

ORDINANCE NO. 2018-01

AN ORDINANCE TO CREATE A PARK AND RECREATION
BOARD FOR THE CITY OF MIDFIELD; TO PROVIDE FOR THE SELECTION, TERMS
OF OFFICE, QUALIFICATIONS AND DUTIES OF THE MEMBERS THEREOF AND TO
DEFINE THE POWERS THEREOF.

Section 1. Creation of Board. A Park and Recreational Board for the City of Midfield is hereby created, organized, and established, and is subject to all times to the supervision and control of the City Council of said City, the power to develop, conduct, supervise, manage and control the parks, park areas, playgrounds, recreational centers and other recreational activities of the City.

Section 2. Members of Board, Terms of Office, etc. The said Board shall consist of five members, who shall be qualified electors residing in the City, four of whom shall not be members of the governing body of the City. The Mayor will select a chairperson from the Park and Recreation Department, person selected shall at all times be a member of said Board, and each of the other four members of the Board shall be chosen by the governing body of the City. The members of said Board shall serve without compensation and shall be chosen solely because of their character and fitness. The term of office of each member of the Board, other than the one who is a member thereof by virtue of his membership in the governing body of the City, shall be four years, except that such members so chosen initially for terms of one, two, three, and four years, respectively, and the successors of each of said members so chosen shall thereafter be chosen for terms of four years. The term of office of the Board member who is a member of the governing body shall be coextensive with his tenure of office as a member of the governing body. As vacancies occur in the membership of the Board by reason of expiration of the terms of either of the members, resignation or other reason, the City Council shall proceed at its next or some subsequent regular meeting to fill such vacancies by a majority vote of the quorum present.

Section 3. Duties, Powers and Authority of the Board.

- (a) The Park and Recreation Board is hereby vested with the power and authority to establish, provide for, conduct, develop, supervise, manage and control parks, park areas, playgrounds, recreation centers and other recreational activities and facilities in the City of Midfield, subject at all times to the supervision and control of the City Council of said City. Said Board is authorized to accept any grant, devise, gift or bequest of money, or other property or any donation, for either temporary or permanent use for parks, playgrounds, or other recreational purposes not inconsistent with the law

and with the purpose of this Ordinance, and shall have the power from any such funds, or from funds which may be available by appropriation for maintenance and operation of public parks and playgrounds in said City, to acquire, hold, transfer, and exchange personal property in the name and for the City of Midfield for use in the administration and operation of such facilities. The Board may appoint and employ such director or directors of recreational activities in such municipal parks and playgrounds and such other servants or employees as it sees fit and pay to them such fees, wages or compensation as the Board may prescribe out of any funds in the treasury of such Board, but no appointment or employment of any kind such as director or other employee of such Board shall impose any obligation on the City of Midfield to pay such director or employee any salary or compensation for his or her services to said Board, but all such appointees and employees of said Board shall look solely to said Board for payment or compensation to them for their services. Nor shall said board power or authority to incur any debt or obligation in the name or on the behalf of the City of Midfield or of City Council of said City.

- (b) The members of the Park and Recreation Board of said City, when such Board is constituted in accordance with the provisions of this Ordinance, shall have the power to elect from its membership a chairman, a vice-chairman, a secretary and a treasurer, each to serve for one year and until his or her successor is elected and qualified. The same person may be elected both secretary and treasurer.

Section 4. Budget Requirements and Handling of Funds.

- (a) The Board shall, no later than July 1st of each year, present to the governing body of the City an itemized statement of its anticipated required expenditures for the program contemplated by it during the next fiscal year, as well as an accounting of all funds on hand, monies or accounts receivable, all debts and obligations, and all revenues which it anticipates it will receive from income and contributions during the next fiscal year. This report will include a current balance sheet of the Park and Recreation Board. The governing body of the City shall, from time to time, appropriate as a part of the annual budget of the City and by special appropriation, such funds as it desires to the Park and Recreation Board, which shall be set aside and kept and maintained by the Board as a park and recreation fund. Such funds so appropriated by the governing body of the City may be designated to be used in whole or in part for particular purposes, and when so designated, must be used strictly in accord with such purpose. The Board will maintain sufficient and adequate accounts and records reflecting all expenditures and purpose of such, and will maintain separate records reflecting the expenditure of such designated funds.
- (b) The Board may, from time to time, recommend to the governing body of the City the imposition and collection of reasonable fees and charges for access to or use or enjoyment of any playgrounds, recreation centers, recreational activities, or other

places of recreation established, maintained or conducted in accordance with the provisions of this Ordinance, and when such fees or charges are approved by the governing body of the City and are collected , all funds received from such fees or charges shall be paid into and become a part of the park and recreation fund of the City, subject to being expended by the Board under such conditions as may be imposed by the governing body of the City.


- (c) All funds given or contributed to the Board Shall become a part of the Park and Recreation fund of the City, subject to being expended by the Board under such conditions as may be imposed by the governing body of the City.

Section 5. Deemed Governmental Functions. The establishment, conduct, equipment and maintenance of parks, playgrounds, recreational centers and recreational activities by the City shall each and all be held to be public and governmental functions of the City.

Section 6. Saving Clause. If any section, paragraph or provision of this Ordinance shall for any reason be held to be invalid, the invalidity of such section, paragraph or provision shall not affect the validity of any other section, paragraph or provision hereof which is not itself invalid.

This Ordinance shall become effective on the 15th day of March, 2018.

DONE AND ADOPTED THIS 15TH day of March, 2018.



Mayor

CERTIFICATION

I, Recarda Cobb, City Clerk of the City of Midfield, Alabama do hereby certify that the following is a true and correct copy of Ordinance No. 2018-01 of the City of Midfield, Alabama adopted on March 15, 2018 and posted in the following places.

Midfield City Hall, Midfield Community Center, United States Post Office – Midfield Branch

Authenticated: 

City Clerk, City of Midfield