

City of Saint Paul Legislative Code

Chapter 105. Parks and Recreation Commission

Sec. 105.01. Purpose.

The Saint Paul City Council has established a parks and recreation commission (hereinafter referred to as the "commission") to serve as an advisory body to the mayor and city council on park and recreation matters relating to the planning, promotion, preservation, acquisition, development, operation and evaluation of parks, parkways, lakes and waterways, recreational facilities, city trees, bikeways and trails in the City of Saint Paul.

(Ord. No. 17685, §§ 1, 10-12-89)

Sec. 105.02. Establishment; terms; vacancies or removals; qualifications.

(a) *Parks and recreation commission established.* There is hereby established a parks and recreation commission consisting of nine (9) at-large members appointed by the Mayor of Saint Paul.

(b) *Terms.* Of the members first appointed, three (3) shall be appointed for a term of one (1) year, three (3) for a term of two (2) years, and three (3) for a term of three (3) years. Thereafter, the term of each member shall be three (3) years.

(c) *Vacancies or removals.* Vacancies on the commission for whatever cause shall be filled by the mayor through the open appointment process for the unexpired term. If a member misses three (3) consecutive regular meetings without having a sufficient excuse, that member may be removed from the commission by the sole action of the mayor, and the vacancy shall be filled by the mayor through the open appointment process for the unexpired portion of the term.

(d) *Qualifications.* All members shall be residents of the City of Saint Paul and be interested in and knowledgeable of the Saint Paul parks and recreation system.

(Ord. No. 17685, §§ 1, 10-12-89)

Sec. 105.03. Staff and budget.

(a) *Staff.* The commission shall be staffed by a representative from the division of parks and recreation. The responsibilities of the division of parks and recreation's representative include:

- (1) Serving as staff person and recording secretary to the commission;
- (2) Informing the commission of the progress and conditions in the area of park development, recreational facilities and programs;
- (3) Advising the commission on matters pertaining to parks and recreation when requested;
- (4) Cooperating with the commission in such matters as may be requested;
- (5) Administering the commission's budget; and

(6) Providing additional support service as needed.

In the development and review of the parks and recreation element of both the city's comprehensive plan and five-year capital program, the commission shall also be provided staff support as necessary through the division of planning.

(b) *Budget.* For the operations of the commission, including staff salaries and other related expenses, such as travel, training, per diem, postage, copying and supplies, an annual proposed budget shall be submitted to the appropriate officials for inclusion in the city's budget.

(Ord. No. 17685, §§ 1, 10-12-89)

Sec. 105.04. Meetings.

The commission shall establish a regular time and place of meeting and shall meet at least quarterly. Special meetings of the commission may be called at any time by the chairperson or by any four (4) or more members of the commission. All meetings shall be conducted in accordance with Roberts Rules of Order Revised and notice of all meetings shall be published in accordance with proper notice procedures. A majority of all qualified commissioners shall constitute a quorum, and all business may be transacted by a majority vote of such quorum. The commission may adopt and from time to time amend rules of procedures. Unless otherwise provided, any action taken by the commission shall be by the affirmative vote of a majority of its members. The commission shall keep a public record of its meetings. Copies of all minutes, motions, resolutions, findings and reports shall be available to the public upon request.

(Ord. No. 17685, §§ 1, 10-12-89)

Sec. 105.05. Powers and duties.

The commission shall act in an advisory capacity to the mayor and city council in all policy matters pertaining to the acquisition, development, improvement, maintenance, management and evaluation of parks, lakes and waterways, recreational facilities, city trees, parkways, trails and bikeways within the City of Saint Paul through the following activities:

- (1) Review and recommend as provided in Section 105.06 the proposed parks and recreation element of the city's comprehensive plan, or amendments thereto, individual park master plans, and the parks and recreation element of the city's ten-year program for capital improvements.
- (2) Review and comment on the proposed annual operating and biannual capital budgets of the division of parks and recreation.
- (3) Participate in the review and comment on any project involving the granting of a permit for a new structure on any parkland, acquisition or sale of any parkland, or any other major project that materially affects the character or use of any parkland.
- (4) Advise and comment on the coordination of programs between governmental agencies.
- (5) Hold joint meetings with other groups of similar interest.
- (6) Serve as an advocate for city parks, parklands, lakes and waterways, recreational facilities, trees, trails and bikeways.

