

**RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS
REQUESTING THE LOCAL DELEGATION TO INTRODUCE LEGISLATION
AT THE REGULAR 2020 SESSION OF THE GENERAL ASSEMBLY OF THE
STATE OF GEORGIA TO PROVIDE FOR THE DISSOLUTION OF THE
NEWTON COUNTY RECREATION COMMISSION**

WHEREAS, pursuant to Article IX, Section II, Paragraph I (a) of the Constitution of the State of Georgia, the Newton County Board of Commissioners is authorized to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which is not inconsistent with the Constitution or any local law applicable thereto;

WHEREAS, pursuant to Article IX, Section II, Paragraph III (a)(5) of the Constitution of the State of Georgia, the Board of Commissioners of Newton County is authorized to provide for parks, recreational areas, programs, and facilities within Newton County;

WHEREAS, O.C.G.A. §36-64-3 authorizes the governing body of a county, in its discretion, to establish a system of supervised recreation and vest the power to provide, maintain, and conduct parks, playgrounds, recreation centers, and other recreational activities and facilities in a recreation board or any other existing body;

WHEREAS, in accordance with O.C.G.A. §36-64-5, the Board of Commissioners of Newton County previously determined that the power to provide, establish, conduct and maintain a recreation system should be exercised by a recreation board and, therefore, established the Newton County Recreation Commission for that purpose;

WHEREAS, the Board of Commissioners of Newton County is committed to and desires to be directly accountable to its constituents with respect to the development and maintenance of parks and recreation facilities and programs in Newton County to enhance the quality of life of its citizens;

WHEREAS, in order to meet its goals of responsibility and accountability, the Board of Commissioners of Newton County desires to return the power to provide, maintain, and conduct parks, playgrounds, recreation centers, and other recreational activities and facilities to the Board of Commissioners of Newton County;

WHEREAS, the Newton County Board of Commissioners wishes to convey its desire to have local legislation passed providing for the dissolution of the Newton County Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Newton County Board of Commissioners respectfully requests that the local legislative delegation introduce legislation at the regular 2020 session of the General Assembly of Georgia, providing for the dissolution of the Newton County Recreation Commission. Legislation providing for such dissolution shall be presented to the Newton County local delegation in substantially


the same form as attached hereto as Exhibit "A" which is hereby adopted and approved by the Newton County Board of Commissioners, subject only to any revisions by legal counsel for the Newton County Board of Commissioners and counsel for the General Assembly.

SO RESOLVED this 18th day of February, 2020.

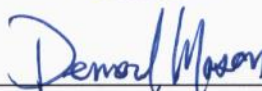
NEWTON COUNTY BOARD OF COMMISSIONERS



MARCELLO BANES, CHAIRMAN



STANLEY EDWARDS, JR., COMMISSIONER



DEMOND MASON, COMMISSIONER



NANCY P. SCHULZ, COMMISSIONER

J.C. HENDERSON, COMMISSIONER



RONNIE H. COWAN, COMMISSIONER

ATTEST:



JACKIE B. SMITH, COUNTY CLERK



Exhibit "A"

Short Title: NEWTON COUNTY – RECREATION COMMISSION, PROVIDE FOR DISSOLUTION.

Law Number: No. _____

Origin: (House Bill No. _____).

Type: AN ACT

To provide for the dissolution of the recreation commission by resolution of the county commissioners; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

Section 1.

- (a) The Newton County Recreation Commission, established by the Newton County Board of Commissioners pursuant to O.C.G.A. § 36-64-5, may be dissolved by adoption of an appropriate resolution by the Newton County Board of Commissioners. If the commission is so dissolved, all assets, debts, rights, and obligations of the former commission shall devolve to Newton County. Where the commission is dissolved as provided in this section, it shall cease to exist as of the effective date specified in the resolution.
- (b) Upon dissolution as provided in subsection (a), the commission may be reactivated by resolution of the Board of Commissioners of Newton County. After dissolution, the commission shall not transact any business or exercise any powers until reactivated.

Section 2. This Act shall become effective on the first day of the month following the month in which it is approved by the Governor or in which it becomes law without his approval.

Section 3. All laws and parts of laws in conflict with this Act are repealed.