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Section 15-100 Parks and Recreation

Section 15-110 Parks and Recreation Board

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Section 15-111 Creation and Purposes

A Parks and Recreation Board is hereby created. The purpose of the Board is to act as an Advisory Board to the Mayor and Kanab City Council to manage existing Recreation Facilities, Recreation Tax Fund, and establish goals and objectives for continued maintenance and improvements as needed: The Board shall:

- A. be responsible for the supervision and direction of the park and recreation facilities and programs for the City of Kanab,
- B. recommend policies and regulations governing the maintenance and use of the city park and other recreation facilities to the City Council,
- C. recommend and implement improvements and expansion of existing recreation facilities and sites,
- D. work in conjunction with whatever recreation director(s) may be hired by the City for management of city parks and other recreation facilities and programs.
- E. submit an outline of the proposed master plan for recreation programs for presentation to the City Council in February of each year with specific goals to implement that plan,
- F. submit a written financial report of the Park and Recreation Donation Fund in April of each year to the City Council, outlining expenditures, income and donations through the prior year.
- G. assist the City Council to insure compliance with local, state and government laws and risk management requirements. The Board shall have no authority to act on behalf of or bind the City except as stated in resolution or ordinance of the City.

Section 15-112 Members

The Board shall consist of 7 members, including the City Council person assigned to parks and recreation. The other six positions shall be filled upon recommendation by the KPRB and appointed by the City Council

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upon final recommendation of the Mayor. At least one member shall be affiliated with the Kane County School District to ensure joint development and cooperative use of recreational facilities. Members will serve a term of two years and until their successors are appointed; provided that the members first appointed shall be appointed for such terms that two members are appointed to serve one year until January 2005; two members assigned to serve two years until January 2006; and two members assigned to serve three year terms until January 2007 so the terms are staggered. Members may be appointed to serve additional terms at the request of the appointing body. The representative of the City Council shall serve during their tenure on the City Council or until another City Councilor is appointed by the Mayor. Vacancies shall be filled by recommendation of the Board of the City Council upon final recommendation of the Mayor for the unexpired term of the Board Member. The members of the parks and recreation board shall serve in that capacity without compensation.

Section 15-113 Officers and Committees

Officers shall consist of President, Vice President and Secretary and serve for a term of one year. These positions will be elected by the Board from its own number at the first meeting of the year. Officers may serve for successive terms. In the event of a vacancy in any office, a successor shall be appointed for the unexpired term of the office holder. An officer shall cease to be such upon ceasing to be a member of the Board. Members of the Board may be designated by the Board to serve as committee chairmen over various activities as they arise, and individuals, not members of the Board, may be appointed by the Board to serve on said committees.

Section 15-114 Meetings

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The Board shall meet once a month. The date, hour, and location of the meeting shall be set by the Board at its annual meeting. Notice of all such meetings shall be given as provided by law.

Section 15-115 Bylaws

The Board may promulgate such rules, regulations and bylaws as the Board deems necessary to carry out the effective and efficient functions of their duties.

Section 15-116 Donation Fund

The Board may solicit and receive donations, legacies, bequests, or devises for the establishment, maintenance, or improvement of recreational facilities and activities. Funds received by the Board with a statement in substantially the following form shall be maintained by Kanab City in accordance with State and City Ordinances.

- A. I hereby donate/give the sum of \$_____ to the Park and Recreational Donation Fund, which I understand is not a Kanab City Fund, deposited with the Kanab City Treasurer. I further direct that said funds be used for establishment, maintenance, or improvements of recreational facilities or activities only.
- B. Other funds shall be deposited with the City Treasurer to the credit of the City Recreation Fund and may be withdrawn in the manner provided for the payment of money appropriated for the acquisition, improvement, operation and maintenance of playgrounds and other recreational facilities and activities.

