

**ORDINANCE NO. 5972**

**AN ORDINANCE AMENDING CHAPTER 2.89 OF THE RAPID CITY MUNICIPAL CODE BY AMENDING SECTION 2.89.060 CONCERNING MEMBERSHIP AND TERMS OF THE PARKS AND RECREATION ADVISORY BOARD AND ADDING SECTIONS 2.89.070 AND 2.89.080 CONCERNING RAPID CITY BEAUTIFICATION COMMITTEE AND RAPID CITY URBAN WILDLIFE COMMITTEE**

WHEREAS, pursuant to S.D.C.L 9-38-9, the Common Council has adopted an ordinance establishing the Parks and Recreation Advisory Board in Rapid City Municipal Code 2.89.060; and

WHEREAS, the Parks and Recreation Advisory Board was created to advise the Common Council and Parks and Recreation Department Director on the municipal recreation activities and on the operation and maintenance of parks within the City; and

WHEREAS, the Common Council wishes to amend the provisions concerning appointments to the Parks and Recreation Advisory Board as found in R.C.M.C. 2.89.060; and

WHEREAS, the Common Council wishes to codify provisions concerning the membership of the Rapid City Beautification Committee which develops and implements beautification projects and policies, discusses issues pertinent to beautification, and encourages public and private beautification activities in Rapid City; and

WHEREAS, the Common Council also wishes to codify provisions regarding membership of the Urban Wildlife Committee which addresses wildlife issues which arise within the City limits; and

WHEREAS, the City believes it is in the best interests and general welfare of its citizens to amend certain provisions concerning appointment of Parks and Recreation Advisory Board members and to codify provisions concerning appointments to the Rapid City Beautification Committee and the Urban Wildlife Committee.

**NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Rapid City Municipal Code 2.89.060 is hereby amended as follows:**

**2.89.060 Parks and Recreation Advisory Board.**

A. *Parks and Recreation Advisory Board created.* The previously created Rapid City Recreation Advisory Board is hereby continued as the Parks and Recreation Advisory Board. The Board shall advise the Common Council and the Parks and Recreation Department Director on the municipal recreation activities within the city, including the municipal swimming pools, ice rink, community gymnasiums and golf courses, and on the maintenance and operation of city parks and cemeteries.

B. *Composition.* The Board shall consist of 7 members, each of whom shall be a registered voter of the city. Members shall be appointed by the Mayor and confirmed by the Common Council.

C. *Terms, quorum, majority vote to transact business.* Initially, the eCommon Council shall appoint 23 members for a term of 3 years, 2 members for a term of 2 years and 42 members for a term of 1 year. Thereafter, members shall serve 3-year terms. Members may be reappointed. Any vacancy on the Board shall be filled for the unexpired term in the same manner as required for a regular appointment. ~~Members may be removed for cause by the Common Council. Cause shall include, but not be limited to, 3 consecutive unexcused absences from regular meetings.~~ The Mayor with the confirmation of the Common Council, shall after public hearing have authority to remove any member of the Board for cause which cause shall be stated in writing and made a part of the record of the hearing. Three members of the Board shall constitute a quorum for the transaction of business. An affirmative vote of a majority of the members of the Board shall be required to authorize any action of the Board.

D. *Members not to hold elective office.* The members of the Board shall not hold any elective office in city government or be an employee of the city.

E. *Officers.* At the first regular meeting of the Board in January of each year, the Board shall elect from its number a Chair and a Vice-Chair. The Vice-Chair shall act in the absence or disability of the Chair. In case the Chair or Vice-Chair vacates their appointment, the Board shall immediately select a replacement. The Parks and Recreation Department Director shall serve as the Secretary to the Board.

F. *Meetings.* The Board shall establish its regular meeting time and location, which shall be not less often than once every month. A meeting agenda shall be posted at least 24 hours in advance of the meeting at city hall.

G. *Bylaws.* The Board shall adopt bylaws and rules of procedure to govern its operation. No bylaw or rule of procedure shall be effective until approved by the Common Council. The bylaws and rules of procedure may be amended at any time by the Board with the approval of the Common Council.

H. *Duties.* In addition to those duties set out in other sections of this code, the Board shall have the following duties:

1. Advise the Common Council and Parks and Recreation Department Director on all municipal recreation activities within the city and all municipal recreation facilities, as well as the operation and maintenance of all parks;
2. Advise the Parks and Recreation Department Director in preparing a budget request for consideration by the Common Council;
3. Advise the Parks and Recreation Department Director on the expenditure of all budgeted funds in accordance with state law and city policy; and

4. Advise the Common Council and the Parks and Recreation Department Director on the maintenance of all municipal recreation facilities, ~~and~~

~~5. Recommend to the Mayor a candidate to fill the position of Parks and Recreation Department Director.~~

I. *Bond.* The Common Council does not require a bond from Board members for the faithful performance of a member's duties.

**NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Rapid City Municipal Code 2.89.070 is hereby adopted as follows:**

**2.89.070 Rapid City Beautification Committee.**

A. *Rapid City Beautification Committee recognized.* The previously created Rapid City Beautification Committee is hereby continued as the Rapid City Beautification Committee.

B. *Composition.* The Committee shall consist of 5 members. Members shall be appointed and confirmed by the Parks and Recreation Advisory Board.

C. *Terms.* Initially, the Parks and Recreation Advisory Board shall appoint 2 members to the Committee for a term of 3 years, 2 members for a term of 2 years, and 1 member for a term of 1 year. Thereafter, members shall serve 3-year terms. Members may be reappointed. Any vacancy on the Committee shall be filled for the unexpired term in the same manner as required for a regular appointment.

D. *Removal.* The Parks and Recreation Advisory Board shall after public hearing have authority to remove any member of the Beautification Committee for cause, which cause shall be stated in writing and made a part of the record of the hearing.

**NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Rapid City Municipal Code 2.89.080 is hereby adopted as follows:**

**2.89.080 Rapid City Urban Wildlife Committee.**

A. *Rapid City Urban Wildlife Committee recognized.* The previously created Rapid City Urban Wildlife Committee is hereby continued as the Rapid City Urban Wildlife Committee.

B. *Composition.* The Committee shall consist of 5 members. Members shall be appointed and confirmed by the Parks and Recreation Advisory Board.

C. *Terms.* Initially, the Parks and Recreation Advisory Board shall appoint 2 members to the Committee for a term of 3 years, 2 members for a term of 2 years, and 1 member for a term of 1 year. Thereafter, members shall serve 3-year terms. Members may be reappointed. Any

vacancy on the Committee shall be filled for the unexpired term in the same manner as required for a regular appointment.

D. *Removal.* The Parks and Recreation Advisory Board shall after public hearing have authority to remove any member of the Urban Wildlife Committee for cause, which cause shall be stated in writing and made a part of the record of the hearing.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective: