

AN ORDINANCE ESTABLISHING A DEPARTMENT OF PARKS AND RECREATION AND
REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE COMMON COUNCIL OF DELPHI, INDIANA,

Section I

§31.02 BOARD OF PARKS AND RECREATION.

- (A) Creation of Department of Public Parks. Under the provisions IC 36-10-3 there is created a Department of Public Parks as an executive department of the city, with all duties and powers specifically granted by IC 36-10-3-10 and IC 36-10-3-11.
- (B) (1) Park Authority. Authority over the public parks shall be vested in the Board of Parks and Recreation which is created and comprised of four members appointed by the city executive. No member may also serve on the City Council. All members must be qualified by an interest in and knowledge of the social and educational value of recreation. The members serve without compensation. The members shall be appointed for four-year terms from January 1 of the year of their appointment or until their successors are appointed. The initial terms of Board members, however, are as follows:
- (a) One for a term of one year.
 - (b) One for a term of two years.
 - (c) One for a term of three years.
 - (d) One for a term of four years.
- (2) Vacancy. A vacancy shall be filled by the city executive for the remainder of the unexpired term.
- (C) All meetings of the Board are open to the public. The Board shall fix the time and place of regular meetings but shall meet at least quarterly.
- (D) Election of Officers. At its first regular meeting in each year, the Board shall elect a president and vice-president from its membership. The vice-president shall have authority to act as the president of the Board during the absence or disability of the president.
- (E) Duties of the Board of Parks and Recreation. The Board shall:
- (1) exercise general supervision of and make rules for the department;
 - (2) establish rules governing the use of the park and recreation facilities by the public;
 - (3) provide police protection for its property and activities, either by requesting assistance from state, municipal, or county police authorities, or by having specified employees deputized as police officers; the deputized employees, however, are not eligible for police pension benefits or other emoluments of police officers;
 - (4) appoint the necessary administrative officers of the department and fix their duties;
 - (5) establish standards and qualifications for the appointment of all personnel and approve their appointments without regard to politics;
 - (6) make recommendations and an annual report to the executive and fiscal body of the unit concerning the operation of the board and the status of park and recreation programs in the district; and
 - (7) any other duties as provided by Indiana Code, City Ordinance, or Executive Directive.
- (F) Powers of the Board of Parks and Recreation:
- (1) Authority Over Parks. The park authority shall manage all public parks, including approaches, that belong to the City of Delphi if the city decides, by ordinance, to establish, lay out, or improve a public park or grounds, or to make an extension of a park or grounds, it may locate the park or grounds, including appurtenances, and it may layout and open the public ways necessary for the improvement. If it is necessary to acquire land, water rights or easements, or a pool, lake, or natural stream of water, the park authority may condemn that property and take possession of it if it is located within five miles of the city. Before the park authority condemns the property, it shall assess the damages to the owners of the property at a meeting of the authority. Additional condemnation proceedings are the same as those provided for the taking of property to open streets.
 - (2) Management of Parks. The park authority may adopt rules concerning the laying out, improvement, preservation, ornamentation, and management of parks. The park authority may

allow monuments or buildings for libraries, works of art, or historical collections to be erected in a park, as long as they are under the control of the persons in charge of the park and no enclosure separates them from the rest of the park.

(3) Leasing Park Assets. If the park authority of the city decides to lease any buildings or grounds belonging to the city and located in a public park when they are not required for public use, the proceeds shall be deposited with the City Clerk to the credit of park funds, which funds shall be nonreverting, and devoted to the improvement of public parks.

(4) Authority Under Indiana Law. The Board of Parks and Recreation shall have all the powers granted under IC 36-10-3-11 (as may be amended from time to time).

(G) Tax Levy. The City Council may levy a tax on all taxable property in the municipality to pay for park property and for its improvement. The Council shall determine and provide the revenues necessary for the operation of the department or for capital expenditures not covered by the issuance of bonds by:

- (1) a specific levy to be used exclusively for these purposes;
- (2) a special appropriation; or
- (3) both of these methods.

(H) Budget. The Board shall prepare and submit an annual budget in the same manner as other departments of city government as prescribed by the State Board of Accounts.

(I) Gifts, Donations, Subsidies. The Board may accept gifts, donations, and subsidies for park and recreation purposes. However, a gift or transfer of property to the Board of Parks and recreation may not be made without approval.

Section VII

Amended Ordinance 2016-7, passed on October 3, 2016, and all other ordinances, resolutions, or parts thereof in conflict with the provisions and intent of this ordinance are hereby repealed.

Section VIII

This ordinance shall be in full force and effect from and after its passage, and approval, according to the laws of the State of Indiana.

Passed and adopted by a majority of the Common Council of the City of Delphi, Indiana this 6th day of March, 2023.



Leanne Aldrich

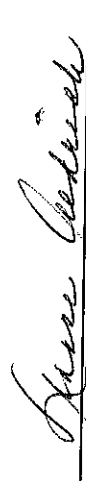
Attest: Leanne Aldrich, Clerk-Treasurer



Anita Werling, Presiding Officer

Anita Werling, Presiding Officer

Approved / Vetoed by me, the Mayor this 3rd day of April, 2023.



Leanne Aldrich

Attest: Leanne Aldrich, Clerk-Treasurer



Anita Werling, Mayor

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