

1897

**Authorizing the Appointment of a Board of Park Commissioners in Cities of the First Class, Except Cities Existing Under Special Charter, and in Public Improvement Districts in Such Cities, and Defining the Powers and Duties of Such Board.**

Colorado General Assembly

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office of any Alderman of such city of the second class or town, whose term of office will not have expired, but such Alderman shall be one of the Aldermen for his ward for such city in its new grade.

Section 2. All acts and parts of acts inconsistent with the provisions of this Act are hereby repealed. Repeal.

Section 3. In the opinion of the General Assembly, an emergency exists, therefore, this Act shall take effect and be in force from and after its passage. Emergency.

Approved April 17, 1897.

## CHAPTER 77.

### TOWNS AND CITIES—PARK COMMISSIONERS.

(H. B. No. 409.)

## AN ACT

AUTHORIZING THE APPOINTMENT OF A BOARD OF PARK COMMISSIONERS IN CITIES OF THE FIRST CLASS, EXCEPT CITIES EXISTING UNDER SPECIAL CHARTER, AND IN PUBLIC IMPROVEMENT DISTRICTS IN SUCH CITIES, AND DEFINING THE POWERS AND DUTIES OF SUCH BOARD.

*Be it Enacted by the General Assembly of the State of Colorado:*

Section 1. Whenever any city of the first class within this State, except cities existing under special charter, has established a public park or has created a public improvement district or districts within its boundaries, for the purpose of incurring a bonded indebtedness for the establishment of a public park within such improvement district in accordance with existing law, the Mayor, by and with the advice and consent of the City Council, shall appoint for and in behalf of such city, or for and in behalf of such improvement district, a Board of Park City of first class.  
Bonded indebtedness to establish public park.  
Mayor appoint park commissioners on petition of one-third of qualified electors.

Commissioners; Provided, That such Board shall not be appointed unless the appointment of such Board shall first be requested by a petition signed by one-third of the qualified electors of such city or improvement district, who are also owners of realty therein.

Three members.

Said Board of Park Commissioners shall be composed of three members, who shall be well known for their business ability, probity and public spirit, and who shall be legal residents and realty owners, within the city of public improvement district wherein they are appointed. Said Commissioners shall serve without compensation for a term of two years, commencing April 15, unless sooner removed by the City Council for causes to be specifically stated before such removal be made.

Term two  
years, without  
compensation.

Board elect  
president.

Said Board shall organize by the election of one of its members as President. The said Board shall be provided by the city with a convenient office, and with such stationery and facilities for the performance of its duties as shall be deemed necessary and advisable, and the City Clerk shall be the Secretary of said Board, and shall keep a record of all the proceedings of said Board, with a record of the vote of each member where the vote is not unanimous; Provided, however, That when authorized by the City Council of such City, the said Board may employ a Secretary at a salary to be fixed by said Council.

City clerk sec-  
retary.

Proviso.

No member  
have authority  
to act except.

No member of such Board shall have any authority to act on behalf of the Board, except in pursuance of an order regularly made at a meeting of said Board. A majority of the Board shall constitute a quorum for the transaction of business, and no action of the Board shall be binding unless authorized by a majority of the members of the Board at a regular meeting, or duly called special meeting thereof.

Quorum.

The said Board of Park Commissioners shall have full, complete and exclusive authority to expend for and on behalf of the city, or the public improvement district in which such Board may be established, all such sums of money as may from time to time be realized from the sale of park bonds by such city or public improvement district, or from special assessments or appropriations made from general revenues by the City Council for such park purposes. Vouchers for all such expenditures shall be approved by the said Board, and shall be certified to and paid by the City Council.

Authority of board.

Approve vouchers.

No member of said Board shall be interested, directly or indirectly, in any contract relating to the establishment or maintenance of any such park, or in any contract providing for the expenditure of any money in relation thereto, and any such Commissioner shall be considered as vacating his office in the event of his accepting the nomination, or becoming a candidate for any other public office. Said Board of Park Commissioners shall have full and complete authority to lay out, regulate, govern and improve all parks in the city or public improvement district wherein it is appointed and all boulevards and pleasure-ways within the limits of such parks; and it shall have power to issue and enforce orders for the regulation and government of the same, and it may by order prohibit certain or any heavy traffic upon the roadways in said parks to the end that the same may be used for pleasure purposes only; and the City Council shall, from time to time, pass such reasonable and proper ordinances as may be recommended by said Board for the government and regulations of said parks.

Shall not be interested in contracts.

Not hold other public office.

Prohibit heavy traffic.

City council pass ordinances recommended by.

Whenever a Board of Park Commissioners shall be organized under the provisions of this Act, the City Council shall forthwith transfer to said Board such matters as shall thereupon belong to it under the provisions hereof; and the power and authority

City council transfer to.

of the City Council covering such matters, as are by the terms of this Act vested in such Board, shall then and there cease.

Semi-annual  
statement to  
council.

Said Board shall, twice a year, upon the first days of April and October, make a full and complete statement in detail to the City Council of all moneys expended by it during the preceding six months and of the condition of each of the parks under its control and of all improvements that have been made therein; and where funds for the care and maintenance of any such parks are to be derived from general revenues, said Board shall each year, before the making by the City Council of its annual appropriations, render a statement to the Council of the estimated amount required by such Board for the proper care and maintenance of said park or parks during the next succeeding fiscal year.

Annual state-  
ment.

Emergency.

In the opinion of the General Assembly an emergency exists; therefore, this Act shall be in full force and effect from and after its passage.

Approved April 17, 1897.