- (7) Request a notification of sale for all significant parcels of open space lands for potential acquisition of [for] park use.
- (8) Prepare and present an annual state of the parks report to the mayor and city council.
- (9) Conduct all business in such a manner as to encourage and utilize maximum citizen participation.
- (10) Recommend policies to develop, inventory, preserve and protect the city's natural resources in all parks and parklands.

(Ord. No. 17685, §§ 1, 10-12-89)

Sec. 105.06. Plan and capital program review.

(a) *The commission's responsibility.* The commission shall review and comment upon recommendations for the parks and recreation element of the city's comprehensive plan, related studies and amendments, and regional park master plans submitted to the office of the mayor through the division of parks and recreation. The commission shall also review and comment upon recommendations for the ten-year program for capital improvements submitted by the division of parks and recreation to the city planning commission. The commission shall also recommend to the mayor the initiation of such planning studies as it deems necessary for the proper preparation of the comprehensive plan element, capital program or master plans. All such studies transmitted to the city council through the mayor's office shall contain the recommendations of both the division of parks and recreation and the commission.

(b) *Public hearings.* Prior to the commission's recommendation concerning comprehensive plans or master plans to the mayor and city council, the commission shall hold a public hearing and seek recommendations from all concerned citizens. Prior to such hearing, the commission shall publish in a newspaper of general circulation notice of such hearing at least twenty (20) days prior to day of hearing.

(c) *City planning commission review.* The commission shall advise the city planning commission of any proposed comprehensive plan, amendment or master plan, and secure from the city planning commission its recommendation with respect to the relationship of the proposal to the overall comprehensive plan of the City of Saint Paul and the city capital allocation policy, and its opinion and recommendation as to any other planning consideration which may be relevant to the proposal, with its recommendation of approval, rejection or modification of the proposal. Said recommendation shall become part of the official record concerning the proposed plan or capital program and shall be submitted by the commission along with its recommendation. The commission may make such modifications, changes and alterations concerning the proposed plan or program as it deems necessary in consideration of the recommendations of the city planning commission.

(Ord. No. 17685, §§ 1, 10-12-89)

Sec. 105.07. Compensation.

Each member of the parks commission shall be paid fifty dollars (\$50.00) for each meeting of the commission as a whole that the members shall attend, but in no event shall any commission member receive more than seven hundred fifty dollars (\$750.00) per annum for attendance at such meetings nor for more than one (1) meeting per day. In addition, the commission may from time to time delegate to a commission member or members the responsibility of representing the commission at special meetings or public hearings. Those commission member delegates shall receive twenty-five dollars (\$25.00) for such

meeting or hearing that the member shall attend, but in no event shall any member receive more than three hundred dollars (\$300.00) per annum for attendance at such meetings and hearings. The compensation set forth herein shall be the entire compensation to commission members for the performance of their duties.

(Ord. No. 17685, §§ 1, 10-12-89)

Chapter 170. Parks and Parkways--Regulations

Sec. 170.06. General conduct.

(f) *Advertising.* No person shall post or affix any printed or written bill or placard, notice or other paper or any sign upon any tree, structure or thing within the parks or parkways, or upon any gate, fence or enclosure within the limits thereof.

