

ORDINANCE NO. 182

AN ORDINANCE ACCEPTING DEED FROM POLSON COUNTRY CLUB COVERING LAND FOR PARK, RECREATIONAL GROUNDS AND GOLF COURSE PURPOSES; CREATING A PARK BOARD AND DEFINING ITS POWERS AND DUTIES.

BE IT ORDAINED by the City Council of the City of Polson:

Section 1. Whereas, the Polson Country Club, a corporation has this day offered to deliver to the City of Polson, a deed covering approximately fifty-six (56) acres of land located in Section Two (2), Township Twenty-two (22) North, Range Twenty (20) West, conveying title to said land to the City of Polson upon condition that said land shall be held and kept, maintained and used for park, recreational grounds and golf course purposes and upon the further condition that the City of Polson shall create and provide by ordinance or resolution, a Park Board or Commission to govern or manage the same.

Section 2. That the City of Polson accepts and does hereby accept said deed subject to the conditions therein expressed.

Section 3. There is hereby created a Park Board which shall be composed of three members to be appointed by the Mayor. One of such members shall be a member of the City Council and the other two members shall be members of the Board of Directors of the Polson Country Club. The term of office of each member of said Park Board shall be two years from and after the first Monday in May, of the year in which he is appointed, save and except that the first three members so appointed shall hold office for the term of one year from and after May 4, 1936, and until their successors are appointed and qualified. Before entering upon the discharge of their duties, each member shall take and subscribe the oath of office provided for City officers, which shall be filed in the office of the City Clerk.

On the second Tuesday of May, of each year, the Board shall meet and organize by electing one of their number president, and one of their number vice-president. The city clerk shall be ex-officio clerk of said Board and shall attend the meetings of said Board and keep the minutes thereof.

Section 4. Said Board is hereby given power and is charged with the duty to maintain, manage and control said park, recreational ground and golf course and to make all rules and regulations necessary or convenient to maintain, manage and control the same and all rules and regulations for the use thereof by the public and to provide penalties for the violation thereof which rules and regulations shall have the force of city ordinances and be enforced in like manner as ordinances of the City are enforced. And in addition said Board shall have the same powers and duties as are prescribed by Section 5162 of the Revised Codes of Montana for 1921 relating to Park Commissions in cities of the first and second class, and to exercise all other powers incident to the duties enjoined by the provisions of this ordinance.

Section 5. All funds derived from tax levies and turned over to said Board on order of the City Council and all money or funds received

from any and all other sources shall be kept in a special fund by said Board and disbursed on warrants signed by the president of the Board and City Clerk. Said Board is hereby authorized to pay and disburse any and all surplus money in said fund, not necessary for the maintenance and upkeep of said park and golf course, to apply upon and discharge the mortgage debt against said premises, either principal or interest. Said Board shall have no power and shall not be permitted at any time to issue warrants in excess of the amount of funds on hand nor to incur liability on behalf of the City in excess of moneys on hand, or taxes actually levied for, said park fund.

✓ Section 6. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 7. Whereas an emergency exists and this ordinance shall take effect immediately upon its passage and approval.

Passed by the City Council and approved by the Mayor of the City of Polson this 4th day of May, 1936.

ATTEST:

A. Davidson
City Clerk.

J. H. Dineen
Mayor.