

ORDINANCE NO. 104-18

AN ORDINANCE TO AMEND THE FORT SMITH MUNICIPAL CODE, TO ABOLISH THE OAK CEMETERY COMMISSION, THE PARKING AUTHORITY, THE MASSARD PRAIRIE CIVIL WAR BATTLEFIELD PARK ADVISORY COMMISSION, THE OUTSIDE AGENCY REVIEW PANEL, THE RESIDENTIAL HOUSING FACILITIES BOARD, AND THE RIVERFRONT TASK FORCE AND TO ESTABLISH RULES OF ORDER AND PROCEDURE RELATIVE TO CITY BOARDS AND COMMISSIONS

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: Chapter 7, Article III of the Fort Smith Municipal Code establishing the Oak Cemetery Commission is hereby repealed in its entirety and the Oak Cemetery Commission is hereby abolished. The powers and duties heretofore delegated to and exercised by the Oak Cemetery Commission shall henceforth be exercised by the Parks and Recreation Commission. To that end, Section 18-35 of the Fort Smith Municipal Code is hereby established and shall read as follows:

Sec. 18-35. Oak Cemetery.

The Parks and Recreation Commission shall have the following powers and duties with regard to Oak Cemetery:

- (1) Act in an advisory capacity to the board of directors and city administrator in the planning, maintenance, development and operation of the cemetery.
- (2) Formulate and recommend to the board of directors and city administrator general policies and rules and regulations, subject to the approval of the board of directors, to facilitate proper operation of the cemetery.
- (3) Recommend to the board of directors and city administrator personnel necessary and appropriate to the proper operation of the cemetery.
- (4) On or before September 1 of each year, prepare and submit to the city administrator and board of directors a recommended budget for consideration in the city's annual budget process, which budget shall recommend appropriate expenditures for the operation and maintenance of the cemetery for the ensuing year.

(5) From time to time as appropriate recommend to the board of directors and city administrator long-term capital expenditures necessary and desirable for the preservation and development of the cemetery.

(6) Interpret the function and operation of the cemetery to public officials and to the general public and, to that end, work to see that the cemetery receives adequate financial support from public and private sources.

SECTION 2: Chapter 2, Article VI, Division 2 of the Fort Smith Municipal Code establishing the Parking Authority of the City of Fort Smith is hereby repealed in its entirety and the Parking Authority of the City of Fort Smith is hereby abolished.

SECTION 3: Due to inactivity for many years, the following boards, commissions, committees, task forces and similar panels are hereby abolished: (1) Massard Prairie Civil War Battlefield Park Advisory Commission; (2) Outside Agency Review Panel; (3) Residential Housing Facilities Board; and the (4) Riverfront Task Force.

SECTION 4: Section 4-13 of the Fort Smith Municipal Code is amended to read as follows:

Sec. 4-13. Composition.

The Animal Services Advisory board shall be composed of nine (9) members: at least one (1) member shall be a licensed veterinarian; at least one (1) member shall be a board member of a nonprofit animal interest group whose primary interest is the health and welfare of animals; and, seven (7) members who shall not be required to have any affiliation or connection with a specific business or entity.

SECTION 5: Section 2-233 and 2-334 of the Fort Smith Municipal Code are hereby established and shall read as follows:

Sec. 2-233. Rules of Order and Procedure for Boards, Commissions, and Similar Panels.

- a) Robert's Rules of Order shall govern the proceedings of all boards, commissions, committees, task forces and similar panels.
- b) All boards, commissions, committees, task forces and similar panels shall abide by the Public Records (A.C.A. § 25-19-105) and the Open Public Meetings (A.C.A. § 25-19-106) provisions of the Arkansas Freedom of Information Act.
- c) No meeting of the Civil Service Commission shall be conducted unless the members thereof are provided written notice at least five (5) days prior. However, upon request by the chief of the fire department or police department, the Civil Service Commission may hold an emergency or special meeting when the members thereof are provided written notice at least two (2) days prior.

Sec. 2-234. Meeting Minutes.

All boards, commissions, committees, task forces and similar panels shall maintain minutes of their meetings. The approved minutes shall be published on the panel's webpage.

SECTION 6: All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

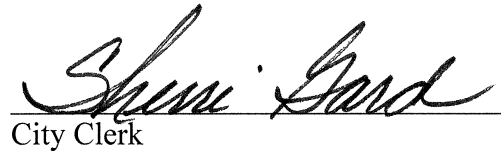
Passed and approved this 18th day of December, 2018.

APPROVED:



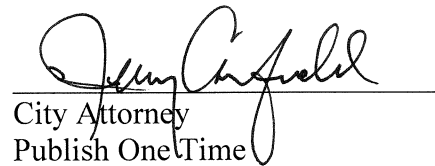
Mayor

ATTEST:



City Clerk

Approved as to form:



City Attorney
Publish OneTime