

## CHAPTER 91: PARKS AND RECREATION

### Section

<a href="#">91.01</a>	Department of Public Parks; established
<a href="#">91.02</a>	Board of Park Commissioners; membership; appointment
<a href="#">91.03</a>	General Park Fund; established; authority to levy tax
<a href="#">91.04</a>	Board of Park Commissioners; Fund administration
<a href="#">91.05</a>	Playgrounds and recreation centers; acquisition of land; authority
<a href="#">91.06</a>	Riding of animals on parkways; prohibited
<a href="#">91.07</a>	Special taxing district; established

### **§ 91.01 DEPARTMENT OF PUBLIC PARKS; ESTABLISHED.**

The Common Council hereby adopts the provisions of I.C. 36-10-4. A separate department within the city government is created, to be known as the Department of Public Parks, in accordance with I.C. 36-10-4. The Department of Parks and Recreation previously created under I.C. 36-10-3 shall cease to exist and all of its obligations and property are hereby transferred to the Hobart Department of Public Parks created hereunder.

(Prior Code, § 12-1) (Ord. 620, §§ 2, 3; Ord. 94-54, § 1(part); Ord. 96-02, § 1)

***Editor's note:***

*Two copies of the provisions adopted by reference in this section are available for public inspection at the office of the Clerk-Treasurer during regular business hours.*

### **§ 91.02 BOARD OF PARK COMMISSIONERS; MEMBERSHIP; APPOINTMENT.**

(A) The Hobart Department of Public Parks shall be governed by a Board of Park Commissioners. The Park and Recreation Board, previously created under I.C. 36-10-3, shall cease to exist and all of its obligations and property are hereby transferred to the Board of Park Commissioners created hereunder. The Board of Park Commissioners shall be composed of 4 Commissioners appointed by the Mayor. Each Commissioner must be a resident property owner of the City of Hobart and not more than 2 Commissioners shall be affiliated with the same political party. Each Commissioner appointed shall hold office for a term of 4 years, beginning on January 1 in the year of the appointment.

(B) Before beginning his or her duties, each Commissioner shall take and subscribe the usual oath of office. The oath shall be endorsed upon the certificate of appointment and filed with the Clerk-Treasurer. If a Commissioner has not filed his or her oath:

- (1) Within 30 days after the beginning of his or her term; and/or

## Hobart – General Regulations

(2) By the date of his or her appointment if he or she was appointed after the beginning of the term; he or she is considered to have refused to serve and the office becomes vacant.

(C) The Mayor shall appoint a Commissioner to fill a vacancy caused by the expiration of a term by February 1 of that year. If a vacancy occurs, the Mayor shall appoint a new Commissioner for the remainder of the unexpired term. A Commissioner may not be removed from office except upon charges, preferred in writing before the Mayor, with a hearing held on them. If the Mayor is bringing the charges, the Common Council shall appoint a hearing officer. The only permissible reasons for removal are:

(1) Inefficiency;

(2) Neglect of duty; and/or

(3) Malfeasance in office.

(Prior Code, § 12-2) (Ord. 620, §§ 2, 3; Ord. 94-54, § 1(part); Ord. 96-02, § 1)

### **§ 91.03 GENERAL PARK FUND; ESTABLISHED; AUTHORITY TO LEVY TAX.**

A general park fund is established, the funds for which shall be raised by an annual tax levied by the Common Council, or by gifts, donations or payments to the General Park Fund as provided by state law. All funds derived from any such tax shall be deposited in the General Park Fund. All monies on deposit in the Recreation Fund, heretofore created by Ord. 620, shall be transferred to the General Park Fund and the Recreation Fund shall cease to exist.

(Prior Code, § 12-3) (Ord. 620, §§ 2, 3; Ord. 94-54, § 1(part); Ord. 96-02, § 1)

### **§ 91.04 BOARD OF PARK COMMISSIONERS; FUND ADMINISTRATION.**

The Board of Park Commissioners shall henceforth administer all funds in and appropriated to the General Park Fund established in [§ 91.03](#).

(Prior Code, § 12-4) (Ord. 362, § 1; Ord. 94-54, § 1(part); Ord. 96-02, § 1)

### **§ 91.05 PLAYGROUNDS AND RECREATION CENTERS; ACQUISITION OF LAND; AUTHORITY.**

(A) The city is herein authorized, through its Board of Public Works and Safety or its Board of Park Commissioners, to acquire real property for playground and recreation purposes.

(Prior Code, § 12-5)

(B) The power to establish, maintain and equip playgrounds and recreation centers shall be vested in the Board of Park Commissioners.

(Prior Code, § 12-6)

(Ord. 620, §§ 2, 3; Ord. 94-54, § 1(part); Ord. 96-02, § 1)

**§ 91.06 RIDING OF ANIMALS ON PARKWAYS; PROHIBITED.**

It is unlawful for any person or his or her agents, servants or representatives to ride, drive, lead or allow to roam any horse, pony or mule upon any of the property owned or designated by the city for park purposes, parkways, parkway purposes or bathing beaches in the city, except that part of the park or parkway system or other property that is designated by the city or the Board of Park Commissioners of the use of horse, ponies or mules.

(Prior Code, § 12-7) (Ord. 620, § 4; Ord. 94-54, § 1(part); Ord. 96-02, § 1) Penalty, see [§ 10.99](#)

**§ 91.07 SPECIAL TAXING DISTRICT; ESTABLISHED.**

All of the area within the corporate boundaries of the city constitute a taxing district for levying special benefit taxes for park purposes as provided in I.C. 36-10-4.

(Prior Code, § 12-8) (Ord. 94-54, § 1(part); Ord. 96-02, § 1)

**Hobart – General Regulations**