

## Chapter 13-01

### PARKS AND RECREATION COMMISSION

#### Section 13-01-01 DEFINITIONS

- A. Commission: The Boise City Parks and Recreation Commission.
- B. Council: The Boise City Council
- C. Department: The Boise City Department of Parks and Recreation
- D. Director: The Director of the Boise City Department of Parks and Recreation or his/her designee.

#### Section 13-01-02 BOARD CREATED; MEMBERS

There is hereby created a Boise City Parks and Recreation Commission, composed of a maximum of nine (9) members, one of whom shall reside in the Boise City Area of City Impact and at least one of whom may be, at the time of appointment, under twenty-one (21) years of age and one of whom shall be a representative of the Boise School District. The Mayor shall appoint and the Council shall confirm Commission members for the terms of office provided in this chapter. A majority of the Commission shall constitute a quorum for the transaction of any business of the Commission.

#### Section 13-01-03 APPOINTMENTS; TERM

All appointments and terms of office of the Boise City Parks and Recreation Commission shall be for a term of three (3) years; provided that the student member shall be appointed to a term not to exceed one (1) year. Appointments to fill a vacancy, or to complete an unexpired term, shall be for the remainder of the unexpired term only.

The officers of the Commission shall consist of a President and a Vice President to be selected by the Commission from among its members, to serve as such officers for one (1) year; provided that the President of the Commission shall be ineligible to succeed himself for consecutive terms of office. The Commission shall also designate a Secretary who need not be a member of the Commission.

#### Section 13-01-04 COMPENSATION

All members of the Commission and the officers thereof shall serve without salary or compensation, but their actual and necessary expenses shall be allowed by the City. The City shall provide the necessary and suitable equipment and supplies to enable the Commission to properly transact and attend to its business.

#### Section 13-01-05 POWERS AND DUTIES

It shall be the duty of the Commission for the orderly and efficient administration of the provisions of Title 13, of the Boise City Code, as now in effect or as may hereinafter be amended, and any other ordinances hereinafter enacted or amended relating to public park grounds, zoos, cemeteries, community forestry, park and recreation facilities and open space:

- A. To have control, superintendence and charge of all public park grounds, park and recreation facilities, open space, zoos, community forestry and cemeteries in the City together with any land or lots, whether located within or without the city limits, hereinafter purchased, leased, devised or bequeathed to the City for park and recreation purposes, and as such to direct the ornamenting, adorning, laying out and improving of the grounds of said public park grounds, park and recreation facilities, open space, zoos, community forestry and cemeteries;
- B. To study the economic and physical conditions and issues in connection with the maintenance, operation, management, control and use of all the public park grounds, park and recreation facilities, open space, zoos, community forestry and cemeteries in the City;
- C. To propose, adopt, promulgate and ratify rules and regulations:
  - 1) Governing the control and regulation of all public park grounds, park and recreation facilities, open space, zoos, community forestry and cemeteries in the City together with any land or lots hereinafter purchased, leased, devised or bequeathed to the City for park and recreation purposes;
  - 2) Governing the planting, growing, care, regulation and control of trees and shrubbery in all public places under the control and management of the Commission subject, however, to the provisions of the Boise City Code, Title 9, Chapter 16 (Boise Tree Ordinance) and the Community Forestry Strategic Management Plan as now or as may be in the future adopted, ratified and approved by the Council and Mayor;
  - 3) Governing the use of all park and recreation facilities, including, but not limited to participation in or eligibility for all recreational or other programs and team sports sponsored by the Department or in which the Department is the primary sponsoring entity, excepting there from rules, regulations or policies governing the exclusion of persons from use of or participation in such facilities or programs. The Commission shall recommend such proposed exclusionary rules, regulations or policies to the Council for approval and ratification.
  - 4) Governing the internal policies of the Department with respect to the overall mission of the Department, including, but not limited to the placement and naming of memorials, the designation of park names and licensing agreements less than \$1,500.00 in value with third parties.
- D. Subject to the approval of the Council and in conformity with the requirements of the Idaho Code, to propose and recommend rules and regulations governing fees and charges for the use of all park and recreation facilities, including, but not limited to

fees and charges for all recreational or other programs and team sports sponsored by the Department or in which the Department is the primary sponsoring entity and the establishment of fees and charges for burial permits and rights, opening and closing graves, and adopting all certificate, conveyance and other forms to be used in connection with all burials in the cemeteries of the City.

- E. To represent the public interest in making suggestions and recommendations to the City Council for the development, use, control and expansion of needed and required park and recreation facilities and programs, including, but not limited to public park grounds, open space, zoos, community forestry and cemeteries in the City and to make suggestions and recommendations to the Council for amendments to Title 13 and Title 9, Chapter 16 (Boise Tree Ordinance) all as now in effect or as may hereinafter be amended, together with any other provisions of the Boise City Code that may improve and correlate to the administration of programs affecting the parks, recreation, cemetery, community forestry and open space programs of the City and its citizens;
- F. To represent the public interest in making recommendations to the Council for the employment of the Director;
- G. To review and recommend to the Council for approval development agreements, licensing agreements of a value of \$1,500 or more and all other real estate transactions, easements or other transactions that require Council approval by the Idaho Code or Boise City ordinance;
- H. To appoint members of subcommittees to provide community information to the Commission concerning particular facilities or programs of the Department.

All rules and regulations proposed, adopted, promulgated or ratified by the Commission or approved and ratified by the Mayor and Council shall have the force and effect of ordinance. All rules and regulations of the Commission now in effect shall remain in full force and effect until amended, altered or repealed.

**Section 13-01-06 TITLE TO PROPERTY**

The title to all property, real or personal, now owned or hereafter acquired by purchase, gift, devise, bequest or otherwise, and when not inconsistent with the terms of its acquisition, shall vest in the City and in the name of the City title may be sued for, and defended by action at law, or otherwise.

(Ord-46-18, Amended, 9/25/18; 6460, Added, 03/21/2006)