

COMPARED

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Filed for record and day of *June* 1974 at *7:00* o'clock *PM* and paid fee of \$*4.00* in book *74* page *4683*

CITY ORDINANCE NUMBER *4014*...

Donald L. Lemp
Recorder
William J. Carson
Deputy

AN ORDINANCE to amend Title 1. Administration & Personnel of the Municipal Code of the City of Council Bluffs, Iowa, by adding a new Chapter 1.60 PARKS, RECREATION AND PUBLIC PROPERTY COMMISSION thereto; providing for the abolishment of the Board of Park Commissioners of the City of Council Bluffs, Iowa, under and pursuant to authority set forth in Sections 363C.7 and 363C.15 of the 1973 Code of Iowa; providing for the abolishment of the Playground and Recreation Commission established pursuant to Chapter 377 of the 1946 Code of Iowa; providing for the establishment of a Parks, Recreation and Public Property Commission for the City of Council Bluffs, Iowa, to serve in an advisory capacity to the City Council of the City of Council Bluffs, Iowa; providing for the establishment of a Department of Parks, Recreation and Public Property and the appointment of a Director thereof to be under the authority of the City Council of the City of Council Bluffs, Iowa, all to provide for the administrative control of parks, recreation centers, playgrounds and public property within the City and to provide for the promotion of recreational and cultural affairs of said City; and repealing all other Ordinances, Rules and Regulations, or portions thereof, in conflict herewith.

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE CITY OF
COUNCIL BLUFFS, IOWA

SECTION 1. That Title 1. Administration & Personnel of the Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by adding thereto a new Chapter 1.60 PARKS, RECREATION AND PUBLIC PROPERTY COMMISSION, as follows:

Chapter 1.60

PARKS, RECREATION AND PUBLIC PROPERTY COMMISSION

1.60.010 Purpose. The purpose of this Chapter is to abolish the Board of Park Commissioners of the City of Council Bluffs, Iowa, under and pursuant to authority set forth in Sections 363C.7 and 363C.15, 1973 Code of Iowa, and to abolish the Playground and Recreation Commission established pursuant to Chapter 377, 1946 Code of Iowa and Chapter 1.64 of this Title; to establish the Parks, Recreation and Public Property Commission for the City of Council Bluffs, Iowa to serve in an advisory capacity to the City Council of the City of Council Bluffs, Iowa, and to establish a Department of Parks, Recreation and Public Property and to appoint a Director thereof, all to serve under the authority of the City Council of the City of Council Bluffs, Iowa; and to provide for the administrative control of parks, recreation centers, playgrounds and public property in Council Bluffs and to promote the recreational and cultural affairs of said City and to provide efficiency in the control and administration of the City's parks, recreation centers, playgrounds and public property, and to review policies, rules, regulations, ordinances and budgets relating to parks, recreation centers, playgrounds and public property and to report to the City Council and make recommendations in regard thereto.

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CONTINUED

City Ordinance _____

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1.60.020

Abolishment of Board of Park Commissioners. Under and pursuant to authority set forth in Sections 363C.7 and 363C.15, 1973 Code of Iowa, the Board of Park Commissioners of the City of Council Bluffs, Iowa is hereby abolished, and the offices and duties thereof including but not limited to the power to fix monies to be levied for park purposes, to purchase or acquire lands for park purposes, to improve and maintain park lands, to recommend the appointment of park policemen, to acquire equipment for park purposes, to make contracts, to supervise the control of parks, to lease park grounds, to prescribe regulations for parks and to hold any title to any property either real or personal, are hereby abolished pursuant to authority of the City Council to abolish same under the authority hereinabove set forth.

1.60.030

Abolishment of Playground and Recreation Commission. The Playground and Recreation Commission of the City of Council Bluffs, Iowa, established pursuant to Chapter 377, 1946 Code of Iowa, is hereby abolished and the offices and duties thereof as prescribed in Chapter 1.64 of the Municipal Code of the City of Council Bluffs, Iowa are hereby abolished pursuant to the provisions of Section 377.2, 1973 Code of Iowa.