Section 15-300 Golf Course

Section 15-310 Golf Course Advisory Board

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Section 15-311 Creation and Establishment Of A Golf Course Board

The Kanab City Golf Course Advisory Board shall consist of five (5) members, each to be appointed by the Kanab Mayor with the advice and consent of the Kanab City Council. The Kanab City Council may designate by resolution the composition of the Kanab City Golf Course Advisory Board. It is the intent of this Ordinance that the Kanab City Golf Course Board not consist of members all of whom are from the same field of expertise. The five (5) members of the Kanab City Golf Course Advisory Board shall be residents of Kanab City and owners of property within said city. At least two (2) of the five (5) members shall hold no other public office or position within the City of Kanab. The Kanab City Council shall appoint a representative from among its members to act as a liaison between the Kanab City Council and the Kanab City Golf Course Advisory Board.

Section 15-312 Term of Office

The terms of office for the five (5) Kanab City Golf Course Advisory Board members who are not members of the Kanab City Council shall be for four (4) years. (Two of the first appointed members shall serve (2) years, and three (3) of the members shall serve four (4) year terms.) The Kanab City Golf Course Advisory Board members' terms shall be staggered so that no more than three members' terms shall expire at the same time. The term of the office for the Kanab City Council member designated as liaison for the Kanab City Golf Course Board Advisory Board shall correspond to his/her tenure of office as Kanab City Council member, and their appointment as liaison to the Kanab City Golf Course Advisory Board. Appointments to office will be made on or before the first Monday in May of each year.

Section 15-313 Vacancies and Removals for Cause

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Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired term by appointment of The Kanab City Mayor with the advice and consent of the Kanab City Council. the Kanab City Council shall have the right to remove any member of the Kanab City Golf Course Board for misconduct and may remove any member for non-performance of duty. Non-performance of duty shall include three (3) un-excused absences from Kanab City Golf Course Advisory Board meetings.

Section 15-314 Compensation

The Kanab City Golf Course Advisory Board shall serve without compensation, except that the Kanab City Council shall provide for reimbursement of the Kanab City Golf Course Advisory Board for prior approved expenses incurred, upon presentation of proper receipts and vouchers.

Section 15-315 Officers

The Kanab City Golf Course Advisory Board shall elect a Chairman and a Chairman Elect from among its members, whose terms in such offices shall be for one (1) year. The Kanab City Golf Course Advisory Board Chairman shall vote only in the case of a tie. The Chairman Elect shall have been a member of the Golf Course Advisory Board at least one year before being elected Chairman and, at the end of his or her term as Chairman Elect shall become Chairman unless the Kanab City Golf Course Advisory Board shall vote otherwise. In the absence of the Chairman, the Chairman Elect shall serve as Chairman Pro-Tem.

Section 15-316 Quorum and Vote

A quorum shall consist of four (4) members and a Chairman or Chairman Pro-Tem. A motion shall not be presented unless a quorum is present. A majority vote shall be required of at least a majority of members present.

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Section 15-317 Employees: Expenditures

The Kanab City Golf Course Advisory Board may, upon the approval of the Kanab City Council, employ experts and staff, including consultants and a secretary. Expenses will be paid, as may be reasonable and necessary for carrying out the duties defined in this Ordinance. Such expenditures may not exceed the amount approved for the operation of the Kanab City Golf Course Advisory Board by the Kanab City Council.

Section 15-318 Duties and Responsibilities

The Board Shall:

- A. Adopt such rules and procedures as it may deem necessary for the proper conduct of its business.
- B. Keep records of its proceedings, such records shall be open to inspection by the public at all reasonable times.
- C. Study the problems and determine the needs of the Kanab City Golf Course.
- D. Adopt and then periodically review and update a Kanab City Golf Course Plan which designates the specific uses of the municipal Golf Course.
- E. Assist in the dissemination of news and information regarding the Kanab City Golf Course.
- F. Consider, investigate, make findings, report, and make recommendations upon any special matter or question within the scope of its work when requested by the City Council.
- G. Make recommendations concerning the proper operation and welfare of the Kanab City Golf Course.

