

Chapter 2 Playgrounds

11-2-1 Local authorities may designate and acquire property for playgrounds and recreational facilities.

The governing body of any city, town, school district, local district, special service district, or county may designate and set apart for use as playgrounds, athletic fields, gymnasiums, public baths, swimming pools, camps, indoor recreation centers, television transmission and relay facilities, or other recreational facilities, any lands, buildings or personal property owned by such cities, towns, counties, local districts, special service districts, or school districts that may be suitable for such purposes; and may, in such manner as may be authorized and provided by law for the acquisition of lands or buildings for public purposes in such cities, towns, counties, local districts, special service districts, and school districts, acquire lands, buildings, and personal property therein for such use; and may equip, maintain, operate and supervise the same, employing such play leaders, recreation directors, supervisors and other employees as it may deem proper. Such acquisition of lands, buildings and personal property and the equipping, maintaining, operating and supervision of the same shall be deemed to be for public, governmental and municipal purposes.

Amended by Chapter 329, 2007 General Session

11-2-2 Entertainment facilities for citizenry.

Such local authorities may organize and conduct plays, games, calisthenics, gymnastics, athletic sports and games, tournaments, meets and leagues, dramatics, picture shows, pageants, festivals and celebrations, community music, clubs, debating societies, public speaking, story telling, hikes, picnics, excursions, camping and handicraft activities, and in areas so remote from regular transmission points of the large television stations that television reception is impossible without special equipment, and adequate, economical and proper television is not available to the public by private sources, said local authorities may equip and maintain television transmission and relay facilities and other forms of recreational activity that may employ the leisure time of the people in a constructive and wholesome manner.

Amended by Chapter 4, 1993 General Session

11-2-3 Recreation board.

Authority to supervise and maintain any of such recreational facilities and activities may be vested in any existing body or board, or in a public recreation board, as the governing body of any city, town, county or school district may determine. If it is determined that such powers are to be exercised by a public recreation board, such board may be established in any city, town, county or school district and shall possess all the powers and be subject to all the responsibilities of the respective local authorities under this chapter.

No Change Since 1953

11-2-4 Number of members of board -- Selection -- Term.

- (1) A recreation board shall consist of between five and seven persons.
- (2)

- (a) When established in a city of the first or second class two members shall be selected from the board of education of the school district therein, and when established in any county two members shall be appointed from the board of education of that county; provided, that in counties having two or more school districts one member shall be appointed from each county school district therein.
 - (b) In any county having a regional service area and a recreation board consisting of more than five members, one of the members shall be appointed from the regional service area.
- (3)
- (a) The members of the board shall be appointed by the appointing authority of the county, municipality, school district, or regional service area and shall serve for a term of five years and until their successors are appointed; and
 - (b) provided, that the members first appointed shall be appointed for such terms that the term of one member will expire annually thereafter except that the terms of two members may expire during the same year when more than five members are appointed.
- (4) Vacancies in a board occurring otherwise than by expiration of term shall be filled in the same manner as original appointments for the unexpired term. The members of recreation boards shall serve without compensation.

Amended by Chapter 216, 1995 General Session

11-2-5 Chairman, secretary and other officers of board.

Each recreation board shall elect its own chairman and secretary, and shall appoint all other officers necessary, for a period of one year; and may adopt rules and regulations for the conduct of its business.

No Change Since 1953

11-2-6 Cooperation between school districts and cities, towns and counties.

Any board of education of any school district may join with any city, town or county in purchasing, equipping, operating and maintaining playgrounds, athletic fields, gymnasiums, baths, swimming pools, television transmission and relay facilities of the type referred to in Section 11-2-2 and other recreational facilities and activities, and may appropriate money therefor.

Amended by Chapter 22, 1957 General Session

11-2-7 Expenses -- Payment of -- Authority to appropriate and tax -- Licensing of television owners and users -- Collection of license fees.

- (1)
- (a) All expenses incurred in the equipment, operation and maintenance of such recreational facilities and activities shall be paid from the treasuries of the respective cities, towns, counties, or school districts.
 - (b) Except as provided in Subsection (3), the governing bodies of the same may annually appropriate, and cause to be raised by taxation, money for such purposes.
- (2) In areas so remote from regular transmission points of the large television stations that television reception is impossible without special equipment and adequate, economical and proper television is not available to the public by private sources, said local authorities may also, by ordinance, license, for the purpose of raising revenue to equip, operate and maintain television transmission and relay facilities, all users or owners of television sets within the

jurisdiction of said local authorities, and may provide for the collection of the license fees by suit or otherwise and may also enforce obedience to such ordinances with such fine and imprisonment as the local authorities consider proper; provided that the punishment for any violation of such ordinances shall be by a fine not exceeding \$50 or by imprisonment not exceeding one day for each \$5 of said fine, if the fine is not paid.

- (3) Beginning January 1, 2012, a local school board may not levy a tax in accordance with this section.

Amended by Chapter 371, 2011 General Session

11-2-8 Donations.

The governing body in any city, town, county or school district may take charge of and use any grounds, buildings or other facilities which may be offered, either temporarily or permanently, by any individual or corporation for playground and recreation purposes; and may receive donations, legacies, bequests or devises for the establishment, improvement or maintenance of recreational facilities and activities. All money so received shall, unless otherwise provided by the terms of the gift or devise, be deposited in the treasury of the city, town, county or school district to the credit of the recreation fund, and may be withdrawn only in the manner provided for the payment of money appropriated for the acquisition, improvement, operation and maintenance of playgrounds and other recreational facilities and activities.

No Change Since 1953