(i) *Concessions.* No person shall play any music or keep or offer anything for sale or post or display any sign or placard, flag, banner, target, transparency, advertisement or device of business within any parks or parkways, building or place under the jurisdiction of the director, unless by the permission of said director, or by some person duly authorized by the director, and subject to such rules and regulations as the director shall prescribe, and no person shall in any such park or parkway or in any refectory, restaurant, building or place within the same solicit fares or beg or publicly solicit subscriptions, or tell fortunes, or play any game of cards or other game of chance, or any game with table or instruments of gaming, or utter loud, threatening or abusive or indecent language or any language tending to cause a breach of the peace, or be guilty of any indecent, obscene or disorderly conduct, or willfully violate any rules or regulations made by such director for the conducting and regulating of any refectory or restaurant within such park or parkways or designated recreation area.

Sec. 170.08. Parkways.

(a) *Signs on parkways restricted.* No person, firm or corporation shall erect or construct or cause to be erected, constructed or maintained any board or structure of any kind for the displaying of any advertisement or advertising device upon any lot or tract of property fronting upon any park or parkway, with the exception of that portion of Ford Road between Prior Avenue vacated and Mississippi River Boulevard, for the purposes of ornamentation or otherwise, nor within a distance of one hundred fifty (150) feet from such park or parkway, except real estate signs erected on private property abutting upon a parkway, and except signs placed upon any store building, or in store windows abutting upon a park or parkway.

(b) *Real estate signs.* A sign not over nine (9) square feet in area, erected upon the particular lot or tract of property to be sold, may be erected, provided such sign is located at least fifty (50) feet from the inside gutter line of the parkway road.

If a particular lot or tract of property abutting upon a parkway is so situated that a real estate sale sign cannot be seen at a point fifty (50) feet from the parkway road, or if a tract of property is so large that one (1) sign would be inadequate, the owner or agent of said lot or tract of property may obtain, upon the approval of the superintendent of parks and recreation, permission to place said sign, for a limited length of time, at a point closer to said parkway than as hereinbefore provided, or place more than one (1) sign upon the particular tract.

(c) *Removal of signs.* Signs in violation of the provisions of paragraphs (a) and (b) above may be removed at the superintendent's direction and will be returned to the owner upon the payment of the reasonable cost of removing same. Signs uncalled for in thirty (30) days from the date of removal may be destroyed by the department of community services, parks and recreation division.

(d) *Projections onto parkways.* No sign, awning, frame, step, raised platform, door, porch, bay window, cornice or roof vault, cellar wall or cellarway, or line fence or any part of any structure hereafter erected on property abutting on a parkway shall be allowed to project over or under the line of said parkway.

(e) *Snow removal.* The owner or occupant of any building, lot or premises abutting on a parkway shall cause the sidewalk in front of or adjacent to such building, lot or premises to be kept clean and all snow, ice or dirt to be removed therefrom in the forenoon of every day.

(Code 1956, §§§§ 117.20, 117.25, 121.01--121.03)

Sec. 41.01. Solicitation prohibited.

No officer or employee of the City of Saint Paul shall solicit any funds or property for any employer-related or occupational-related purposes. This shall include solicitation for groups or organizations that exist because of an employee/employer relationship in organizations that are sponsored primarily by city funds.

(Ord. No. 17592, §§ 1, 10-4-88; Ord. No. 17654, §§ 1, 6-1-89)

Sec. 41.02. Definitions.

The following definitions shall apply in interpretation and enforcement of this chapter.

Donations shall include cash, checks or property of value.

Employee means any person who has an employment relationship with the city in any way and in either the classified or unclassified service. The term "officer or employee" shall not include a city council person or the mayor.

Solicit shall mean requesting donations of funds or property by any method. This shall not include any federal government, state government or foundation grants that require a formal application process, and receipt of which is acknowledged by the city council nor shall it include donations of personal time to the city.

(Ord. No. 17592, §§ 1, 10-4-88; Ord. No. 17654, §§ 2, 6-1-89; Ord. No. 17739, §§ 1, 5-29-90)

Sec. 41.03. Donations.

