

Upon Motion by _____
Support by _____
Ayes _____
Nays _____
_____, 2023

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK
ORDINANCE 04-2023**

**AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES;
AMENDING CHAPTER 2 “ADMINISTRATION”, ARTICLE V, “BOARDS,
COMMISSIONS, COMMITTEES AND AUTHORITIES”, BY THE REPEAL AND
READOPTION OF DIVISION 14, “PARKS AND RECREATION COMMISSION”, TO
UPDATE THE DIVISION.**

The City of Allen Park Ordains:

SECTION 1. Amendment to Code.

That Division 14, Parks and Recreation Commission, of Article V, Boards, Commissions, Committees and Authorities, of Chapter 2, Administration, is hereby repealed and readopted, to hereafter read as follows:

**CHAPTER 2 ADMINISTRATION
ARTICLE V. BOARDS, COMMISSIONS, COMMITTEES AND AUTHORITIES
DIVISION 14 PARKS AND RECREATION COMMISSION**

Sec. 2-647. – Created.

There is hereby created and established a city parks and recreation commission hereinafter referred to as the “Commission”.

Sec. 2-648. – Composition, term of members; compensation of members; vacancies.

The Commission shall consist of not less than seven nor greater than nine members who shall be appointed by the mayor, subject to the approval and confirmation by a majority vote of the council. All appointments shall be for a term of three years. Vacancies on the Commission occurring before the expiration of any term shall be reported by the Commission to the mayor and council and filled by appointment as set forth above for the unexpired term. Members shall

serve as such without compensation. Members must be a resident of the city or an owner or employee of a business with operations within the city.

Sec. 2-649. – Organization; officers; meetings.

a. Selection. At the December meeting of each calendar year, the Commission shall elect from its membership by a majority vote of the members, a Chairperson, Vice Chairperson and Secretary who shall serve for a 12-month period or until their successors are elected, and who shall be eligible for re-election. In the event a meeting is not held in December, the selection shall occur at the next meeting.

b. Duties. The Chairperson shall preside over all meetings of the Commission and be responsible for the preparation of the agenda for each meeting. The Vice Chairperson shall perform the duties of the Chairperson in the absence or disability of the Chairperson. The Secretary or other official designee shall be responsible for the preparation of meeting minutes.

c. Vacancies. If a vacancy should occur in any office, the Commission shall elect another person to fill such vacancy in the same manner and under the same conditions outlined above for the remainder of the term of said office.

d. Regular Meetings. The Commission shall meet no less than six (6) times a year on dates and times to be established by resolution of the Commission. At the first meeting of each year the dates and times of the upcoming regular meetings shall be established. Regular meetings may be cancelled by the Chairperson for lack of scheduled business with notification of all Commission members and the public in accordance with the Open Meetings Act. All meetings shall be held at the Allen Park City Hall.

e. Special Meetings. Special meetings may be called by the Chairperson or by any two (2) members of the Commission upon written request to the Secretary. A written notice of the purpose and time of such meeting shall be sent to all members not less than two (2) days prior to the date set. A special meeting called at a regular meeting, absentee members being informed of such meeting, shall satisfy this requirement. No business other than the stated purpose of the meeting shall be considered. Notice to the Public shall be provided in accordance with the Open Meetings Act.

f. Quorum. A quorum consisting of a majority of the members of the Commission then in office shall be present for the conduct of business. When a quorum is not present, no official action of the Commission, may take place. In the case of a lack of a quorum, members of the Commission may discuss matters of interest, but can take no action until the next regular or special meeting.

g. Meeting Minutes. The minutes shall contain a complete restatement of all motions and recording of votes; complete statement of the conditions or recommendations made on any action; and recording of attendance. All communications shall be attached to the minutes. The

official records shall be deposited with the City Clerk and a copy provided to the Mayor and City Council.

h. Oversight. The decisions and actions of the Commission are subject to review and repeal by and at the discretion of the Mayor and Council.

Sec. 2-650. – Powers and Duties

The Commission shall:

- a. Advise the Mayor and City Council concerning the parks and recreation needs of the citizens of the City.
- b. Study existing programs and policies and plan for the future long range development of a viable parks and recreation program for all the citizens of the City.
- c. Create, promote and encourage the implementation of parks and recreation programs.
- d. Make rules and regulations for public parks and recreation facilities and make recommendations to Mayor and City Council for ordinances when necessary to enforce rules and regulations.
- e. Cooperate with other governmental agencies and civil groups in the advancement of sound parks and recreation planning and programing.

Sec. 2-651. – Solicitation and Disposition of Funds and Property.

The Commission may solicit or receive bequests of money or other personal property, or any donation to be applied, principal or income, for either temporary or permanent use, for playgrounds or other recreational purposes. Funds received by any Commission member shall be forthwith delivered to the City Treasurer. All such funds shall be held and used for the activities of the Commission. A separate record shall be maintained for all receipts and expenditures of the Commission.

Sec. 2-652. – Advisory Body.

One member of the city council and the Parks and Recreation Director, or their designated alternate, shall serve in an advisory, nonvoting capacity to the Commission.

Sec. 2-653. – Council appropriations.

The council may provide for such quarters, equipment and personnel as is deemed necessary for the proper management and operation of the Commission.

Sec. 2-654. – Reports.

The Commission shall, on or before May 30 of each year, make a written report to the council of the work of the Commission during the preceding year and the condition of the property under the control of the Commission. Reports shall be certified by the Commission, entered of record by the City Clerk on the rolls of the minutes of the city. The Commission shall also make such other reports as the council may from time to time require.

Secs. 2-655. – Removal of Commission Members.

A Commission member may be removed by the council for failure to attend three (3) consecutive regular meetings, or 25% of such meetings in any year unless such absences shall be excused by the Commission, or for inattention to duties. In the event of death, resignation or removal of any member, the successor shall be appointed as provided in Sec 2-648 to serve for the unexpired term for which such member had been appointed.

Secs. 2-656-2-681. Reserved.

SECTION 2. Repeal.

All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 5. Codification; Scrivener's Errors:

- (a). Section 1 of this Ordinance shall be codified, and all other sections shall not be codified.
- (b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.
- (c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected

with the endorsement of the City Administrator, or designee, without the need for a public hearing.

SECTION 6. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 7. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the ___ day of ____, 2023.

GAIL McLEOD, Mayor
City of Allen Park

MICHAEL I. MIZZI, City Clerk
City of Allen Park