

ORDINANCE NO. 2748NS

AN ORDINANCE COMBINING THE SHAWNEE COMMUNITY BEAUTIFICATION COMMITTEE AND THE SHAWNEE PARKS AND RECREATION COMMITTEE INTO THE SHAWNEE BEAUTIFICATION, PARKS, AND RECREATION COMMITTEE, AMENDING PORTIONS OF CHAPTER 21 AND CHAPTER 27 RELATED TO THE COMPOSITION, APPOINTMENT AND TERMS OF THE MEMBERS AND PROVIDING FOR SEVERABILITY, CODIFICATION, AND REPEALER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Shawnee must be amended from time to time to comply with the laws of the State of Oklahoma and the Charter of the City of Shawnee; and

WHEREAS, the *Shawnee Community Beautification Committee* and the *Parks and Recreation Committee* presently carry-out certain overlapping and/or duplicative tasks; and

WHEREAS, the Mayor and City Commission have determined that other amendments must be made for the more efficient and practical operations for the City of Shawnee:

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1. Sections 21-26(a), (b) and (c) are amended as follows:

- (a) Definitions. The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

Shawnee Beautification, Parks, and Recreation Committee is herein defined as the City committee responsible for advising the City Commission on policies pertaining to the use of the park and recreational facilities of the City and overseeing the long-range planning and development for all City parks and open spaces, promote and orchestrate community enhancement projects and serve as the Tree Board.

- (b) Creation and establishment of a *Shawnee Beautification, Parks, and Recreation Committee*. There is hereby established and created a *Shawnee Beautification, Parks, and Recreation Committee*, hereinafter referred to as the “Committee”, as approved by the Mayor and City Commission. The *Shawnee Beautification, Parks, and Recreation Committee* is the result of combining the existing *Parks and Recreation Committee* and the *Shawnee Community Beautification Committee* and both are hereby decommissioned effective with the adoption of this Ordinance

- (c) Composition, appointment and term of Committee members.

1. *Composition.*

- a. The Committee will consist of one (1) City Commissioner
- b. The Committee will consist of six (6) at-large members whom shall only include individuals that are either:
 - i. Residents of the City of Shawnee;
 - ii. Business or property owners within the City of Shawnee; or
 - iii. Employed within the City of Shawnee.

2. *Appointment.* At-Large Members shall be appointed by the City Mayor.

3. *Term.* The term of At-Large Members shall be three (3) years. In the event that a vacancy shall occur during the term of any Member, his/her successor shall be appointed for the unexpired portion of the term. For the initial terms, three (3) members will serve an initial term of three (3) years and three (3) members will serve an initial term of 4 years. All appointments after initial terms will be 3 years.

- (d) For current and active members of the Shawnee Beautification Committee and the Shawnee Parks and Recreation Committee that are not appointed to the newly combined Shawnee Beautification, Parks and Recreation Committee, they shall have the opportunity to serve until the expiration of their current respective terms and not be included in the total count of members stated in Section 21-26(c)(1)(b). Said members would have voting authority. If said member desires to serve on the Shawnee Beautification, Parks, and Recreation Committee, they shall provide a written request to the Committee secretary no later than May 1, 2022.

Section 2. Section 27-76 is amended as follows:

Creation and establishment of a *Shawnee Beautification, Parks, and Recreation Committee*. There is hereby established and created a *Shawnee Beautification, Parks and Recreation Committee*, hereinafter referred to as the “Committee”, as approved by the Mayor and City Commission.

Section 3. Section 27-75 is amended as follows:

Park trees. Park trees are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

Street trees. Street trees are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the city.

Section 4. Section 27-76 is amended as follows:

There is hereby created and established a Tree Board, hereafter referred to as "board", as approved by the Mayor and City Commission.

Section 5. Section 27-77 is amended as follows:

The members of the Tree Board shall consist of the individuals currently serving on the Shawnee Beautification, Parks, and Recreation Committee.

Section 6: **Severability.** The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance shall be held invalid, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

Section 7: **Codification.** This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

Section 8: **Repealer.** All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance, are repealed.

Section 9: **Effective Date.** This ordinance shall take effect and be in full force and effect after its passage on May 1, 2022.

PASSED AND APPROVED this ____ day of _____, 2022.

ED BOLT, MAYOR

ATTEST: (SEAL)

LISA LASYONE, CMC, CITY CLERK

PASSED AND APPROVED and the emergency clause voted on separately this ____ day
of _____, 2022.

ED BOLT, MAYOR

ATTEST: (SEAL)

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2022

JOSEPH M. VORNDRAN
CITY ATTORNEY