

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2017 – OR – 010

AN ORDINANCE CREATING A PARKS AND RECREATION BOARD

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 36-10-3-3, this Council acting in its capacity as the fiscal body of the town, may create a department of parks and recreation and repeal in the ordinance or resolution prior ordinances or resolutions creating separate park and recreation authorities. The department consists of a park and recreation board, a superintendent, and other personnel that the board determines. Furthermore, once a board has been created, all books, papers, documents, and other property of the former park and recreation authorities shall be transferred to and become the property of the board; and,

WHEREAS, on June 11, 1968, this Council adopted *Ordinance No. 257 An Ordinance Establishing a Board of Recreation*, which created a Board of Recreation, but did not establish board memberships; and,

WHEREAS, April 27, 2015, this Council adopted *Ordinance 2015-001 – An Ordinance Amending Previously Adopted Ordinance No. 257 – An Ordinance Establishing Board of Recreation*, which established board member appointments and codified the rights of the ex officio members; and,

WHEREAS, this Council now desires to further clarify the powers and duties of the Board of Recreation by creating a Parks and Recreation Board.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:


1. The Board of Parks and Recreation is hereby created.
2. Pursuant to Ind. Code § 36-10-3-4(b), the town Board of Parks and Recreation shall consist of four (4) members to be appointed by the town legislative body. The members shall be appointed on the basis of their interest in and knowledge of parks and recreation. Except as provided in section 4.1 of Ind. Code § 36-3-10 *et seq.*, not more than two (2) members may be affiliated with the same political party. Members of the board must be residents of the district.
3. In addition to the four (4) members, the legislative body shall appoint one (1) ex officio member, whom shall have all the same powers as a member. An ex officio member must be:
 - i. a member:
 - a. of the governing body of the school corporation selected by that body or
 - b. designated by the governing body of the school corporation.
 - ii. a member of the governing body of the library district selected by that body; or
 - iii. both subdivisions (i) and (ii)
4. This Council repeals all prior ordinances and resolutions regarding the establishment, amendment to, or powers of the Board of Recreation and Parks Authorities. Further, all property owned by the Board of Recreation shall be transferred to the Board of Parks and Recreation within ten (10) business days of the effective date of this ordinance.
5. This Council reserves its rights pursuant to Ind. Code § 36-10-3-4.1, with the ability to waive the requirement that a member of the Board of Parks and Recreation be affiliated with a political party only in an absence of persons who are willing to serve on the town Board of Parks and Recreation and who satisfy any or all of the requirements.
6. The current members of the Board of Recreation shall be appointed as the first Board of Parks and Recreation for the Town.

7. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of March, 2017

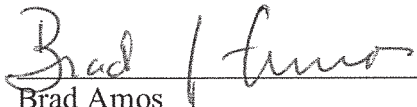
“Aye”

“Nay”



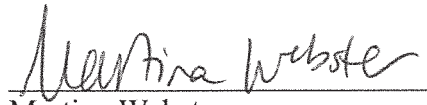
Paul J. Rhodes
Council President

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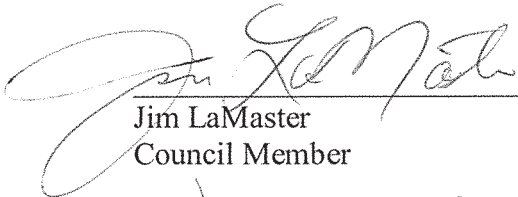
Brad Amos
Council Vice President

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Council Vice President



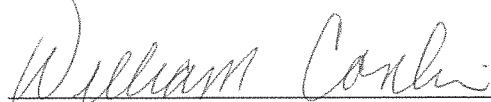
Martina Webster
Council Member

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Council Member



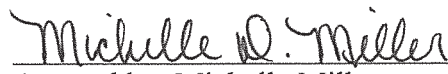
Jim LaMaster
Council Member

Jim LaMaster
Council Member



William Conlin
Council Member

William Conlin
Council Member



Attested by: Michelle Miller
Sellersburg Clerk-Treasurer