This provision shall not prohibit the city from accepting donations. The city may accept any form of donation subject to the following provisions:

- (a) All donations of any type in any amount of value shall be received and processed in accordance with proper and accepted accounting practices.
- (b) All donations shall be received and accepted by city council action according to the provisions of this chapter and according to reporting procedures established by the administration and approved by the city council.
- (c) All donations shall be made public and subject to periodic audit.

(Ord. No. 17592, §§ 1, 10-4-88; Ord. No. 17654, §§ 3, 6-1-89; Ord. No. 17739, §§ 2, 5-29-90)

Sec. 41.04. Solicitations by mayor, councilpersons, department heads and nonemployment-related groups.

Solicitation by councilpersons and/or the mayor shall be subject to the following requirements:

- (a) Nothing contained herein shall prohibit nonemployment-related groups, organizations or societies of any type from

soliciting funds on behalf of the city or on behalf of any city-sponsored functions or organizations.

(b) Solicitation of funds and/or property where the city is to provide either funds or services in kind may be sought only upon prior approval by resolution of the city council.

(c) In those cases involving solicitations in the amount of five hundred dollars (\$500.00) or less, the mayor or designee, or the council as a whole or designee, or any department head or designee may solicit funds on behalf of the city or on behalf of any city-sponsored function or organization.

(d) In those cases involving solicitations of more than five hundred dollars (\$500.00) only the mayor or designee or the council as a whole or designee of the council can make such solicitation.

(e) The names of designees created by either the council, the mayor or department head shall at the time of designation be filed with the city clerk. In those cases where the solicited donations are five hundred dollars (\$500.00) or less, the designees may be filed by title. In those cases where the solicited donations are over five hundred dollars (\$500.00) the designee shall be filed specifically by name.

(f) All solicitors shall submit quarterly reports of all solicitations to the city clerk, mayor and each councilperson.

(Ord. No. 17592, §§ 1, 10-4-88; Ord. No. 17654, §§ 4, 6-1-89; Ord. No. 17739, §§ 3, 5-29-90)

Sec. 41.05. Solicitations by union.

Nothing contained in this chapter shall prohibit or prevent any union representing any city employee from soliciting on behalf of an activity directly related to that particular union and involving only members of that unit represented by that union, providing that such funds shall be used only for union purposes and not for any city purposes. Nothing contained in this chapter shall prohibit any such union from soliciting on behalf of a city employees' picnic.

(Ord. No. 17592, §§ 1, 10-4-88)

Sec. 41.06. Fund-raising agencies.

Notwithstanding the provisions of this chapter, any charter department of the city, the office of the mayor, and the city council may enter into a contract with a fund-raising agency to raise donations or funds for department or citywide purposes. Such agencies must agree to be subject to audit by city-appointed auditors at the request of either the mayor or the council.

(Ord. No. 17592, §§ 1, 10-4-88)

**BYLAWS AND RULES OF PROCEDURE:
THE PARKS AND RECREATION COMMISSION
OF THE CITY OF SAINT PAUL**

(Adopted May 10, 1995)
(Revised August 11, 1999)
(Revised February 14, 2001)

ARTICLE I

THE PARKS AND RECREATION COMMISSION

- Section 1. NAME. The name of this commission shall be the Parks and Recreation Commission of the City of Saint Paul.
- Section 2. MISSION. The mission of this commission is to develop and preserve an outstanding system of parks, trails, and recreational programs for the City of Saint Paul. The commission recommends long-range, city-wide plans and policies to the Mayor, City Council, and Parks and Recreation staff. The commission advocates programs and decisions that improve the quality of life and natural resources of the city.
- Section 3. POWERS AND DUTIES. The function of this commission shall be to carry out the provisions of the 1990 Saint Paul City Council Resolution establishing the commission.
- Section 4. OFFICE OF THE COMMISSION: PLACE OF MEETING. The office of the commission shall be at 300 City Hall Annex, Saint Paul, MN 55102, or such other place as the commission may from time to time designate by resolution. Regular and special meetings of the commission shall be open to the public and shall be held at locations as established by the commission; provided, however, that upon five days written notice to the commissioners of the place of such meeting, any regular or special meeting may be held at such place as the notice shall designate.

