

ORDINANCE NO. 195

AN ORDINANCE ESTABLISHING
A PARKS AND RECREATION COMMISSION
IN THE CITY OF BARLING, ARKANSAS

BE IT NOW ORDAINED BY THE BOARD OF DIRECTORS OF THE
CITY OF BARLING, ARKANSAS, THAT:

SECTION 1: There is hereby created and established a
commission to be known as the Parks and Recreation
Commission created pursuant to the authority of the City of
Barling as a municipality under Arkansas law and A.C.A. §
14-269-301, et seq.

SECTION 2:

(a) The Commissioners shall be appointed by the Mayor
and shall be confirmed by a majority vote of the members of
the Board of Directors, and shall hold office for a term of
five (5) years. However, the first Commissioners to be
appointed and confirmed shall serve for terms of one (1),
two (2), three (3), four (4), and five (5) years
respectively, to be designated by the Mayor and Board of
Directors, and thereafter, upon the expiration of their
respective terms, Commissioners appointed by the Mayor and
approved by a majority vote of the Board of Directors shall
each be appointed for a term of five (5) years.

(b) In the event of a vacancy occurring on the
Commission, it shall be filled by appointment by the Mayor,
subject to the approval of a majority vote of the members of
the Board of Directors.

(c) Each Commissioner shall file the oath required in
the State of Arkansas of public officials.

(d) Upon the appointment of the Commissioners as
provided, in this section, the Mayor and Board of Directors
shall execute such instruments and enact such measures as
may be necessary to vest complete charge of said municipally
owned parks and recreation facilities in the Commissioners.

(e) Any Commissioner may be removed for cause upon a
two-thirds (2/3) vote of the members of the Board of
Directors.

SECTION 3:

(a) The Commissioners appointed pursuant to this subsection shall have full and complete authority to build, manage, operate, maintain, and keep in a good state of repair any municipal buildings deemed necessary to carry on a parks and recreation program for the municipality.

(b) The Commissioners shall have full and complete charge of the buildings and grounds, including the right to control and permit, or refuse to permit such public gatherings or other meetings or affairs as the Commissioners shall see fit and deem to be the best interests of the City in keeping with the laws of the State of Arkansas and the United States.

(c) (1) The Commissioners shall have the exclusive right and power to make purchase of all supplies, apparatus, and other property and things requisite and necessary for the management and operation of the parks and recreation program including the construction of facilities and repairs and additions thereto.

(2) The Commissioners shall not have authority or power to sell, mortgage, or encumber the property unless otherwise authorized by the statutes of Arkansas.

(d) The Commissioners shall have authority to enter into contracts with persons, firms, corporations, or organizations for the use of buildings, or parts thereof, of the parks and recreation program.

SECTION 4: The Commissioners shall adopt such rules and regulations as they may deem necessary and expedient for the proper operation and management of the municipal parks and recreation program, and they shall have authority to alter, change and amend the rules and regulations at their discretion.

SECTION 5:

(a) (1) The Commissioners shall submit quarterly reports, beginning three (3) months after they take their oath of office and each three (3) months thereafter, reporting in full on the operations, including an accounting of receipts and disbursements, to the Mayor and Board of Directors and shall furnish such other and further reports, data and information as may be requested by the Mayor and Board of Directors.

(2) The quarterly report to the Mayor and Board of Directors with respect to receipts and disbursements, shall be certified by the Commissioners as correct.

(3) The Commissioners shall further submit an annual audit of the operations of the parks and recreation program to the Mayor and Board of Directors.

(b) (1) Upon each quarterly report being made to the Mayor and Board of Directors by the Commissioners, the Board of Directors may appropriate funds from the general revenue fund of the City or from such other funds as the City may have available to make up any deficits or to provide such funds as may be necessary to carry on the operations of the said parks and recreation program.

(2) The Board of Directors may at any time other than when said quarterly report is filed, appropriate such funds as it deems necessary from the general revenue fund or such other funds that the city may have available, for the purpose of maintaining and operating the parks and recreation program.

SECTION 6:

(a) The Commissioners appointed pursuant to this subsection shall have the authority to utilize all revenues derived from the operation of the parks and recreation program in the operation of the parks and recreation program.

(b) All funds derived from the use of the parks and recreation program shall be segregated into a park fund, which fund shall be used exclusively in the operation of the parks and recreation program by the Commissioners. Moneys in the fund shall not be mingled with other funds of the City and shall be handled exclusively by the Commissioners.

(c) The Commissioners shall furnish the City a five thousand dollar (\$5,000) surety bond that will serve to insure the City against any misappropriation or mishandling of funds. The surety on the bond shall be a reputable surety corporation. The premium on the bonds shall be paid from moneys from the park fund.

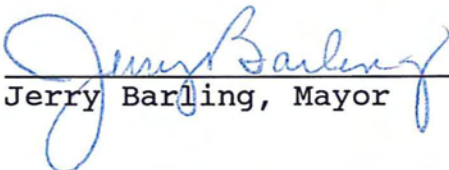
(d) (1) The Commissioners shall receive no salary for their services but shall be reimbursed from the park fund for actual expense incurred in the performance of their duties.

(2) The park fund may also be expended by the Commissioners, as they deem best, for the purpose of obtaining attractions to be staged as a part of the parks and recreation program.

SECTION 7: Ordinance No. 103 is hereby specifically repealed in its entirety.


SECTION 8: A well-developed and implemented policy concerning the park and recreational facilities of the City of Barling is important to the best use of said facilities and it therefore is necessary for the preservation of the public health, safety and welfare, so that an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED this 17 day of October, 1989.



Jerry Barling, Mayor

ATTEST:



Myra Monchamp, City Clerk