

ORDINANCE NO. 810 AMENDED (2)

AN ORDINANCE AMENDING CHAPTER 7 SECTION 8-7-2 AND 8-7-3 REGARDING THE MAINTENANCE OF CITY PARKS, BOULEVARDS, PARKWAYS, TRAILS AND OTHER MUNICIPALLY OWNED PROPERTY.

8-7-2: DEFINITIONS: As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

PARKS: All public recreation lands now existing in or to be developed within Red Lodge and designated for public use.

PARK TREES AND PLANTS: Trees, shrubs, bushes, and other beautification or landscaped plantings, now or hereafter planted or growing within Red Lodge.

STREET TREES: Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or ways within the city.

TOPPING: The severe cutting back of limbs to stubs larger than three inches (3") in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

EQUIPMENT AND STRUCTURES: Defined as but not limited to picnic tables, benches, grills, playground equipment, bathrooms, storage sheds, signs and fences.

8-7-3: PARKS BOARD:

- A. Established: Membership of the Board shall total eight (8) members and shall be comprised of six (6) ordinary citizens and two (2) City representatives. Two members can reside outside of the City limits but within Carbon County. One City member shall be an employee of the Public Works Department (PWD) and the other shall be a City Council member. The two City representatives shall have voice but no vote. All eight (8) members shall be appointed by the Mayor with the approval of the City Council.
- B. Term of Office: The term of the six (6) voting members shall be for three (3) years serving staggered terms with at least two members' terms expiring each January 1. As each member of the Board completes her/his term, the Mayor shall reappoint that member or appoint a replacement with the approval of the City Council. The City representatives shall serve a two (2) year term with the possibility of reappointment.
- C. Officers and Responsibilities: Officers shall consist of a Chairman, Vice Chairman, Secretary and a Treasurer. Term of office shall be one year, with the possibility of re-election. Officers shall be elected by the Board.

1. The Chairman shall preside at all meetings or appoint the Vice Chairman to do so. She/he shall call special meetings when they are deemed necessary. She/he shall appoint committees, shall certify expenditures and shall sign all official papers and plans, which she/he will submit to City Council. The Chairman shall serve as liaison to the City Council
2. The Vice Chairman shall assume the duties and powers of the Chairman when called upon by the Chairman to do so. If both Chairman and Vice Chairman are absent from a meeting, the Board may elect a temporary Chairman.
3. The Secretary shall keep the minutes of all regular and special meetings of the Board. She/he also shall keep the minutes of any special committee meetings when asked to do so. She/he shall give notice of all regular and special meetings of the Board. The Secretary shall maintain a file of all studies, plans, reports and recommendations. If the Secretary is absent, the Vice Chairman shall assume the duties and powers of the Secretary. If the Vice Chairman is unable to assume the duties of the Secretary, then the Board may elect a temporary Secretary.
4. The Treasurer shall keep track of the amounts budgeted to the Parks Board by the City, all expenditures and any grant monies or donations. She/he shall help prepare the annual budget and submit it to the City Council in a timely manner, keeping in mind that the budget period begins July 1.

F: Duties and Responsibilities; It shall be the responsibility of the Board to:

1. Identify park and tree needs.
2. Provide oversight for development of a five (5) and ten (10) year plan for existing and future parks. These plans shall address development and maintenance of parks and will be reviewed and updated annually. An annual action plan shall be formed based on the long-term plans.
3. Prepare an annual budget recommendation to implement that year's action plan.
4. Ensure that the City and County require developers to dedicate parkland and/or "funds in lieu of" parkland, when required by law to do so, based on the formula in Montana Code Annotated. The Parks Board shall additionally compete for other sources of funding in order to develop, maintain and improve parks.
5. Develop the recommend rules and penalties for use and misuse of parks by the public.
6. Recommend the planting, pruning and removal of trees, shrubs and plantings located on public property.
7. Maintain a list of recommended and not recommended trees, shrubs and other plantings in accordance with the prescribed guidelines provided by the Community Forester, State Department of Lands.
8. Work cooperatively with other community organizations and encourage them to become involved in park beautification projects.
9. Recommend action to the City Council.

This ordinance shall be in full force and effective from and after thirty days of its date of passage.

PASSED AND APPROVED on first reading this 14th day of February, 2006
PASSED AND APPROVED on second reading this 28th day of February 2006.

Mayor

ATTEST:

City Clerk