ARTICLE II

OFFICERS

- Section 1. OFFICERS. The officers of the commission shall be a chair and a vice-chair, and such others as from time to time are provided by official action of the commission.
- Section 2. ELECTION. All officers shall be elected at the annual Commission retreat. The Chair shall serve for no more than two consecutive one year terms. If at the end

of the second consecutive one year term no other Commissioner is nominated for the office of Chair, the Vice Chair shall succeed to that office. The Vice Chair shall serve a term of one year and until his or her successor is elected.

Section 3. NOMINATIONS. Nominations for office shall be permitted by individual members of the commission at the annual election meeting.

Section 4. TERMS. Officers shall serve one-year terms.

Section 5. VACANCY. Should an office become vacant, the commission shall elect a successor for the unexpired term of said office.

ARTICLE III

DUTIES OF OFFICERS

Section 1. CHAIR. The chair shall have the duties and powers usually attendant upon the office of the chair and such other duties and powers as may be provided from time to time by the commission. The chair shall preside at all meetings of the commission if he/she is present. At each meeting, the chair shall make such reports to the commission as he/she may deem necessary or as may be required of the chair, and perform such other duties as are incident to the chair's office or are required by the chair by the commission. The chair, with assistance from the Superintendent of Parks and Recreation, shall be responsible for submitting the commission's annual report to the Mayor and City Council.

Section 2. VICE-CHAIR. The vice-chair shall perform the duties of the chair in his/her absence or incapacity and/or because of death or resignation of the chair until a new chair is elected.

ARTICLE IV

MEETINGS

Section 1. REGULAR MEETINGS. All business of the commission shall be conducted at regular meetings except as provided in Article IV, Section 2. Regular meetings shall be held on the second Wednesday of each month, generally from 6:30 p.m. to 9:30 p.m., unless the same shall be a holiday, in which event an alternate meeting date may be set by the commission. The meeting shall be held at sites established by the commission unless a different location of said meeting is specified in the notice as provided in Section 3 of Article I. The Chair of the commission, along with the Superintendent of Parks and Recreation, shall

determine the agenda for commission meetings. If the Chair and the Superintendent of Parks and Recreation determine there is not sufficient business to warrant a regular meeting, the chair may cancel the meeting provided there is a three day notice.

- Section 2. SPECIAL MEETINGS. The commission at any regular meeting may provide for a special meeting to deal with a specific item of business that requires action before the next regular meeting of the commission. In the event of an emergency, a special meeting of the commission may be called by the chair or by any three commissioners by request to the commission staff who shall mail, personally deliver, or telephone all members notice of time and place of such meeting at least three days before the meeting. The notice shall state the time, place and purpose of the meeting, and no business shall be considered unless specified in the notice. (Upon unanimous consent of all members present at such meeting, any of the provisions of this section may be waived.)
- Section 3. QUORUM. The powers of the commission shall be vested in the commissioners thereof in office at any one time; a majority of whom shall constitute a quorum for all purposes, but a lesser number may adjourn a meeting from time to time until a quorum is obtained. When a quorum is present, action may be taken by the commission upon a vote of a majority of the commissioners present except as otherwise provided for in these bylaws.
- Section 4. ABSENCE FROM MEETINGS. Each member shall be responsible for notifying the commission chair or staff if he/she must be absent from a regularly scheduled meeting, indicating the reason for the necessary absence. The chair shall announce all absences at the beginning of each meeting. The chair may excuse members from meetings due to personal or work-related conflicts. In the event a member is absent from three regular meetings during the course of a year, unless excused by the chair of the commission, the chair shall recommend that the Mayor request the resignation of such member from the commission. In the event that a member has three or more excused or unexcused absences in a year, the chair shall consult with the member to determine his or her ability to serve fully on the commission.
- Section 5. MANNER OF VOTING. The voting on all questions coming before the commission may be voice vote called for by the chair. The vote shall be entered upon the minutes of each meeting. The chair and all members of the commission present shall be entitled to vote. A roll call on any question before the commission may be taken upon the demand of one or more members of the commission. A commissioner need not vote on all questions, but may abstain from voting.
- Section 6. COMMUNITY INPUT. The commission may designate a time on the agenda for community input. The total amount of time shall be determined and announced at the meeting, and the chair may limit individual presentations based on available