1.60.040

Establishment of Parks, Recreation and Public Property Commission. There is hereby established a Parks, Recreation and Public Property Commission for the City of Council Bluffs, Iowa.

- (a) The Commission shall consist of seven (7) members who shall be appointed by the Mayor with the approval of the City Council. All members of the Commission shall be qualified electors of the City of Council Bluffs, Iowa, and shall serve without compensation as members of said Commission.
- (b) The term of office of each member of the Commission appointed by the Mayor shall be three and two years, provided that of the members first appointed, all shall be appointed to serve one-year terms. Thereafter, four members shall be appointed for three-year terms and three members for two-year terms. All terms for the initial appointees shall commence _____.
- (c) The Commission shall recommend and review policies, rules, regulations, ordinances and budgets relating to parks, playgrounds, recreational centers, cultural functions and public property of the City of Council Bluffs, Iowa, and make such reports to the City Council as the Commission deems in the public interest. The Commission shall annually transmit to the City Council a report of its activities and recommendations for the development and operation of parks, recreational centers, playgrounds, cultural facilities and public property and programs.
- (d) The Commission shall exercise broad responsibility for the development of parks, recreation centers, playgrounds, cultural facilities and public property to serve the City of Council Bluffs, Iowa. Special attention shall be given to the development

of long range planning and programming. The Commission is authorized to create and appoint advisory groups to make studies and to disseminate information on all of its activities. The Commission shall plan for the promotion of the general beauty of the City and its approaches. The Commission shall be responsible for integrating its program with other governmental agencies, including but not limited to the Council Bluffs Community School District, Pottawattamie County, and other surrounding municipal units.

1.60.050

Establishment of Department of Parks, Recreation and Public Property and Appointment of Director Thereof. There is hereby established in the City of Council Bluffs, Iowa, a Department of Parks, Recreation and Public Property. The administration of said Department shall be integrated into and made a part of the regular City administration and shall be coordinated with other City Departments. A Director of said Department shall be appointed by the City Manager after consultation and coordination with and upon the recommendation of the Parks, Recreation and Public Property Commission, subject to the approval of the City Council.

- (a) The Director shall be in charge of the maintenance and operation of all City parks, recreation centers, playgrounds, cultural facilities and public property, and be responsible for all such public lands as may be assigned to said Department by the City Manager. The Director shall meet regularly with the Commission and shall furnish such assistance and information as the Commission shall require.
- (b) All final authority over the administration and policy of the Department shall be retained and exercised by the City Council of the City of Council Bluffs, Iowa.

1.60.060

Turnover of Assets. That all assets, both real and personal, held previously in the name of the elected Park Board Commissioners of the City of Council Bluffs, Iowa, and the Playground and Recreation Commission of the City of Council Bluffs, Iowa, shall be turned over to the City of Council Bluffs, Iowa, held in trust for the public and exempt from taxation, to be administered as hereinabove described.

1.60.070

Repeals. That all Ordinances, Rules and Regulations, or portions thereof, in conflict herewith, and specifically Chapter 1.64 of this Title, are hereby repealed.

1.60.080

Severability Clause. If any section, clause, provision or portion of this Chapter shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such adjudication shall not affect any other section, clause, provision or portion of this Chapter not adjudged to be invalid or unconstitutional.

COMPARED

City Ordinance

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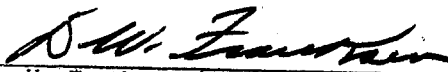
SECTION 2. That all other Ordinances, Rules and Regulations, or portions thereof, in conflict herewith, be and the same are hereby repealed.

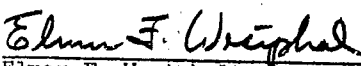
SECTION 3. That this Ordinance shall be in full force and effect from and after its final passage, approval and publication, as by law provided.

Passed
and
Approved

May 8,

1973


D. W. Franksen Mayor

Attest: 
Elmer F. Westphal City Clerk

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