

ORDINANCE NO. 10, 1957

An Ordinance concerning Parks and Recreation, enabling the Civil City of Bloomington, Indiana, to put into full force and effect for the said Civil City the provisions of "The Park and Recreation Law of 1955"; abolishing the Park Department and the Recreation Department and creating in lieu thereof a Department of Parks and Recreation; transferring the property, papers, funds and appropriations from the defunct departments to the credit and control of the said Department of Parks and Recreation; establishing a special non-reverting capital fund; and repealing all ordinances in conflict therewith.

WHEREAS, to promote good citizenship and to stimulate public health, safety and welfare, "The Park and Recreation Law of 1955" was enacted to provide greater opportunity for the establishment of park and recreation programs;

WHEREAS, recreation is a fundamental need essential to the well-being of all people, and the parks are primary facilities for public recreation; and

WHEREAS, it is the purpose of the aforesaid law to consolidate recreational services and the facilities therefor under a common administration to the end that overlapping costs be eliminated and governmental responsibility for park and recreational services be increased;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, THAT:

Section 1. The provisions of "The Park and Recreation Law of 1955", (Chapter 311, Acts of the General Assembly, State of Indiana, 1955 session) are hereby declared to be of full force and effect for the Civil City of Bloomington, Indiana, effective January 1, 1958.

Section 2. Effective January 1, 1958, The Park Department and the Board of Park Trustees and the Recreation Department and the Recreation Board are hereby abolished, and there is hereby created and established in lieu thereof and in their stead a single Department of Parks and Recreation, pursuant to the provisions of the said "Park and Recreation Law of 1955". The aforesaid Department of Parks and Recreation shall be composed of a Board of Parks and Recreation, a Superintendent, and such other personnel as the said Board may determine.

Section 3. The Board of Parks and Recreation shall be composed of four (4) members and one (1) ex-officio member.

The Mayor shall appoint the four (4) members of the Board of Parks and Recreation on the basis of their interest in parks and recreation, but no more than two (2) of such members shall be from the same political party. Upon the establishment of the Board, the terms of the members initially appointed shall be one, two, three and four years. Thereafter, as a term expires, each new member shall be appointed for a four (4) year term except in case of an appointee filling an unexpired term. All terms shall expire on the first Monday in January, but an appointee shall continue in office until his successor is appointed.

The ex-officio member of the Board shall be a member of the Metropolitan Board of School Commissioners who shall be a resident of the City of Bloomington. The said ex-officio member shall be selected by the school trustees and shall have all the rights of a regular member except the right to vote. The term of such ex-officio member shall be co-extensive with the term of his office as a school trustee, unless the board of school trustees shall at its first regular meeting of the year appoint another to serve as its representative on the park and recreation board.

Section 4. The Board of Parks and Recreation shall meet at least monthly and its meeting shall be public. The Board shall adopt by-laws prescribing procedural rules for its meetings, and prescribing administrative procedures for the operation of the Park and Recreation Department.

Section 5. The Board of Parks and Recreation shall have such general and special powers and such administrative authority as set forth and conferred upon it under the provisions of the aforesaid "Park and Recreation Law of 1955".

Section 6. All property, equipment, books, papers and documents held by the Board of Park Trustees and the Recreation Board are hereby ordered transferred as of January 1, 1958, to the custody and control, and to become the property of the Board of Parks and Recreation, and the said Board is authorized to take possession of the same.

Section 7. The balance as of December 31, 1957, in the Park Fund and in the Recreation Fund, and the proceeds from tax levies for these two funds in process of collection are hereby transferred, as of January 1, 1958, to the Park and Recreation Fund hereby established as of that date, and shall be receipted to that fund.

Section 8. In anticipation of the abolishment of the Park Department and of the Recreation Department and the establishment in lieu thereof of the Department of Parks and Recreation, established herein as of January 1, 1958, the Board of Park Trustees and the Recreation Board are hereby directed to cooperate in the preparation of a budget for the said Park and Recreation Department for the fiscal year 1958 for the approval of the Common Council. Such budget and items of appropriation shall be established in detail for that year to the credit and fiscal control of the said Board of Parks and Recreation.

Section 9. The members of the Board of Parks and Recreation shall receive no salary. When the Board determines that it is desirable for members or employees to attend a state, regional or national conference dealing with park and/or recreational problems, it may authorize the payment of the actual expenses involved in attending such meeting, if the amount has been made available in the Board's appropriation.

Section 10. There is hereby created, to be under the control of the Board of Parks and Recreation, a special non-reverting capital fund for the purpose of acquiring land or making specific capital improvements. The Common Council may include, from year to year, in the annual budget of the Department of Parks and Recreation an item and appropriation for these specific purposes.

Moneys placed in the Non-reverting Capital Fund shall not be withdrawn except for the purposes for which the fund was created, unless the Common Council shall repeal this provision and abolish the fund.

Section 11. The Board of Parks and Recreation may accept gifts, donations and subsidies for park and recreational purposes. Any such gift or grant of money shall be deposited in a special non-reverting fund to be available for expenditure by the Board for purposes specified by the grantor. The Clerk-Treasurer shall draw warrants against such special non-reverting fund only upon vouchers signed by the President and Secretary of the Board.

Section 12. The Board may create an Advisory Council and special committees composed of citizens interested in the problem of parks and recreation. In selecting such advisory council or special committees, the Board shall give consideration to the groups in the community particularly interested in parks and recreation. In a resolution creating an advisory council or a special committee, the Board shall specify the terms of its members and the purposes for which created. Such advisory council or a special committee shall report to the Board only.

Section 13. The provisions of this Ordinance are declared to be severable, and should any provision for any reason be held to be invalid and of no effect, the remaining portion shall remain in full force and effect.

Section 14. Any ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 15. This ordinance shall be in full force and effect on and after its passage and approval by the Mayor, but not before January 1, 1958.

Passed and adopted by the Common Council of the City of Bloomington, Indiana, on the 21 day of May, 1957.

S/ Thos. L. Lemon
Thos. L. Lemon, Presiding Officer

ATTEST:

S/ Mary Alice Dunlap
Mary Alice Dunlap, Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington, Indiana
on the 21 day of May, 1957, at the hour of 8:00 o'clock P.M.

S/ Mary Alice Dunlap
Mary Alice Dunlap, Clerk-Treasurer

This Ordinance approved and signed by me this 21 day of
May, 1957, at the hour of 8:00 o'clock P.M.

S/ Thos. L. Lemon
Thos. L. Lemon, Mayor