

CITY OF LUNA PIER

ORDINANCE NO. 209

PARKS AND RECREATION COMMISSION

An ordinance to promote the use and growth of parks and recreational facilities and events, and create a parks and recreation commission, and provide its authority, and repeal all other ordinances, resolutions and parts thereof, in conflict.

THE CITY OF LUNA PIER ORDAINS:

SECTION 1.

TITLE.

This ordinance shall be referred to as the Parks and Recreation Commission Ordinance.

SECTION 2.

CREATION OF PARKS AND RECREATION COMMISSION

The City of Luna Pier hereby creates a Parks and Recreation Commission, pursuant to Public Act 156 of 1917; MCL 123.51 *et seq* and the Charter for the City of Luna Pier, Sections 3.1(b)(5) and 4.6. The Commission shall be an advisory body with limited powers to act on behalf of the Mayor, City Council and Administrative Officials of the City of Luna Pier as set forth in this Ordinance.

The Commission shall have Five (5) Members, recommended by the Mayor, subject to the approval of City Council. Each Member must be a qualified and registered elector of the City of Luna Pier.

Members shall serve for a term of four years, except the initial Commission membership shall be appointed to terms of 2 years or 4 years. If a vacancy occurs during a term, the Mayor shall make a recommendation to fill the vacancy for the remainder of the unexpired term. Before assuming the duties of office, each Member shall take and subscribe to the constitutional oath of office. The Members shall serve without compensation. A Member may be removed for cause by the City Council, after the Member is given notice and an opportunity to be heard.

The Members shall select a Chair. The Parks and Recreation Commission shall conduct its business in public meetings. The Commission shall be subject to the Open Meetings Act. Minutes of meetings, financial records, and other documents kept by the Commission shall be open to the public in compliance with the Freedom of Information Act.

SECTION 3.

PARKS AND RECREATION COMMISSION AUTHORITY AND RESPONSIBILITIES.

- A. The Parks and Recreation Commission shall promote the use and improvement of parks and recreational facilities and events. To do so, the Commission may:
- 1) Make recommendations to City Council on funding, acquisition, use, operations, improvements, expansion, public access, health and safety, and marketing of facilities and activities;
 - 2) Plan, evaluate and promote the use, improvement, protection and maintenance of parks and other recreational facilities and events; and
 - 3) Schedule, organize, sponsor and host recreational activities and events.

The Commission's scope is not limited to existing City parks, playgrounds and beaches, but may also include future park lands, other recreational facilities and opportunities. Parks and recreational facilities and activities may be located on public lands, Lake Erie, waterways, private lands with the owner's permission, or within the corporate limits of the City of Luna Pier or beyond, or within or without the County of Monroe.

- B. The Commission shall not have the power or authority to:

- 1) Levy taxes;
- 2) Issue bonds;
- 3) Hire employees;
- 4) Purchase, lease or own any real or personal property;
- 5) Enter into contracts in name of City of Luna Pier, except such contracts as are within the Commission's annual budget and contracts performed within one (1) fiscal year; or
- 6) Take any action inconsistent with actions, directives or resolutions of City Council.

SECTION 4.

REPEAL.

Ordinances, resolutions and parts thereof in conflict with this ordinance are hereby repealed.

SECTION 5.

SEVERABILITY.

If any section, subsection, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 9.

EFFECTIVE DATE.

This Ordinance shall become effective twenty (20) days after final passage and publication.

I hereby certify that this ordinance was passed at a regular meeting of the City Council of the City of Luna Pier, Luna Pier, Michigan held on the 26 day of August, 2010.

DeAnn Parran, Interim Clerk

Published: 9/7/10
Effective Date: 9/28/10