
Policy: City of Bristol Charter Sec. 43: Department of Parks and Recreation

Adopted by City of Bristol Residents: Founding of the City in 1911

A municipal charter is the basic document that defines the organization, powers, functions and essential procedures of the city government. The charter is, therefore, the most important legal document of any city. Section 43 of the City of Bristol Charter covers the Department of Parks and Recreation.

Sec. 43. - Department of parks and recreation.

- (a) The public parks and playgrounds of the City of Bristol existing and maintained or which may be established or maintained by said city, or, which may be assigned by the city council, whether within or without the corporate limits of the city, together with all park property which may be acquired, shall be under the general care and control of the board of park commissioners. Said board shall consist of the mayor as a member ex officio and chairperson of the board, and six commissioners.
- (b) As each commissioner completes the commissioner's term, the mayor shall nominate and the council shall appoint a commissioner who will serve for three years, and all commissioners thereafter appointed will hold office for three years or until a successor shall be appointed.
- (c) All nominations and appointments for full three-year terms shall be made in the month of December next preceding the expiration of the term of any commissioner, and such appointments will take effect on the first of January following the appointment.
- (d) In the case of a vacancy, a successor shall be nominated by the mayor and appointed by the council in the next month after the vacancy occurs. Such successor shall take office on the first day of the ensuing month and shall serve out the unexpired portion of the term.
- (e) The board of park commissioners shall elect from its membership a vice-chairperson who shall act as chairperson in the absence or disability of the mayor. The board shall elect a secretary, who, at the discretion of the board, may be one of its members. At all meetings, four members of the board shall constitute a quorum for the transaction of business. No member of the board of park commissioners shall receive compensation, but each commissioner shall receive actual disbursements for necessary expenses in the performance of any duty imposed upon the commissioner by direction of said board. Said board shall have the care, management and control of all parks and playgrounds of the city and of all constructions thereon and it may give proper designating names thereto. Said board shall have power to lay out and improve, with walks, drives and roads, the parks and other property thus held and acquired, and shall have the power to build necessary culverts and bridges and to drain, plant and otherwise, at their discretion, to improve and adorn such properties thus held or acquired. It may erect such buildings as may be needed for the use, protection and refreshment of the public, provided no expenditure shall be made in excess of the amount appropriated by the board of finance for the use of the parks or otherwise provided. It shall recommend to the city council rules, regulations and ordinances necessary to the maintenance of such parks and for safety and order therein. The board shall nominate a duly qualified individual to serve as acting or interim superintendent for a specific term in the absence or during a vacancy in the superintendent of parks and recreation's position to be approved by the city council.
- (f) Said board shall have exclusive power to make rules and bylaws for the ordinary transaction of business and shall keep proper records and books of account, subject to the supervision of the board of finance. Books of account and record shall, at all times, be open to the inspection of the mayor

and city council and to the board of finance and shall be subject to annual audit by the proper municipal officials.

- (g) Said board shall have sole power to determine the places in said parks, grounds and other property under their control, where sewer, gas and water pipes shall be laid, and no trench for such purposes shall be opened without written consent from said board. No telegraph, telephone or electric light, or other wires or posts or supports therefor shall be erected in, upon, through or over said park or parkways without the consent in writing of said board.
- (h) The superintendent of parks and recreation shall be nominated by the mayor and appointed by the city council for a term of four years. The mayor shall notify such superintendent of parks and recreation at least one month prior to the expiration of the term in writing that such person will or will not be re-nominated. Notwithstanding the provisions of this section, the full-time superintendent of parks and recreation in office on the effective date of this section shall continue in office until the expiration of the term. The superintendent of parks and recreation shall be (1) a graduate of a four-year college or university with a degree in parks and/or recreation or related field and shall have at least two years of administrative experience in parks and recreation or park planning and development, or (2) shall have had at least six years administrative experience in the park and recreation field and two-year college degree in parks and/or recreation or related field. Under the direction of the board of park commissioners and subject to the approval of the city council, the superintendent of parks and recreation shall exercise general supervision over the public parks and the public recreation program, shall be responsible for the efficiency and discipline and conduct of the department of parks and recreation and shall appoint and remove such deputies, assistants and employees as the superintendent of parks and recreation may deem necessary. The board shall nominate a duly qualified individual to serve as acting or interim superintendent for a specific term in the absence or during a vacancy in the superintendent of parks and recreation's position to be approved by the city council.
- (i) Property heretofore and hereafter acquired for squares or highway parkways, grass parks or plots at street intersections, and between travelled ways and highways not on park properties, shall be under the general care and control of the director of public works. In the event of doubt whether any portion of city properties shall properly be under the care of the board of park commissioners or of the director of public works, the city council shall determine such question. It shall, in its discretion, have power to lease any buildings or land for a term not to exceed three years, and to dispose of timber, gravel and stone.
- (j) Rents, profits or income from properties acquired for park or playground purposes shall be paid into the city treasury to be placed at the disposal of the board of park commissioners as an addition to the annual appropriation, unless otherwise provided by the terms of acceptance by the city council.
- (k) The term "park property" shall include all parks and areas of land within the management of said board, and all buildings, structures, improvements, seats, benches, fountains, boats, walks, drives, roads, trees, plants, flowers and other things thereon and enclosures of the same, and all resting places, watering stations, playgrounds, and parade grounds, or the like, and all connecting parkways, and all birds, animals or curiosities, or objects of interest or instruction, and all tools and implements placed in or on any of such enclosures, ways, parkways, roads, or places.
- (l) A listing of the city-owned property, under the care of the board of park commissioners, is on file in the office of the town and city clerk. Said board shall have the general care and control of that real property cited above and any additions as may be acquired by the City of Bristol from time to time.

(m) The City of Bristol shall have power to acquire and hold real estate or other property for the purpose of establishing or enlarging public parks and squares for boulevards and parkways or for the improvement or ornamentation of parks and playgrounds or for the establishment or maintenance therein of museums, gardens, collections, monuments, statues, fountains or other works of art, by condemnation or by contract, and to accept conveyances of any such properties and to receive gifts, donations or devises of land or other property upon such conditions as may be prescribed by the grantors or devisors and accepted by the city council. Said properties may be so acquired by a vote of the city council, which shall first submit a proposal to acquire the same to the board of park commissioners and the city planning commission for recommendations and to the board of finance for advice and counsel concerning the effect of acceptance of such gift or gifts upon taxation. No such vote of the city council shall go into effect before fourteen days from the date of its publication in a newspaper of general circulation in the city. If, during such fourteen days, a petition signed by at least ten per cent of the qualified electors protesting against such acceptance is filed, the council shall submit the question of such acceptance to the vote of the electors of the city, either at the next general municipal election or at a special election called for that purpose and, if such question shall be so submitted to the electors, such vote of acceptance by the city council shall not go into effect unless a majority of the qualified electors voting thereon shall vote in favor thereof. The sufficiency of such petition shall be determined, the election ordered and conducted, and the result declared as provided in section fifty hereof, so far as such provisions are applicable.

(Amend. eff. 11-9-77; Amend. eff. 11-9-83; Amend. eff. 11-7-89; Amend. eff. 12-8-11; Amend. eff. 12-5-13)