

TITLE 12

PARKS AND RECREATION

Chapters:

- 12.04 Parks Commission
- 12.08 Economic Development and Tourism Commission

CHAPTER 12.04

PARKS COMMISSION

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12.04.01 Established Pursuant to the powers and authority vested in the cities of the second class by Act 291 of the General Assembly of the state of Arkansas of 1941, and Act 348 of the General Assembly of the state of Arkansas of 1947 as amended by Act 240 of the General Assembly of the state of Arkansas of 1951 and Act 681 of the General Assembly of the state of Arkansas of 1983, and any and all amendments, thereof, there is hereby created a Public Parks Commission of the city of Huntsville to be composed of seven (7) members. Of the seven (7) members composing the Public Parks Commission, four (4) shall be residents and qualified electors of the city of Huntsville, Arkansas. The other three (3) members composing said Commission may be, but shall not be required to be, residents or qualified electors of the municipality. (Ord. No. 2013-3, Sec. 1.)

Upon the appointment of the members holding position number six and position number seven of said Commission the person appointed to position number six shall serve for a term of four years and the person appointed to position number seven shall serve for a term of five years and the successor for both positions shall be appointed for terms of five years each. (Ord. No. 85-5, Sec. 1.)

12.04.02 Commissioners The Commissioners who will constitute said Public Parks Commission shall be appointed, shall hold office for the terms, shall subscribe to the oaths of office, may be removed, and vacancies in the Commission shall be filled, all as provided by Sections 3 and 4 of Act 384 of the General Assembly of Arkansas of 1947 which sections of said

Act 348 of 1947 are incorporated in this section of this ordinance by reference here made thereto, as though at the point herein set forth verbatim. (Ord. No. 85-5, Sec. 2.)

12.04.03 Duties Said Public Parks Commission shall be charged with all the duties and vested with all the authority and powers which by law are charged to and vested in such a Commission particularly as found in Section 5-12, inclusive, of Act 348 of 1947; which sections of said Act 348 are incorporated in this section of this ordinance by reference here made thereto, as though at this point herein set forth verbatim. (Ord. No. 85-5, Sec. 3.)

12.04.04 Powers In addition to the powers and authority vested in the commissioners by law, as stated in Section 3 of this ordinance, said Public Parks Commission shall have, and may exercise, authority to cooperate with the Huntsville School District of Madison County, Arkansas, and/or with the County Court of Madison County, Arkansas or its duly authorized representative or representatives or with any other school district of Madison County, Arkansas, in operating a program of public recreation and playgrounds and acquiring, equipping, maintaining, and managing for public park and recreation purposes, buildings, or other recreation facilities, on land owned or controlled by such school district or owned or controlled by the city of Huntsville which has been dedicated in whole or in part to public park and recreation uses; all in accordance with the provisions of Act 291 of 1941 as now constituted or as the same may be hereafter amended. (Ord. No. 85-5, Sec. 4.)

12.04.05 Land use Any and all parcels of land or areas which are hereafter by one or more resolutions adopted or other appropriate actions taken by the City Council of Huntsville dedicated to use as public parks and/or recreational areas, and/or playgrounds, shall be thereupon subject to exclusive custody, management and control of said public parks commission; and all such areas, situated within or without the corporate limits of the city of Huntsville, which are owned or controlled by the city of Huntsville and have been so dedicated, shall be, for the purposes of this ordinance, deemed a single public park system of the city of Huntsville whether or not the parts thereof are contiguous. (Ord. No. 85-5, Sec. 5.)

CHAPTER 12.08

ECONOMIC DEVELOPMENT AND TOURISM COMISSION

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12.04.01 Established The Huntsville Economic Development and Tourism Commission, which may hereafter be referred to as EDTC, is hereby established.

12.04.02 Members The Mayor of the City shall appoint the members of the Huntsville Economic Development and Tourism Commission, subject to confirmation by the City Council.

12.04.03 Reports The Huntsville Economic Development and Tourism Commission shall report at pertinent times prospects for the development of the city's tourism, economic or industrial welfare, or at any other reasonable times as shall be requested by the Mayor and/or City Council.

12.04.04 Approval Required The Huntsville Economic Development and Tourism Commission shall have no power or authority to bind the city without the approval of the Mayor and City Council.

12.04.05 Membership That Section 5 Membership of Ordinance Number 2015-2 is hereby amended as follows: The City of Huntsville Economic Development and Tourism Commission (EDTC) shall consist of five (5) members appointed by the Mayor and confirmed by the City Council. All commissioners shall be citizens that are qualified electors of the City of Huntsville and/or persons who hold a valid Huntsville business license.

12.04.06 Terms The initial members shall draw by lot for terms, except that the initial chairman shall be named by the Mayor and serve for four (4) years. Two (2) members shall serve a term of three (3) years; and two (2) members shall serve a term of two (2) years. Thereafter, all terms shall be for a period of four (4) years.

12.04.07 Replacement In the event that any member of the EDTC, shall miss two or more consecutive meetings of the EDTC, without the express approval of the EDTC, the EDTC may declare the position of such member to be vacant and the Mayor shall appoint a replacement to serve the unexpired term, subject to confirmation by the City Council.

12.04.08 Meetings The EDTC shall for the initial six months after its creation, meet at least once every month. Thereafter, the EDTC shall meet at least every two months and shall make a report to the City Council that shall set forth all actions of the EDTC since the previous meeting and report.

12.04.09 Budget The EDTC shall meet in the month of October to prepare a budget request to the City Council for the ensuing calendar year.

12.04.10 Powers The EDTC shall have the power to make contracts, seek funding aid (grants, programs, etc.) and to engage agents; subject to the approval of the Mayor and City Council. The EDTC shall select a Chair, (except the first chair shall be named by the Mayor), Vice-Chair and Secretary annually, and shall adopt bylaws and/or policies for the conduct of the EDTC. The EDTC may meet in special session upon the call of the Chair or of any two members of the EDTC. A majority of the members of the EDTC shall constitute a quorum for the transaction of business.

12.04.11 Funds The City Council may, at any time, but is not required to, appropriate funds from the General Revenue Fund, or from such other funds as the city may have available, to provide the necessary funding for the operation of the EDTC. Any and all funds provided to the EDTC by the City of Huntsville, shall be expended by the EDTC for Economic Development and Tourism of the city.

12.04.12 Capital Reserve Fund Any net collections of public funds from the city of Huntsville not allocated to a purpose specified by the EDTC shall be deposited into a Capital Reserve Fund for the development of capital projects and related purposes that are approved by the EDTC.