

## PARK DISTRICT ORDINANCES

### ORDINANCE NO. 1001

AN ORDINANCE REALATING TO MEETINGS, OFFICERS AND RULES OF PROCEDURE AND REPEALING ORDINANCES IN CONFLICT HEREWITH.

BE IT ENACTED BY THE BOARD OF PARK COMMISSIONERS OF THE PARK DISTRICT OF THE CITY OF MANDAN, NORTH DAKOTA.

Section 1. **Regular Meetings.** The Board of Park Commissioners of the Park District of the City of Mandan shall meet regularly at 205 Second Avenue Northwest, at City Hall , on the second Monday of each month, at five thirty o'clock P.M. official time observed by the city of Mandan, unless some other time or place shall be specifically fixed by the board.

Section 2. **Special Meetings.** The President of the board, Director of Parks and Recreation or any two members of the board, may at any time call a special meeting of the board by causing notice of the meeting in writing, stating the time and place of the meeting and the purposes thereof, subscribed by the member or members calling the same, to be served upon the other members of the board not less than three hours before the time of meeting, Only such business shall be transacted at a meeting so called as shall be specified in the notice, unless the meeting shall be attended by all members of the board and unanimous consent to the consideration of other subjects shall be given. The attendance of all members of the board and their participation in its proceedings, without objection, shall be deemed a waiver of any irregularity in the call of the service of notice or in the manner of giving notice. All special meetings shall be held at the board's offices.

Section 3. **President and Vice-President of Commission, Selection and Duties of.** At the first meeting of the commissioners after each biennial election, they shall elect one of their number as President and one as Vice-President, and such vice-president shall in case of the absence or inability of the president to act, perform all the duties of the office of president, and in case of the absence or inability to act of both president and vice-president, the commissioners shall elect one of their number who shall be known as acting president, who shall, during such absence or disability have all the powers and perform all the duties of the president.

Section 4. **Rules of Procedure.** The proceedings of the board of park commissioners shall be governed by the following rules and regulations:

1. At the hour of meeting, the president of the board shall call the board to order. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the board;
2. As soon as the board shall be called to order, the clerk shall proceed to call the names of the members in alphabetical order, and shall record the names of those who are present and those who are absent. A majority of the members elect shall constitute a quorum for the transaction of the business of the commission;
3. At all regular meetings of the board, the order of business shall be as follows:  
First. Additions or Deletions to the agenda and Public communication from visitor's.  
Second: Approval of minutes.  
Third: Committee reports or general business.  
Fourth: Commissioner and Staff reports.

Fifth: authorize payment of monthly bills.

Sixth: Adjournment.

Special meetings of the board shall, in so far as the same may be applicable, be governed by the above order of business;

4. All demands, claims, or accounts against the Park District, shall be audited by the appropriate commissioner and be reported by him to the board;
5. When a motion is made and seconded, it shall be stated by the presiding officer or read by the clerk for debate thereon:
6. Resolution's shall be reduced to writing, and may be withdrawn by consent of the board before discussion or amendment;
7. All questions, except where a roll call vote is required by law, shall be put in this form: Those that are in favor of the motion (state the question) say "aye," those opposed say "no."

In doubtful cases or before the question is decided, any member may call for ayes and nays, and when the ayes and nays are called for and ordered, that fact shall be entered in the minutes with the names of those persons voting and the nature of their vote. The ayes and nays shall in all cases be ordered when called for by any member of the commission:

8. A motion to adjourn shall always be in order, except when a vote is being taken;
9. When a question has once been decided, it shall be in order for any member of the majority, or in case of a tie for any member voting in the affirmative, to move a reconsideration thereof at the same or the next regular meeting;
10. Any member may call for a division of the question when the same may admit thereof;
11. When a question is under debate, no motion shall be received unless to adjourn, to lay on the table, for the previous question, to commit, to amend, or to postpone and these several motions shall have precedence in the order in which they stand arranged in this rule;
12. In all cases when a resolution or motion shall be entered in the minutes, the names of the members moving the same shall be entered in the minutes;
13. The report of committees shall be made in writing;
14. The minutes of any meeting shall be transcribed into the permanent journal of the commission as soon thereafter as may be practical;
15. The rules of parliamentary practice in Robert's Roles of Order, shall govern the board in all cases in which they are applicable, and in which they are not inconsistent with these rules.

