

ORDINANCE NO. 125

ORDINANCE AMENDING ORDINANCE NO. 38 TO BE KNOWN AS
"REVISED RECREATION COMMISSION ORDINANCE"

Whereas, the existing provisions of the Mount Carmel Municipal Code in regard to the creation and operation of a Recreation Commission no longer reflect the current operation of the Recreation Commission; and

Whereas, it is in the best interest of the citizens of the Town of Mount Carmel and persons living in close proximity to the corporate limits of the Town of Mount Carmel to revise and refine said Ordinance No. 38 to more accurately reflect the operation of the Recreation Commission; and

Whereas, the public health, safety, and welfare requires it:

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF MOUNT CARMEL, TENNESSEE:

1. This ordinance shall be known as the "Revised Recreation Commission Ordinance";

2. Mount Carmel Municipal Code Section 2-104, "Organization, rules, staff", shall be and is hereby amended by striking the existing final sentence of said section which reads as follows: "The commission may appoint employees and staff as it may deem necessary and proper.";

3. Mount Carmel Municipal Code Section 2-106, "Recreation, sites and facilities", shall be and is hereby repealed in its entirety and in its place is substituted the following:

"On all recreation sites designated by the Planning Commission as consistent with the comprehensive planning program approved by the Board of Mayor and Aldermen, the Recreation Commission shall recommend to the Board of Mayor and Aldermen the equipment of such parks, playgrounds, recreation centers, and buildings thereon, within and beyond the corporate limits of the town."

4. Mount Carmel Municipal Code Section 2-107, "Finances", shall be and is hereby repealed in its entirety and in its place the following is substituted:

The Recreation Commission shall annually on or before May 1 of each year, prepare in detail a budget for recreation purposes and submit same to the Board of Mayor and Aldermen. The Board of Mayor and Aldermen shall have full power to revise such budget. The commission may in the name of Mount Carmel accept gifts, grants, or money, or any personal or real property from any agency, firms, corporations, or any person.

Any gifts, grants or bequests shall be used or applied for the purposes set forth in this chapter. If acceptance of a gift, grant, or bequest shall subject the Town to the expense of improvements, maintenance, renewals, or other similar expenses, the acceptance shall be subject to approval by the Board of Mayor and Aldermen. The Board of Mayor and Aldermen may appropriate funds belonging to the Town to meet aid assistance by county, state, and federal agencies for recreation purposes.

5. There shall be added to Mount Carmel Municipal Code the following section:

2-108, "Director" at the regular January meeting of the Board of Mayor and Aldermen of each year the Board of Mayor and Aldermen shall appoint for the following year a Director of Recreation. The compensation of the Director of Recreation shall be set at the same time by the Board of Mayor and Aldermen. The Director of Recreation shall report to the Public Works/Services Director on no less than a monthly basis a summary of his activities as the Director of Recreation including the expenditure of all funds budgeted by the Town for recreation, the purpose therefor, services or materials acquired thereby, and the numbers of persons and type of activities participated in by those persons availing themselves of the opportunities provided by the Recreation Commission.

The Director shall have the following responsibilities and duties:

- a.) The general oversight and administration of the Municipal Recreation Department pursuant to the policy and directives established by the Board of Mayor and Aldermen.
- b.) The supervision of the day to day activities of all part-time employees of the Recreation Department.
- c.) The formulation and suggestion to the Recreation Committee of plans and programs for the Recreation Department.
- d.) Execution of the terms of any interlocal agreement entered into between The Town of Mount Carmel and neighboring municipalities, if any.

6. There shall be added to the Mount Carmel Municipal Code the following sections:

2-109, "Inter-Local Agreement", pursuant to Tennessee Code Annotated, the Board of Mayor and Aldermen hereby authorizes the Mayor of the Town of Mount Carmel, upon the advise and consent of the Board

of Mayor and Aldermen, to enter into inter-local agreements with neighboring municipalities for providing joint recreation programs, acquiring equipment and facilities in the use of such programs, staffing such programs, and doing all things incidental and necessary thereto for the purpose of conducting a recreation program.

2-110, "Rules, Violations, etc.", Violation of any of the rules and regulations by persons visiting the area or participating in any municipal recreational activity shall be grounds for barring the offender from further use of the Town's recreational facilities. The Director of Recreation is authorized to enforce this section of the ordinance by effecting the removal of the offender from the recreational facility.

LEGAL STATUS PROVISIONS

A. Conflict With Other Ordinances

In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

B. Validity

If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

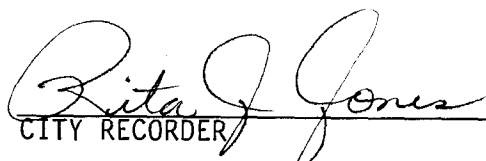
C. Effective Date

This ordinance shall take effect and be in force from and after its passage, the public welfare requiring.

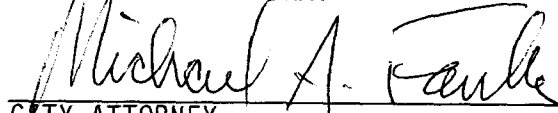
Passed 1st Reading 12-26-91

Passed 2nd Reading 1-23-92


MAYOR


CITY RECORDER

APPROVED AS TO FORM:


CITY ATTORNEY