REPEALED BY
ORD. # 97-6
DATE 8-5-97

ORDINANCE NO. 152

AN ORDINANCE ENTITLED AN ORDINANCE TO CREATE A PARKS COMMISSION: TO PROVIDE FOR COMMISSIONERS AND THEIR TERMS AND POWERS AND FOR OTHER RELATED PURPOSES.

Section One.

The purpose of this Ordinance is to create a Commission for the purpose of the operation and maintenance of City Parks and for related matters.

Section Two.

The Parks Commission shall consist of five (5) citizens of the City of Mulberry, Arkansas, a City of the Second Class, who shall be qualified electors and live within the said City.

Section Three.

Said Commissioners shall hold office for a term of five years; provided, that those Commissioners first elected by the City Council shall serve for terms of one, two, three, four and five years with such terms to be designated by the Mayor and City Council, and thereafter upon the expiration of their respective terms, said commissioners shall be selected and appointed one each year to fill the term of the person whose term has expired. In the event a vacancy shall occur, be resignation or otherwise from said Commission it shall be filled by appointment of the City Council.

Section Four.

Each Commissioner shall sign and file the oath required by law in the State of Arkansas for public officials.

Section Five.

Any Commissioner may be removed for cause by a two-thirds vote of the qualified members of the City Council.

Section Six.

The Commissioners shall have full and complete authority to build, manage, operate, maintain, and keep in a good state of repair any and all buildings, parks, swimming pools, field houses and all other buildings necessary to carry on a recreational program. Said Commission shall have full and complete charge of said buildings and grounds which shall include the right to control and permit or refuse to permit such public gatherings or other meetings or affairs as the said commissioners shall see fit and deem to be in the best interests of said City. The Commissioners shall have a right to employ or remove any employees of whatever nature, kind or character and to fix, regulate, and pay their salaries provided said commissioners

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shall not have authority or power to sell, mortgage or encumber said property until such time as authorized to do so after the same shall have been submitted to a vote of the people of the City.

Section Seven.

The commissioners shall have the exclusive right and power to make purchase of all supplies, apparatus, and other personal property and things required and necessary to the operation of said parks, and said authority shall include the construction of improvements and repairs or additional improvements.

Section Eight.

Said commissioners shall have authority to contract with persons, firms or corporations or other organizations for the use of said parks buildings or parts thereof and to determine the fee to be charged therefor.

Section Nine.

The Commissioners shall have authority and power to adopt such rules and regulations as they may deem fit for the cause, expedient, and proper operation and management of said recreational park and such authority shall include the right to alter, change, amend or do whatever necessary to such regulations by a majority vote of said commissioners.

Section Ten.

The Commissioners shall submitt to the City Council beginning three months after they take office, and each three months thereafter, a report and accounting of the receipts and disbursements and shall furnish such other and further reports, data and accountings, and information as may be requested by the Mayor and City Council.

Section Eleven.

Upon the quarterly reports being submitted the City Council may appropriate funds from the general revenues fund of the City, or from such other funds as the City may have available to further provide for said park, but in no event shall such appropriation exceed funds available as of the date of this appropriation. It is the intentions of the Parks Commission may in no event create an indebtedness in excess of the funds made available to the Commission by the Mayor and City Council and it is further the intention of the ordinance that said park commission shall not have the authority for deficit spending of city funds.

Section Twelve.

The following persons are by the Mayor and City Council selected and elected as the original Park Commission and the term set out as follows:

NAME	TERM
C. C. Law	One Year
Earl Hunter	Two Years
Mrs. Donna Beneux	Three Years
Jerry Dickerson	Four Years
Phillip Jackson	Five Years

Arnold D. Feller
ARNOLD D. FELLER
Mayor

Attest:

T. J. HOUSE
Recorder

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Passed 9-2-75
Approved 9-2-75