

Town of Pembroke

Recreation Commission



Written Guidance with respect to the commission's function and purpose in order to reduce confusion and overlapping responsibility and jurisdiction.

Establishment/History

The Recreation Commission was established by Town Meeting Vote in March of 1961. The body voted to appoint a Recreation Commission of not less than five nor more than nine members under the provisions of MGL c45 s14.

MGL Chapter 45 Section 14: Playgrounds; acquisition; use; management

Any city or town may acquire land and buildings within its limits by gift or purchase, or by eminent domain under chapter seventy-nine, or may lease the same, or may use suitable land or buildings already owned by it, for the purposes of a public playground or recreation centre, and may conduct and promote recreation, play, sport and physical education, for which admission may be charged, on such land and in such buildings, and may construct buildings on land owned or leased by it and may provide equipment for said purposes.

Land and buildings so acquired, leased or constructed may be used also for town meetings, and, with the consent of, and subject to the conditions and terms prescribed by, the officer or board in control of the land or building, may be used by the municipality, or by any department thereof, or by any person, society or other organization for such other public, recreational, social or educational purposes as the said officer or board may deem proper.

The foregoing provisions shall apply to land and buildings acquired for playground purposes, or for park and playground purposes, but shall not apply to land and buildings acquired solely for park purposes.

MGL Chapter 45 Section 14: Playgrounds; acquisition; use; management (continued)

For the purposes aforesaid, any city or town may appropriate money, and may employ teachers, supervisors and other officers, and may fix their compensation. Except in Boston and except as to the making of appropriations, the powers conferred by this section shall be exercised by the board of park commissioners, or by the school committee, or by the planning board, or by a playground or recreation commission appointed by the mayor in a city or by the selectmen or town moderator in a town, or elected by the voters of the town at a town meeting; or may be distributed among the board of park commissioners, the school committee, the planning board and such playground or recreation commission, or among any two or more of them; or they may be exercised by a committee consisting of one member each designated by all or any one of said boards or commissions, together with two or more members at large appointed by the mayor or selectmen or town moderator, or elected by the voters, accordingly as the city council or the town may decide.

Any municipal officer or board authorized to exercise any of the powers conferred by this section may, within or without the city or town limits, conduct its activities on property under its control, on other public property under the control of other public officers or boards, with the consent of such officers or boards, or on private property, with the consent of the owners. Two or more towns may severally vote to establish co-operative arrangements between those towns for the provision and operation of recreational facilities and programs of mutual benefit to their citizens. The management and control of such facilities and programs and the apportionment of the expenses for their maintenance and support shall be provided for by the authorized recreation agencies of the participating towns. The provisions of section fifteen or sixteen shall not be construed to apply to any city or town because of any action taken under this section.

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter45/Section14>