Section 15-319 Review by City Council

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The City Council shall have the right to review the conduct, acts, and decisions of the Golf Course Advisory Board. Any person may appeal any ruling or order of the Board to the City Council who may at their option hear the matter and make a final decision.

Section 15-400 Beautification

Section 15-410 Establishing A Beautification Commission

The Kanab City Beautification Commission shall consist of seven (7) members, each to be appointed by the Kanab Mayor with the advice and consent of the Kanab City Council. The Kanab City Council may designate by resolution the composition of the Kanab City Beautification Commission. It is the intent of this Ordinance that the Kanab City Beautification Commission not consist of members all of whom are from the same field of expertise. The seven (7) members of the Kanab City Beautification Commission shall be residents of Kanab City and owners of property within said city. At least five (5) of the seven (7) members shall hold no other public office or position within the City of Kanab. The Kanab City Council shall appoint a representative from among its members to act as a liaison between the Kanab City Council and the Kanab City Beautification Commission.

Section 15-411 Term of Office

The terms of office for the six (6) Kanab City Beautification Commission members who are not members of the Kanab City Council shall be for three (3) years. The Kanab City Beautification Commission members terms shall be staggered so that no more than two (2) members' terms shall expire at the same time. The term of the office for the Kanab City Council member designated as liaison for the Kanab City Beautification Commission shall correspond to his tenure of office as Kanab City Council member, and to his appointment as liaison with the Kanab City

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Beautification Commission. Appointments to office will be made on or before the first Monday in April of each year.

Section 15-412 Vacancies and Removals for Cause

Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired term by appointment of the Kanab City Council. The Kanab City Council shall have the right to remove any member of the Kanab City Beautification Commission for misconduct and may remove any member for non-performance of duty. Non-performance of duty shall include a repeated failure to attend Kanab City Beautification Commission meetings.

Section 15-413 Compensation

The Kanab City Beautification Commission shall serve without compensation, except that the Kanab City Council shall provide for reimbursement of the Kanab City Beautification Commission for actual expenses incurred, upon presentation of proper receipts and vouchers.

Section 15-414 Officers

The Kanab City Beautification Commission shall elect a Chairman and a Chairman Elect from among its members, whose terms in such offices shall be for one (1) year. The Kanab City Beautification Commission Chairman shall vote only in the case of a tie. The Chairman Elect shall have been a member of the Beautification Commission at least one year before being elected to that position, and, at the end of his or her term as Chairman Elect shall become Chairman unless the Kanab City Beautification Commission shall vote otherwise. In the absence of the Chairman, the Chairman Elect shall serve as Chairman Pro-Tem.

Section 15-415 Quorum and Vote

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A quorum shall consist of four (4) members and a Chairman or Chairman Pro-Tem. Evidence shall not be presented unless a quorum is present. A majority vote shall be constituted of at least a majority of members present.

Section 15-416 Employees: Expenditures

The Kanab City Beautification Commission may, upon the approval of the Kanab City Council, employ experts and staff, including consultants and a secretary, and pay such expenses, exclusive of gifts, as may be reasonable and necessary for carrying out the duties defined in this Ordinance, providing that such expenditures may not exceed the amount appropriated for the operation of the Kanab City Beautification Commission by the Kanab City Council.

Section 15-417 Duties and Responsibilities

The duties and responsibilities of the Commission are as follows:

- A. The Kanab City Beautification Commission may adopt such rules and procedures as it may deem necessary for the prior conduct of its business.
- B. To keep records of its proceedings, such record shall be open to inspection by the public at all reasonable times.
- C. To study the problems and determine the needs of the City of Kanab, Utah, in connection with its community forest.
- D. To adopt and then periodically review and update a Kanab City Community Forest Plan, which designates the type and kind of trees to be planted upon municipal streets and in parks.
- E. To collect and allocate funds from public and private sources for the planning and management of the Community Forest and the beautification of Kanab City.

