Director of Parks and Recreation. If the Director of Parks and Recreation concludes that the requested use will not hinder or impede any regularly established use of the park and will not adversely affect their care, protection or maintenance or create a nuisance by such use, the Director of Parks and Recreation may grant permission for such use. If the Director of Parks and Recreation determines otherwise, the request shall be denied. The Director of Parks and Recreation shall have up to thirty (30) days to consider any such request.

2. That if any section, subsection, clause or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance;

3. That all ordinances and clauses of ordinances in conflict herewith be and are hereby repealed to the extent of such conflict; and

4. That these ordinance amendments are effective upon adoption.

This the 21<sup>st</sup> day of March, 2017.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Kathy Hughes, Clerk

By: \_\_\_\_\_  
Brownie Newman, Chairman

APPROVED AS TO FORM

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County Attorney