

74

AN ORDINANCE OF THE CITY OF GOSNELL, ARKANSAS, PROVIDING FOR A PARKS AND RECREATION COMMISSION, PRESCRIBING TERMS OF MEMBERS, ORGANIZATION, POWERS AND DUTIES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING AND DECLARING AN EMERGENCY CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOSNELL, ARKANSAS:

SECTION I. Short Title: This Ordinance shall be commonly known and cited as the PARKS AND RECREATION ORDINANCE.

SECTION II. Definitions: For the purpose of this Ordinance, the following terms, phrases, words and their derivatives shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and is not merely directory.

1. "City" is the City of Gosnell, Arkansas.
2. "Park" is a park, reservation, playground, recreation center or any other area in the City owned or used by the City and devoted to activity or passive recreation, including all planted parkways, triangles and traffic circles maintained by the City, except the parkway strips along the several streets and highways of the City.
3. "Person" is any person, firm, partnership, corporation, association, company or organization of any kind.

SECTION III. Parks and Recreation Commission.

1. Establishment - Membership - Term of office.
  - A. A Parks and Recreation Commission consisting of seven (7) members is hereby established.
    - i. Members shall be qualified voters of Mississippi County, Arkansas.
    - ii. Members shall be appointed by the Mayor of the City of Gosnell with the approval of the City Council for five-year terms, provided however, that initial appointments shall be as follows: One member shall be appointed for a term of one year, one member shall be appointed for a term of two years, one member shall be appointed for a term of three years, two members shall be appointed for a term of four years and two members shall be appointed for a term of five years with all appointments ending on the last day of December, the first term to expire on December 31, 1984. In the event of a vacancy, the Mayor, with the approval of the City Council, shall appoint a member to serve for the unexpired term.
    - iii. Members shall serve without compensation, but shall not continuously serve for a period in excess of ten years.
    - iv. If a replacement has not been designated upon the end of a member's term, then that member shall continue his membership until replaced.
  - B. The Mayor shall appoint a Chairman, a Vice-Chairman for Parks, a Vice-Chairman for Recreation, and a Secretary.
  - C. A majority of members shall constitute a quorum.
  - D. Absence from three consecutive meeting without formal consent of the Commission shall be deemed to constitute the retirement of such member, and such fact shall be certified to the Mayor.

2. Powers and Duties. The Parks and Recreation Commission shall have the following powers and perform the following duties:

A. It shall act only in an advisory capacity to the City Council in all matters pertaining to parks and recreation; shall acquaint itself with and make a continuous study and inspection of the complete parks and recreation system of the City; and shall advise with the City Council from time to time, as to the present and future maintenance, operation, planning, acquisition, development, enlargement, and public use policy of the City parks and recreation system.

B. It shall study and encourage the development of park and recreation areas and study and encourage the development of wholesome recreation for all residents of the City.

C. It shall recommend policies on recreation service for approval of the City Council.

D. It shall recommend the adoption of standards on areas, facilities, programs and financial support.

E. It shall aid in coordinating the recreation service with the programs of other governmental agencies and voluntary organizations.

F. It shall review, study and make recommendations to the City Council for the preparation of the annual budget for the Parks and Recreation Department.

G. It shall advise the City Council on the development of long-range capital improvement programs and, when in its opinion the need exists for additional park and recreation facilities, grounds or premises, it shall make appropriate recommendations to the City Council. It shall also recommend the acquisition of additional parks, park and recreation equipment and supplies.

H. It shall follow the rules and regulations prescribed by the City Council for the conduct of its business.

I. It may solicit for the City of Gosnell, gifts, revenues, bequests, or endowments of money or property as donations or grants from persons, firms or corporations, subject to the approval and acceptance by the City Council.

3. Rules and Regulations Governing the Conduct and Functioning of the Parks and Recreation Commission.

A. Officers.

i. Designation. The officers of the Parks and Recreation Commission shall be a Chairman, a Vice-Chairman for Parks, and a Vice-Chairman for Recreation and a Secretary.

ii. Term of Office. The term of office for the Chairman, Vice-Chairman for Parks and Vice-Chairman for Recreation and Secretary shall begin on the first day of January of each year and shall end on the 31st day of December.

B. Meetings.

i. Regular Meetings. The Parks and Recreation Commission shall meet on the first Tuesday of each month in the City Hall unless another time, date and place is designated by the Chairman and all members are notified at least one day in advance.

ii. Special Meetings. Special meetings may be called by the Chairman or by written request sent to the Secretary by three members of the Commission.

iii. Quorum. A majority of members shall constitute a quorum.

C. SUB-COMMITTEES

i. Appointment. The Parks and Recreation Commission, by a majority vote of the quorum present at any regular or special meeting, may appoint such members and citizens as they see fit to sub-committees to serve the purpose of the Parks and Recreation Commission.

ii. Termination. These committees may be dissolved in a like manner.

D. Order of Business. The following order of business shall be observed at all regular and special meetings, unless set aside by majority vote:

- i. Call to order and roll call of members to determine a quorum.
- ii. Reading of minutes of previous meetings.
- iii. Appointment of committees.
- iv. Reports of officers and committees.
- v. Communications, other reports, public hearings, etc.
- vi. Unfinished business.
- vii. New business.
- viii. Adjournment.

E. Duties of Officers.

i. Chairman. The Chairman shall perform the usual duties of such office. He shall preside at all meetings when he is present and shall represent the Parks and Recreation Commission at public functions.

ii. Vice-Chairmen. The Vice-Chairmen shall assist the Chairman in directing the affairs of the Commission and they shall act in his absence.

iii. Secretary. The Secretary shall keep minutes of the meetings and perform other duties normally associated with said office.

F. Voting. All questions presented for a vote of the Parks and Recreation Commission shall be decided by a simple majority of those present.

G. Additional Rules. The parks and Recreation Commission shall have authority to adopt such additional rules that are not in conflict with this Ordinance that it deems necessary to carry out the purposes and intent of this Ordinance.

4. Promulgation and Posting of Rules and Regulations. The Parks and Recreation Commission shall recommend to the City Council such rules and regulations as it deems best for the management of the public parks and where such rules have been adopted for a specific park area and posted within the specific park so regulated, any person found guilty of violation of such rules shall be guilty of a misdemeanor.

SECTION IV. Separability. If any section, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions hereof.

SECTION V. Repealer. All ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

SECTION VI. Effective Date. The fact that the present ordinances and regulations of the City of Gosnell creating a Park Board are inadequate to provide necessary membership on said Board, and the fact that the present ordinances and regulations of the City of Gosnell do not provide for adequate

standards to be followed in the areas of recreation, create an urgency and an emergency and in the preservation of the public health, safety and welfare, and require that this Ordinance shall take effect immediately from and after its passage and the publication of the caption as the City charter in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF GOSNELL, ARKANSAS ON THIS  
THE 12<sup>th</sup> DAY OF July, 1983.

Paul B. Ledbetter  
MAYOR

ATTEST:

Janice Gray  
Recorder