

TITLE 12

PARKS AND RECREATION

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CHAPTER 12.04

PARKS AND RECREATIONAL COMMISSION

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12.04.01 Created. That there is hereby created the Stuttgart Parks and Recreational Commission to operate, manage and control all municipal parks and recreational facilities already established in the City of Stuttgart and any and all future facilities established within the City of Stuttgart. It being the specific intention of this ordinance to vest in said Commission the authority to build, operate, manage, maintain and control said municipal recreational parks and to have full and complete charge thereof, provided that, said Commission shall not have the authority or power to sell, mortgage or encumber said property unless otherwise authorized by the Statutes of the State of Arkansas and with the approval of the City Council. (Ord. No. 982, Sec. 3)

12.04.02 Membership. That the Stuttgart Parks and Recreational Commission shall be composed of seven (7) commissioners, and said commissioners shall be appointed by the Mayor and confirmed by a majority vote of the duly elected and qualified members of the City Council

and shall hold office for a term of five (5) years, provided however, that those commissioners first appointed and confirmed after the passage of this ordinance shall serve for terms of one (1), two (2), three (3), four (4) and five (5) years each to be designated by the Mayor and City Council, and thereafter, upon the expiration of their respective terms, commissioners appointed by the Mayor and approved by the majority vote of the City Council shall each be appointed for a term of five (5) years. Provided that five (5) of the commissioners are presently serving and duly qualified, and that the two (2) additional Commissioners shall be appointed in the manner provided hereinabove, and shall serve terms of five (5) years. Provided, further, however, that the additional members appointed to the Commission shall determine by lot their respective terms in order that the term of one member shall be for three (3) years and the term of the other members shall be for five (5) years. Their successors shall be appointed for five (5) year terms. Said members shall qualify in the same manner as provided hereinabove for the other commission members, and vacancies in either of said additional member positions shall be filled in the manner provided hereinabove.

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 duly elected and qualified members of the City Council. Each Commission shall file the oath required by law in the State of Arkansas of public officials. Any Commissioner appointed by the provisions of this ordinance may be removed for cause upon a two-thirds (2/3) vote of the duly elected and qualified members of the City Council. (Ord. No. 984, Sec. 1)

12.04.03 Powers. The Commissioners herein under appointed shall have full and complete authority to build, manage, operate, maintain and keep in a good state of repairs any municipal building deemed necessary to carry on a recreation park for said municipality, including the building of swimming pools, field houses, stadiums, zoos, or other buildings necessary to carry on the recreational park. Said commission shall have full and complete charge of said building 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 to the best interest of the City. (Ord. No. 982, Sec. 5)

12.04.04 Employees. The Commissioner shall have the right to employ or remove managers, janitors and other employees of whatsoever nature, kind or character and to fix, regulate and pay their salaries. They further shall have the authority to set criteria for qualifications for each and every position of employment that they deem necessary. (Ord. No. 982, Sec. 6)

12.04.05 Purchases. The Commissioners hereunder shall have, in addition to other powers enumerated herein, the exclusive right and power to make purchases of all supplies, apparatus and other property and things requisite and necessary for the management and operation of said recreational park, including the construction of same and repairs and additions thereto. (Ord. No. 982, Sec. 7)

12.04.06 Contracts for Use. Said Commissioners shall have authority to enter into contracts with persons, firms or corporations or organizations for the use of recreational park buildings or parts thereof. (Ord. No. 982, Sec. 8)

12.04.07 Rules and regulations. The Commissioners shall adopt such rules and regulations as they may deem necessary and expedient for the proper operation and management of said municipal recreational park and shall have authority to alter, change or amend such rules and regulations at their discretion. (Ord. No. 982, Sec. 9)

12.04.08 Reports. The Commissioners shall submit to the Mayor and City Council monthly reports consisting of copies of the minutes of meetings for the Parks Commission together with a report in full on the operations of the City Parks, including an accounting of receipts and disbursements, together with such other and further reports, data and information as may be required by the Mayor or City Council. Such reports shall be certified by the Commissioners as correct. (Ord. No. 1223, Sec. 1)