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- F. To assist in the dissemination of news and information regarding the selection, planting, and maintenance of trees within the corporate limits, whether they be on public or private property and to make such recommendations from time to time to the City Council as to desirable legislation concerning the community forest program and activities for the municipality.
- G. To consider, investigate, make finding, report, and recommend upon any special matter or question within the scope of its work when requested by the City Council.
- H. To consider and decide matters dealing with nuisance complaints as described in the Kanab City Nuisance Ordinance.

Section 15-418 Standards of Issuance

The Commission shall issue the permit provided for herein if, in its judgment the proposed work is desirable and the proposed method and workmanship thereof are of a satisfactory nature. Any permit granted shall contain a definite date of expiration and the work shall be completed in the time allowed in the permit and in the manner as therein described. Any permit shall be void if its terms are violated.

Notice of completion shall be given within five (5) days to the Commission for their inspection.

Section 15-419 Arborists License and Bond

It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing street or park trees within the City without first applying for and procuring a City Business License. No license shall be required of any public service company or City employee doing such work in the pursuit of their public service endeavors. Before any such business license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of \$250,000.00 for bodily injury and \$250,000.00 property damage,

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indemnifying the City or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

Section 15-420 Review by City Council

The City Council shall have the right to review the conduct, acts, and decisions of the Beautification Commission. Any person may appeal any ruling or order of the Commission to the City Council who may hear the matter and make a final decision.

Section 15-421 Penalty

Any person violating any provision of this Ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$299.00.

Section 15-500 Cultural Development

Section 15-510 Variety Arts Council Board

Section 15-511 Creation and Purposes

A variety Arts Council Board is hereby created. The Board shall:

1. Provide quality drama, music, dance, fine art shows, musicals, crafts, lectures and workshops for the citizens of the City of Kanab.
2. Provide educational information and help expose the residents of Kanab City to cultural arts.
3. Promote and develop the arts.
4. Enhance the quality of entertainment.

The Board shall have no authority to act on behalf of or bind the City except as stated in other specific resolutions or ordinances of the City.

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Section 15-512 Members

The Board of the Variety Arts Council shall consist of ten (10) members, nine voting members and one member shall have no vote. The members of the Board shall be appointed and approved by the City Council. The terms of office shall consist of three members serving one year, three members serving two years, and three members serving three years from the date the ordinance is adopted, and thereafter all terms shall be for three years. Vacancies shall be filled by appointment by the Board and approved by the City Council. A Board member is limited to two consecutive terms. The members of the Variety Arts Council Board shall serve in that capacity without compensation.

Section 15-513 Officers and Committees

The Board shall consist of a chairman, secretary, resource chairman, publicity chairman and any other positions deemed necessary by the Board, either temporary or permanent. All Board offices shall be filled by a majority vote. Members of the Board may be designated by the Board to serve as committee chairman over various activities as they arise and individuals not members of the Board may be appointed by the Board to serve on said committees.

Section 15-514 Meetings

The Board shall meet twice a month, on the first and third Wednesday of each month at 7:00 p.m. in the City Council Chambers, or as provided by resolution by the Board. The time and place of such meetings may be altered upon reasonable notice given to all Board members. Notice of all such meetings shall be given as provided by law.

Section 15-515 Bylaws

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The Board may promulgate such rules, regulations and bylaws as the Board deems necessary to carry out the effective and efficient functions of their duties.

Section 15-516 Donations

The Board may solicit and receive donations, legacies, requests, or devises for the establishment, maintenance or improvement of cultural arts in the Kanab City area. All funds are accepted with the only obligation being to promote the Variety Arts Council programs. All contributors will be recognized by the Council in the following manner: Friends of the Variety Arts Council shall be those who make a \$25 contribution, Sponsors of the Variety Arts Council shall be those who make a contribution of \$26-\$99, inclusive, and Patrons of the Variety Arts Council shall be designated by a \$100 contribution or more. Patrons may designate a specific program or programs they wish to sponsor and may receive free admission to such specific performances. The Kanab City Treasurer shall receive and disburse all monies for the Variety Arts Council, in accordance with law.