Section 5. **President of Board, Duties.** The president of the board of Park Commissioners shall be the executive officer of the board and shall see that all the laws thereof are enforced. He shall have the right to vote as a member of said board on all questions which may arise but shall have no right of veto.

Section 6. **Commissioners, Duties.** Each member of the board of park commissioners shall perform the duties provided by law and the ordinances of the park board. He shall attend all regular and special meeting of the board unless absent from the city or excused by the president.

Section 7. **Enacting Clause for Ordinances.** The enacting clause of every ordinance adopted by the board of park commissioners shall be: "Be it ordained by the board of park commissioners of the city of Mandan."

Section 8. **Ordinances, Passage of.** All ordinances shall be read twice, and the second reading and final passage shall not be had in less than eight days after the first reading. After the first reading and before final passage, an ordinance may be amended. Except as otherwise specifically provided, a majority of all of the member of the board of park commissioners must concur in the passage of an ordinance and in the creation of any liability against the park district and in expending or appropriating money.

Section 9. **Ordinances, Signed by President.** Upon the passage of any ordinance, the president of the board shall approve the same by affixing his signature thereto, and the ordinance shall be attested by the clerk.

Section 10. **When Yea and Nay Vote to be Taken.** The yeas and nays shall be taken and entered on the journal of the board's proceedings upon the passage of all ordinances and upon all propositions creating any liability against the park district or providing for the expenditure or appropriation of money, and in all other cases at the request of any member.

Section 11. **Vote at Special Meeting , Reconsideration.** No vote of the board of park commissioners shall be reconsidered or rescinded at a special meeting of the board unless there is present at such special meeting at least as many members as were present at the meeting at which the vote to be reconsidered was originally had.

Section 12. **Vote on Sale of Park District Property.** A majority vote of all the members of the board shall be necessary for the sale of any property belonging to the park district.

Section 13. **Clerk to Keep Ordinances Book.** The clerk shall record in a book kept for that purpose, together with the affidavit of publication, all ordinances; and such book, or a certified copy of the ordinances as recorded, shall be received as evidence in all courts and places without further proof; or, if printed in book or pamphlet form by the authority of the board of park commissioners, they shall be so received.

Sections 14. **Resolutions, When Read in Full.** All resolutions requiring the signature of the president of the board of park commissioners, or involving the expenditure of any of the funds of the park district, shall be read in full before passage to the board of park commissioners in session.

Section 15. **Publications of Ordinances.** Every ordinance, after the final adoption of such ordinance, shall be published in one issue of the official newspaper of the city.

Section 16. **Effective Date of Ordinances.** Ordinances finally approved by the board shall take effect and be in force from and after the publication thereof, unless otherwise expressly provided in the ordinance.

Section 17. **Officers to be Appointed. Salaries.** The Board of Park Commissioners at their first meeting after each biennial election, after their qualification or as soon thereafter as

possible, shall appoint a clerk and such officers and employees as the board by resolution may deem necessary. The salaries of all appointive officers shall be fixed by resolution of the board of park commissioners.

Section 18. **Repeal.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 19. **Time of Taking Effect.** This ordinance shall be full force and effect from and after its final passage, the approval by the President of said board and the publication hereof in the official newspaper of said Park District.

Park Board President: Wade Meschke

Director/Clerk: Cole Higlin

Introduction and First Reading: January 11, 2021

Second Reading and Final Passage: February 8, 2021

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