12.04.09 Revenues. The Commissioners hereunder appointed shall have the authority to utilize all revenues derived from the operation of the recreational park in the operation of said recreational park. All funds derived from the use of said recreational park shall be segregated into a Park Fund, which fund shall be used exclusively in the operation of the recreational park by the Commissioners. Moneys in said Fund shall not be mingled with other funds of the city and shall be handled exclusively by the Commissioners. Said Commissioners shall each furnish to the city a Five Thousand Dollar (\$5,000.00) surety bond that will serve to insure the city against any misappropriation or mishandling of funds. The surety on said bond shall be a reputable surety corporation. The premium on said bonds shall be paid for from moneys in the said Park Fund. The Commissioners shall receive no salary for their services, but shall be reimbursed from the Park Fund for actual expenses incurred in the performance of their duties. Such Park Fund may also be expended by the Commissioners as they deem best, for the purposes of obtaining attractions to meet on said park. (Ord. No. 982, Sec. 11)

12.04.10 Appropriation by city. Upon each quarterly report being made to the Mayor and City Council by the Commissioners, the City Council 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 recreational park. The City Council 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 said recreational park. (Ord. No. 982, Sec. 12)

12.04.11 Meetings. The Stuttgart Parks and Recreation Commission shall conduct a minimum of one (1) regular meeting per month on a date certain to be established by the Commission. In addition, the Commission may, upon a call by the Chairman or by three (3) commission members, conduct such special meetings as may be necessary. (Ord. No. 1223, Sec. 2)

CHAPTER 12.08

PROHIBITED ITEMS IN PARKS

Sections:

12.08.01	Drugs, alcohol banned
12.08.02	Firearms banned
12.08.03	No gambling
12.08.04	Warnings
12.08.05	Signs
12.08.06	Penalty

12.08.01 Drugs, alcohol banned No person shall possess or consume any alcoholic beverage, including beer or posses or use any illegal drugs in or at any public park or parkland owned or operated by the city of Stuttgart. (Ord. No. 1419, Sec. I)

12.08.02 Firearms banned No person shall possess any firearms in or at any public park or parkland owned or operated by the city of Stuttgart. (Ord. No. 1419, Sec. II)

12.08.03 No gambling No gambling of any sort will be allowed at any park or parkland owned or operated by the city of Stuttgart. (Ord. No. 1419, Sec. III)

12.08.04 Warnings Before issuing a citation for a violation of this chapter, any police officer of the city of Stuttgart, Arkansas, may give an oral warning or issue a written warning ticket. If the person or persons receiving the oral warning or warning ticket do not discontinue the violation, a citation for ordinance violation shall be issued to the violator. If it appears necessary to make an arrest to preserve the public peace, a police officer may make an arrest for a violation of this chapter with or without a previous oral warning or warning ticket. (Ord. No. 1419, Sec. IV)

12.08.05 Signs Signs shall be posted in the parks stating substantially as follows:

ANO ALCOHOLIC BEVERAGE OR ILLEGAL DRUG MAY BE BROUGHT INTO THIS PARK OR CONSUMED OR USED IN THIS PARK. NO FIREARMS ALLOWED IN THIS PARK. NO GAMBLING OF ANY SORT ALLOWED IN THIS PARK. CITY ORDINANCE ENFORCED."

The signs shall be placed in locations to be visible on the park grounds. (Ord. No. 1419, Sec. V)

12.08.06 Penalty Any person, firm or corporation violating any provisions of this

chapter shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. No. 1419, Sec. VI)

CHAPTER 12.12

**CONSTRUCTION IMPROVEMENTS IN REINSCH SOFTBALL
COMPLEX**

Sections:

12.12.01 Mid-Ark Construction will construct improvements

12.12.01 Mid-Ark Construction will construct improvements The Mayor and Stuttgart Parks Commission Chairman are hereby authorized and directed to enter into an agreement with Mid-Ark Construction and Insulation, Inc. for the purpose of constructing restrooms, a concession stand and a press box at the Reinsch Softball complex for a total consideration of Thirty-Four Thousand, Eight Hundred Thirty Dollars (\$34,830.00), Seventeen Thousand Dollars (\$17,000.00) to be paid by John Cain Trust, the balance of Seventeen Thousand, Eight Hundred Thirty Dollars (\$17,830.00) to be paid by the City of Stuttgart, Arkansas; said funds are appropriated by the City of Stuttgart to be paid from the Pool and Ball Fund and Reinsch Park Fund and said funds are hereby appropriated for the same. (Ord. No. 1508, Sec. 1.)

CHAPTER 12.16

JOHN CAIN PARK LITTLE LEAGUE FIELD

Sections:

12.16.01 Scorekeeper box

12.16.01 Scorekeeper box The sum of \$2,575.00 is hereby appropriated from the Pool and Ballfield Account for the purpose of providing materials for a new scorekeeper box at John Cain Park Little League Field and for filler dirt and leveling. (Ord. No. 1639, Sec. 1.)