

ORDINANCE NO 2023-01

AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF MENLO, IOWA, BY ADDING A NEW CHAPTER REGARDING PARKS

BE IT ENACTED by the City Council of the City of Menlo, Iowa:

SECTION 1. SECTION MODIFIED. The Code of Ordinances of the City of Menlo, Iowa, is amended by adding a new Chapter 2 to Title V, titled Parks and Recreation Advisory Board which is hereby adopted to read as follows:

PARKS AND RECREATION ADVISORY BOARD

5-2-1 Board Created

5-2-2 Board Organization

5-2-3 Duties of the Board

5-2-4 Reports

5-2-5 Rules and Regulations

5-2-6 Penalty

5-2-1 BOARD CREATED.

A Parks and Recreation Advisory Board is hereby created to advise the Council on the needed facilities to provide open space such as parks, playgrounds, and community facilities for other forms of recreation. It shall also plan and oversee City programs and encourage other programs to enhance the leisure time activities of the City's residents of all ages.

5-2-2 BOARD ORGANIZATION.

The Board shall consist of five members, appointed by the Mayor, subject to the approval of the Council, for staggered three-year terms. The Board shall annually choose its Chairperson. Members shall serve without compensation, but may receive reimbursement, subject to the Council's approval and in the Council's sole discretion, for expenses incurred in the performance of their duties. Vacancies shall be filled in the same manner as the original appointment for the balance of the term. Members must be residents of the City during the period of their respective terms.

5-2-3 DUTIES OF THE BOARD.

In addition to its duty to make a plan for recreation and for the facilities for recreation, and to update and revise these plans as required, the Board shall have responsibility over the properties devoted to parks and recreation, subject to the limitation of expenditures for salaries and supplies, contracts and capital outlays set forth in the annual budget provided by the Council for parks and recreation operations.

The Board shall cooperate with the Mayor in the allotment of time of City employees for parks and recreation purposes. However, ultimately, the Mayor retains the control over City

employees granted to the Mayor in section 2-3-5. The Chairperson shall order supplies by the procedures established by the Council for all departments of the City, and payments will be made by warrant-check written by the Clerk for invoices submitted and approved by the Board.

5-2-4 REPORTS.

The Board shall make written reports to the Council of its activities from time to time as it deems advisable, or upon Council request. Its revenues and expenditures shall be reported monthly by the Clerk in the manner of other departmental expenditures, and a copy shall be provided to each member of the Board and in the Clerk's report to the Council.

5-2-5 RULES AND REGULATIONS.

The Board has the power to make rules and regulations for the use of parks or other recreational facilities or for the conduct of recreation programs, subject to the approval of the rules by the Council. If the Council approves of the rules, it shall codify the rules in an ordinance.

5-2-6 PENALTY.

Violation of rules that have been approved by the Council and codified in ordinance may be cause for denial of use of a facility or participation in a program (if such denial extends more than one day it may be appealed to the Council for a hearing), or the act may be prosecuted as a misdemeanor if a serious offense.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 3rd day of January, 2023 and approved this 3rd day of January, 2023.

Carol Sheldahl

Carol Sheldahl, Mayor

Alicia Bentler

ATTEST: Alicia Bentler
City Clerk

First Reading: Passed 1/3/2023

Second Reading: Waived 1/3/2023

Third Reading: Waived 1/3/2023

I certify that the foregoing was published as Ordinance No. 2023-01 on the 12th day of January, 2023.

Alicia Bentler

Alicia Bentler

City Clerk