

ORDINANCE NO. 132

CITY OF LACEY

AN ORDINANCE ESTABLISHING A BOARD OF PARK COMMISSIONERS; PROVIDING FOR THE APPOINTMENT OF MEMBERS THERETO; FIXING ITS POWERS AND AUTHORITIES; CREATING A PARKS AND RECREATION FUND, A PARKS AND RECREATION DONATION FUND, AND A CUMULATIVE RESERVE FUND FOR THE ACQUISITION AND IMPROVEMENT OF PARKS AND PARK AND RECREATION FACILITIES; PROVIDING FOR THE PROMULGATION OF RULES AND REGULATIONS AND DECLARING IT TO BE A MISDEMEANOR TO VIOLATE RULES AND REGULATIONS DULY PROMULGATED BY THE BOARD OF PARK COMMISSIONERS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LACEY:

Section 1. There is hereby created a Board to be known as the Board of Park Commissioners of the City of Lacey, which shall perform all of the duties and shall have all of the authorities hereinafter set out.

Section 2. The said Board shall consist of three commissioners to be appointed by the Mayor with the consent of the City Council. The first commissioners shall determine by lot whose term of office shall be one year, two years and three years. At the expiration of the first year and annually thereafter, a new commissioner shall be appointed by the Mayor with the consent of the Council to serve for a term of three years.

Section 3. The Board shall select its own chairman and secretary from its membership and may create such other offices as it may deem necessary and shall adopt all necessary rules for the transaction of its business and the keeping of its own records.

An accurate record shall be kept of the proceedings of all meetings, including all motions, resolutions,

1<sup>st</sup> Reading - 2/17/70

2<sup>nd</sup> Reading - 1. Buch } discussed - MCV  
2. Kemp }

transactions, findings and determinations, which records shall be public and a copy thereof shall be transmitted to the City Council after each meeting. The Board shall hold at least one regular meeting per month.

Section 4. The expenditures, including the salaries of the employees hereinafter referred to, of the Board of Park Commissioners created by this Ordinance, exclusive of gifts donated for a specific purpose, shall be for the purposes and within the limits of the amounts appropriated therefor by the City Council from time to time in the budget of the City of Lacey. The Board of Park Commissioners is authorized to employ such employees as may be needed to maintain parks and park and recreation facilities of the City of Lacey, and to provide a recreational program; provided, however, that the employment of any such employees shall be subject to the approval of the City Council of the City of Lacey.

Section 5. The Board of Park Commissioners shall have power and it shall be its duties, subject to such rules and regulations as may from time to time be prescribed by ordinance:

(1) To make investigations and surveys concerning the future park, playground and recreation resources of the City.

(2) To formulate plans for the proper future development of the Parks and Playgrounds System of the City, and to recommend to the City Council the type of recreational

program deemed most advisable for the City of Lacey.

(3) To convey, from time to time, its findings to the City Council, together with its recommendations thereon and to submit to the City Council a proposed budget for the parks and recreation program within the time periods as established by law.

(4) To cooperate with any and all departments of the City and with public school authorities, Thurston County, the State of Washington, and other cities in the surrounding area in the furtherance of a well-rounded parks and recreation program.

(5) To provide a recreational program and to maintain and improve parks, playgrounds and other recreational facilities of the City.

(6) To make such rules and regulations in regard to the use of the parks and other recreational facilities as shall best serve the interests of the public.

(7) To receive in the name of the City all moneys or other properties donated for the purpose of acquisition of parks or the improvement of the parks or recreation system of the City of Lacey, and to expend and use the same in such manner as shall best carry out the interests of the donors, provided that all moneys so received shall be forthwith paid into the City Treasury and the same shall be placed in a fund to be known as the Parks and Recreation Fund, except that all donations made for special purposes shall be placed in a separate fund to be known as the Parks and Recreation Donation

Fund and shall be paid out by the City Clerk-Treasurer only in payment of the special purpose for which the donation is made. All expenditures relating to parks and recreation under the control of the said Board shall be paid only on orders of the said Board and approved by the City Council.

(8) To do any and all of the things necessary and proper to secure for the public a parks and recreation program and the free use and enjoyment of the parks and other recreational facilities of the City of Lacey.

Section 6. There is hereby created a special fund to be within the budget of the City of Lacey, to be known as the Parks and Recreation Fund which shall consist of (1) such tax levy as may be provided by the City Council; (2) such gifts, bequests and devises as may be given, bequeathed, or devised to the City of Lacey for the benefit of parks and recreation; and not restricted to a specific purpose by the donor or devisor; and (3) any appropriations that the City Council may make for said fund from time to time, and any moneys that shall be transferred to said fund by the City Council from other sources, and any and all moneys that may from any source accrue to said fund.

Section 7. There is hereby created a special fund known as the Parks and Recreation Donation Fund, which shall consist of money or property donated, devised, or bequeathed for a specific park or recreation purpose, and moneys accruing in the fund shall be paid out only in payment of the special purpose for which the donation is made.

Section 8. There is hereby created a special

fund to be known and designated as the Cumulative Reserve Fund for the Acquisition and Improvement of Parks and Park and Recreation Facilities, which shall consist of (1) such tax levies as may be provided by the City Council; (2) any appropriations said City Council may make for said fund from time to time and any transfers of money from other sources by the City Council and all moneys that may from any source accrue to said fund. The moneys in said fund may be allowed to accumulate from year to year until the City Council shall determine to expend the moneys in the fund for the acquisition and improvement of parks and park and recreation facilities, and moneys accruing to said fund shall never be expended for any other purpose than for the acquisition and improvement of parks and park and recreation facilities, without an approving vote by a majority of the electors of the City of Lacey at a general or special election voting on a proposal to allow other specified uses to be made of said fund.

Section 9. The Board of Park Commissioners, after making any rules or regulations or set of rules and regulations, or amendments thereto, shall file a copy of the same with the City Clerk, certified by the Secretary of the Board of Park Commissioners to be a true copy of rules and regulations, and when so certified and approved by the City Council, the same shall become effective as rules and regulations under this Ordinance, the same as if they were set forth

in full herein.

Section 10. Any person who shall violate and refuse to obey any of the rules and regulations made, filed and adopted as set forth in Section 9 hereof, shall be deemed guilty of a misdemeanor and upon conviction thereof, be fined in any sum, not exceeding \$100.00, or imprisoned in the County Jail for a period not exceeding thirty (30) days, or by both such fine and imprisonment.

Section 11. A determination that any portion of this Ordinance is invalid, shall not impair the validity of the remaining portions.

Section 12. This Ordinance shall take effect upon its passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR, this 12<sup>th</sup> day of March, 1970.

*G. B. Homann*  
MAYOR

ATTEST:

*C. R. Keetch*  
CITY CLERK

APPROVED AS TO FORM:

*Cynthia D. Berneil*  
CITY ATTORNEY