Section 15-520 Kanab Heritage Council

Section 15-521 Name

The name shall be the Kanab City Heritage and Historic Preservation Board

(Kanab Heritage Board), and shall also be known as the Heritage Advisory Board. It's duties and responsibilities parallel those other advisory boards to the City.

Section 15-522 Membership

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The Heritage Advisory Board shall consist of eight (8) members, one of which shall be a City Council member. The term for the City Council member, designated as liaison for the Heritage Advisory Board, shall correspond to his/her tenure of office as a Kanab City Council member. This City Council member shall vote only in case of a tie. All members of the Heritage Advisory Board shall be residents of Kanab City.

The City Council shall initially appoint the other seven (7) members of the Heritage Advisory Board who shall serve for a term of four (4) years and may be appointed for successive terms. To ensure some continuity terms will be staggered so that no more than two (2) members will be appointed at one time. Prospective members will be appointed by the Mayor with the consent of the City Council. The Heritage Advisory Board may be asked for their recommendations for new members.

Appointments to office will be made on or before the second Tuesday in January each year. Vacancies of appointed members occurring other than through the expiration of their term shall be filled for the remainder of the term by appointment of the Mayor with the consent of the City Council. Vacancies shall be published in the local paper for two consecutive weeks.

The Kanab City Council shall have the right to remove any member of the Heritage Advisory Board for misconduct and may remove any member for non-performance of duty, which may include three (3) consecutive absences from the Heritage Advisory Board monthly meetings.

Section 15-523 Officers

The Heritage Advisory Board shall elect a chairperson and a chairperson pro-tem, the latter to become the acting chairperson during the absence of the chairperson. The Board shall also elect a secretary and appoint all other officers necessary for a term of one (1) year. In the event of a vacancy in any office, a successor shall be appointed for for the unexpired term of the office holder. The Heritage Advisory Board chairperson or acting chairperson shall be a voting member. Officers shall be elected

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during the first meeting of the new year (January). Officers may serve for successive terms.

Section 15-524 Quorum and Vote

A quorum shall consist of five (5) members and a chairperson or chairperson pro-tem. The motion shall not be presented unless a quorum is present. An approval or disapproval vote shall require a majority of the members of the quorum.

Section 15-525 Meetings

The Heritage Advisory Board shall meet monthly at such time and place designated by the chairperson or acting chairperson. Additional meetings may be called as necessary. Public notice shall be given for all meetings. They shall be advertised and open to the public. The agenda shall be prepared and posted at the City Office at least 24 hours prior to said meeting.

Written records of all proceedings and meetings shall be kept. Copies of such records will be given to the City Manager at least monthly.

Section 15-526 Bylaws

The Heritage Advisory Board may promulgate such rules, regulations and bylaws as deemed necessary to carry out the effective and efficient functions of their office, which shall be approved by the Kanab City Council.

Section 15-527 Duties and Responsibilities

- A. Research, document, and compile information, pictures and artifacts of historical significance to Kanab and adjacent areas.
- B. Survey and inventory historic resources.

