

ORDINANCE NO. 241

AN ORDINANCE ESTABLISHING THE MOUNT CARMEL PARKS COMMISSION BY AMENDING MOUNT CARMEL MUNICIPAL CODE TITLE 2, "BOARDS AND COMMISSIONS, ETC." BY ADDING CHAPTER 4 "PARKS COMMISSION".

WHEREAS, the Board of Mayor and Aldermen find that a Mount Carmel Parks Commission will more adequately serve the needs of the citizens of the Town of Mount Carmel in maintaining the city parks; and

WHEREAS, the health and welfare of the citizens of the Town of Mount Carmel, Tennessee, require it;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN of the Town of Mount Carmel, Tennessee, as follows:

SECTION I. The Mount Carmel Municipal Code be amended by adding to Title 2, "Boards and Commissions, etc." Chapter 4, "Parks Commission" as follows:

1. CREATED.
2. COMPOSITION; FILING VACANCIES; COMPENSATION.
3. OFFICERS.
4. STAFF.
5. MEETINGS.
6. QUORUM.
7. RECORD OF MEETINGS.
8. FUNCTIONS.
9. BUDGET.
10. GRANTS, GIFTS, DEVISES AND BEQUESTS.

1. CREATED.

There is created a Parks Commission.

2. COMPOSITION; FILLING VACANCIES; COMPENSATION.

a. The Parks Commission shall have eight (8) members.

b. The Mayor shall serve as an ex-officio member; there shall also be two (2) Aldermen appointed by the Board of Mayor and Aldermen to serve as ex-officio members. The remaining members shall be appointed by the Mayor and confirmed by the Board of Mayor and Aldermen.

c. The term of each of the five (5) appointed members shall be five (5) years; except that the terms of the first appointed members shall be one (1), two (2), three (3) four (4) and five (5) years respectively. The terms of the ex-officio members shall be coterminous with their term on the Board of Mayor and Aldermen.

d. Any appointed member who absents himself from four (4) consecutive meetings or from six (6) meeting in any year shall be deemed to have resigned and a successor shall be appointed as provided herein.

e. If a vacancy occurs on the Parks Commission by death, resignation or inability or refusal of a member to serve, the vacancy shall be filled for the unexpired term by appointment by the Mayor.

f. The members of the Parks Commission shall serve without compensation.

3. OFFICERS.

The members of the Parks Commission shall meet in regular session and organize each year by electing from their number a Chair, Vice-Chair, and Secretary. Each person so elected shall hold office for one (1) year or until their successor is elected by the Parks Commission and qualifies.

4. STAFF.

All officers, departments and committees, boards and commissions of the Town shall render reasonable assistance to the Parks Commission in the orderly performance and discharge of its duties.

5. MEETINGS.

The Parks commission shall meet in regular session at least once every other month, the time and place to be designated by a vote of the members. It shall be the duty of the Chair to preside over all meetings of the Parks commission. In the absence of the Chair, the Vice-Chair shall preside. Any meeting other than a regular meeting may be called by the Chair or by any four (4) members.

6. QUORUM.

Five (5) members of the Parks Commission present at a meeting shall constitute a quorum.

7. RECORD OF MEETINGS.

The Secretary of the Parks Commission shall keep a record of all proceedings of the Parks Commission.

8. FUNCTIONS.

The Parks Commission shall serve in an advisory capacity and shall report to the Board of Mayor and Aldermen regarding any and all rules and regulations for the conduct, control, governance and operation of the public parks of the Town which the Parks Commission shall find necessary or desirable. The Parks Commission shall study the parks needs of the

Town and recommend to the Board of Mayor and Aldermen on facilities and sites needed or desirable for the use and enjoyment of the citizens of the Town.

9. BUDGET.

The Parks Commission shall submit to the Board of Mayor and Aldermen a suggested annual budget for the operation of the public parks of the Town in accordance with the annual budget calendar for each fiscal year. Such recommendation shall be adopted in whole or in part by the Board of Mayor and Alderman and incorporated in the annual budget of the Town. Appropriations for park purposes shall be encumbered and disbursed in accordance with the established Purchasing Procedure Manual.

10. GRANTS, GIFTS, DEVISES AND BEQUESTS.

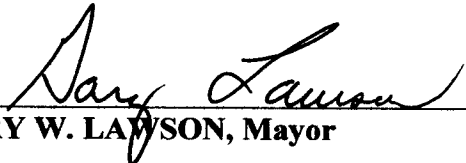
The Parks Commission shall request that the Board of Mayor and Aldermen apply for any grant that may be available for park purposes; the terms and conditions of which grants shall be accepted at the discretion of the Board of Mayor and Aldermen. Any gift or other contribution made for the use of the public parks of the Town may be accepted by the Parks Commission and shall be deposited with the Recorder and held in trust, to be kept separate and apart from all other municipal funds and property, and any such funds shall be appropriated by the Board of Mayor and Aldermen only with the advice and consent of the Parks Commission. Any devise or bequest of property, either real or personal, shall be accepted by the Board of Mayor and Alderman after due consideration of any attendant expenses for improvements, maintenance or similar costs and expense.

SECTION II. LEGAL STATUS PROVISIONS.

A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date. This Ordinance shall become effective upon passage and publication, the public welfare requiring it.



GARY W. LAWSON, Mayor

ATTEST:

Nancy Carter
NANCY CARTER, Recorder

APPROVED AS TO FORM:

Joe May
LAW OFFICES OF MAY AND COUP

FIRST READING	AYES	NAYS	OTHER
Alderman Bailey	absent		
Vice-Mayor Christian	✓		
Alderman Hale	✓		
Mayor Lawson	✓		
Alderman Pierce	✓		
Alderman Wheeler	✓		
Alderman Worley	✓		
TOTALS	6	0	0

PASSED FIRST READING 3-28-2002

SECOND READING	AYES	NAYS	OTHER
Alderman Bailey	✓		
Vice-Mayor Christian	absent		
Alderman Hale	✓		
Mayor Lawson	✓		
Alderman Pierce	✓		
Alderman Wheeler	absent		
Alderman Worley	absent		
TOTALS	4	0	0

PASSED SECOND READING 4-25-02

Published on:
Date:
Newspaper: <u>Kingsport Times News</u>

241 was
amended Ord. 247
published - 8-1-02

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN August 7, 2002

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 8-01-02, and appearing 1 consecutive weeks/times, as per order of _____

Town of Mount Carmel

Signed Karen C. Mulkey

ORDINANCES Passed by the Mt. Carmel Board of Mayor and Aldermen and date Passed:

Ordinance 246. Changes the time of regular meetings of the Board of Mayor and Aldermen. Regular meetings shall be at 7:14 on the fourth (4th) Tuesday of each month at City Hall. Passed 7/25/02.

Ordinance 247. Amending Ordinance 241, establishing the Mt. Carmel Parks Commission by amending Mt. Carmel Municipal Code Title 2, "Boards and Commissions, Etc." By adding Chapter 4, "Parks Commission" PASSED 7/25/02

Pub. 1T: 08/01/02

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 7th day of August 2002, Karen C. Mulkey of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

Susan Hilton

NOTARY PUBLIC

My commission expires 1-15-06