time. The commission will take no action on community input at the meeting presented, to allow time for the commission to do research, discussion and follow up, as needed.

ARTICLE V

COMMITTEES

- Section 1. **COMMITTEE PARTICIPATION.** All commissioners shall serve from time to time on committees. All committees shall have regularly scheduled meeting times. Each committee member shall be responsible for notifying the commission staff or committee chair if he or she must be absent from a regularly scheduled committee meeting. The chair may excuse members from meetings for personal or work-related conflicts. In the event a member is absent from three regular committee meetings, unless excused by the chair of the committee, the committee chair shall request that the Commission chair request that the member resign from the committee and may reassign him/her to another committee.
- Section 2. **STANDING COMMITTEES.** The commission may establish standing committees which shall concentrate study in given areas and shall be kept informed by staff of studies and other matters relating to this area. Standing committees shall be appointed from time to time. The chair of the commission shall appoint the members of the committee including the chair. Each standing committee shall have regularly scheduled meeting times, but may meet depending on their work load.
- Section 3. **SPECIAL COMMITTEES.** Committees with a specific assignment may from time to time be established by the chair upon the suggestion of the Commission, Mayor, or City Council. The chair shall appoint such committees and the chair. In accordance with Chapter 107 of the Administrative Code, special committees may include non-commission members. Such committees will report to a designated Standing Committee of the Commission and shall be dissolved when their specific assignment is completed.
- Section 4. **OUTSIDE COMMITTEES.** The commission may be asked to send a representative to an outside committee dealing with a matter of interest or concern to the commission. The chair shall appoint representatives to these committees after consultation with the other commissioners. Commissioners appointed to outside committees shall report back to the commission as needed on the committee's actions and deliberations.

ARTICLE VI

RULES OF PROCEDURE

- Section 1. RULES OF PROCEDURE. The commission shall establish rules of procedure as necessary.
- Section 2. CONFLICT OF INTEREST. The provisions of chapter 100 of the Saint Paul Administrative Code shall apply to all final and advisory matters; provided, however, that notwithstanding the exemption in section 100.02 (b), restrictions on voting or participation in discussion shall apply to commissioners in both final and advisory actions. Where Commission action is advisory, declaration of conflict of interest may be made verbally at a Commission and/or committee meeting before deliberation on the issue for which the conflict arises; submission of the declaration in writing is not required.
- Section 3. AMENDMENT. The rules may be amended at any regular meeting of the commission provided that the proposed amendment shall have been mailed to the commission members at least 5 days before action is taken.
- Section 4. TEMPORARY SUSPENSION OF RULES. In special circumstances the commission may by a 2/3 vote of the members present at any meeting suspend the rules of procedures.

ARTICLE VII

PARLIAMENTARY AUTHORITY

- Section 1. ROBERTS-RULES-OF-ORDER. The rules in the current edition of ROBERTS RULES OF ORDER - Newly Revised shall govern the commission in all cases to which they are not inconsistent with these by-laws and any special rules of procedure the commission may adopt.
- Section 2. PARLIAMENTARIAN. The chair shall serve as parliamentarian.

ARTICLE VIII

AMENDMENT

- Section 1. PROCESS. These bylaws may be amended at any regular meeting of the commission provided that the proposed amendment shall have been mailed to the commission members at least 5 days before action is taken thereon.