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- C. Promote awareness of and concern for areas of historical significance.
- D. Provide historical information.
- E. Conduct the operation of the Kanab Heritage House. Prepare and maintain an inventory of all items in the Heritage House with a clear designation of their ownership. All items on loan, and any conditions of the loan shall be clearly documented.
- F. Conduct the operation of the Kanab Heritage Museum. Prepare and maintain an inventory of all items in the Heritage Museum with a clear designation of their ownership. All items on loan and any condition of the loan shall be clearly documented.
- G. Conduct the operation of the Juniper Fine Arts Gallery located in the west room in the lower level of the Kanab Heritage Museum. Prepare and maintain an inventory of items designated to the gallery.
- H. Oversee the maintenance and upkeep of the Kanab Heritage House, the Kanab Heritage Museum and the Juniper Fine Arts Gallery in cooperation with the City Manager.
- I. Advise the City Manager when the Heritage Advisory Board feel that local and state historic laws and regulations are not being enforced.
- J. Affiliate with the Utah Historical Society and the Utah Heritage Foundation in order to best serve the community.
- K. Develop an annual budget in cooperation with the City Manager.
- L. The City Manager will provide the format and clue dates concerning the preparation and submission of the Heritage Advisory Board's budget.
- M. Solicit and receive donations and generate funds which are deposited pursuant to city procedures in designated Kanab City account(s).
- N. As needed, the fee schedule for the Heritage house, the Heritage Museum, and the Juniper Fine Arts Gallery shall be updated by the City Council with recommendation from the Heritage Advisory Board. The fee schedule is found in Appendix A.

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- O. The Heritage Advisory Board will also function as the Kanab Historic Preservation board.
- P. the Heritage Advisory Board shall have no authority to act on behalf of or bind the City except as stated in resolutions or ordinances of the City.

Section 15-528 Additions - Amendments

Additional rules and regulations and/or amendments to this ordinance may be recommended by the Heritage Advisory Board to the City Council as it is appropriate. They will be effective when approved by the City Council.

Section 15-530 Downtown Overlay District Design Review Committee

Section 15-531 Committee Created

The city downtown historic overlay district design review committee is created. It shall consist of five (5) voting members, all of whom shall be appointed by the mayor with the advice and consent of the Kanab City Municipal Council. Three (3) of the members shall be residents of the city; and the two (2) remaining members must own property within the city, at least three members shall either live or own a business within the downtown historic overlay district. At least one (1) member should be a professional in Kanab history, historic preservation, or historic architecture.

Section 15-532 Membership – Terms and Vacancies

Members shall serve for a term of three (3) years and may be removed by the mayor, with the provision that the first appointment of one member shall be for a term of one (1) year; the first appointment of two (2) members shall be a term of two (2) years; the first appointment of

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the remaining two (2) members shall be for a term of three (3) years, thereafter the members shall be appointed for three (3) year terms and all terms shall expire on January 1. Vacancies occurring through expiration of terms of appointment, death, disability, resignation or removal by the mayor, if applicable, shall be filled by appointment of the mayor with the advice and consent of the Kanab City Municipal Council. Members shall not serve more than three (3) consecutive terms. "Term", as used in this chapter shall mean serving on such advisory board for at least eighteen (18) months.

Section 15-533 Duties

The committee shall recommend design review guidelines and all revisions, additions or deletions thereto, to the Kanab City Municipal Council for adoption. The committee shall meet with applicants seeking a certificate of appropriateness for major alterations and new construction within the downtown historic overlay district. The committee shall review and provide written comment to the city planning and zoning commission regarding approving or denying all proposed applications for certificates of appropriateness. The committee shall ensure that projects within the downtown historic overlay district meet the vision and requirements of the downtown historic overlay district. The committee shall advise officials of the city and other governmental entities regarding the downtown historic overlay district.

Section 15-534 Organization and Meeting Requirements

The committee shall select a chair and adopt rules for the selection of other officers; the time, place and manner of calling meetings; and such other rules governing the conduct of the committee's business as it deems necessary to fulfill its purposes as provided in this chapter. The board shall meet at least quarterly. A majority of its members shall constitute a quorum for the consideration of matters before it.

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Section 15-535 Compensation

Members are not entitled to compensation for service on the committee. Close cooperation between the city and the committee is both expected and anticipated. To the extent that this cooperation can be provided within the framework of the normal course of carrying out the duties of each entity, the cooperation can and will be provided as each entity requests and as each entity can satisfy those requests.