

ORDINANCE NO. 03-04-2025-04

**AN ORDINANCE AMENDING CHAPTER 34 OF TITLE III OF THE TOWN OF
CICERO'S MUNICIPAL CODE**

WHEREAS, the Town of Cicero (“Town”) is a municipality organized and operated under the laws of the State of Indiana; and

WHEREAS, the Town owns and operates various parks that are open to the general public; and

WHEREAS, the Town Council established a Parks and Recreation Board pursuant to IC 36-10-3 et. al; and

WHEREAS, the Town Council, in consultation with the Superintendent of Parks and Recreation for the Town, has determined that adding a fifth board member to the Parks and Recreation Board would be beneficial to its operation; and

WHEREAS, IC 36-10-3-4(c)(2) permits the board to be expanded to five members with the additional board member to be appointed from the membership of the governing body of the library district by the governing body of the library district; and

WHEREAS, the library district’s appointment would be considered an ex officio member of the board which, per IC 36-10-3-4(e), would “have all the rights of regular members, including the right to vote”; and

WHEREAS, the library district for the Town of Cicero is the Hamilton North Public Library which is governed by the Hamilton North Public Library Board of Trustees; and

WHEREAS, the Hamilton North Public Library Board of Trustees is willing to make said appointment; and

NOW THEREFORE, be it ordained by the Town Council of the Town of Cicero, Hamilton County, Indiana, Chapter 34 of Title III of the Town’s Municipal Code shall be amended as follows:

1. **Chapter 34. OTHER DEPARTMENTS, BOARDS, AND COMMISSIONS.** Section 34.11 shall be revised to read as follows:

Section 34.11 Parks and Recreation Board Membership

The Parks and Recreation Board consists of five members as follows:

a. Four members shall be appointed by the town council, as the town legislative body.

- b. One ex officio member shall be appointed by the Hamilton North Public Library's Board of Trustees, as the governing body of the Hamilton North Public Library. This ex officio member shall be a member of the North Public Library's Board of Trustees.
 - c. Per IC 36-10-3-4(e), ex officio members have all the rights of regular members, including the right to vote.
 - d. All members must be residents of the district and shall be appointed based on their interest in and knowledge of parks and recreation.
 - e. Each member's term is for four years. If a vacancy occurs on the board, the appointing authority shall appoint a person to serve for the remainder of the unexpired term.
 - f. All terms expire on the first Monday in January, but a member continues in office until the member's successor is appointed. If an appointment for any new term is not made by the first Monday in April, the incumbent shall serve another term.
 - g. A municipal executive, member of a county fiscal board, county executive, or member of a municipal fiscal body may not be appointed to membership on the board.
 - h. A member may only be removed for cause, in accordance with IC 36-10-3-6, as amended from time to time.
 - i. Waiver of political affiliation. Notwithstanding section 34-11(a), the town council may, by a majority vote, waive one or both of the following requirements of a citizen board member only if the waiver is necessary due to absence of persons who are willing to serve on the board and who satisfy any or all of the requirements:
 - 1. The requirement that a citizen member of the board be affiliated with a political party.
 - 2. The requirement that not more than two of the four citizen members of the board be affiliated with the same political party.
 - j. The board members will serve staggered four-year terms. The Town Council shall appoint the four members of the Board, effective May 1, 2024, with the members serving initial terms of four, three, two and one years, respectively. The Board of Trustees of the Hamilton North Public Library shall appointment one, ex officio, member of the Board, effective April 1, 2025, with the member serving an initial term of four years.
2. Except as amended in this Ordinance, all of the terms, conditions, and provisions set forth in Chapter 34 of the Town of Cicero's Municipal Code shall remain in full force and effect.
3. This ordinance shall take effect upon passage and publication according to law.

ALL OF WHICH IS ORDAINED by the Town Council of Cicero, Hamilton County, Indiana, this 4th day of March, 2025.

Joseph R Cox, President

Dennis D Johnson

Eric C Hayden

Emily K Pearson

Christopher J Lutz

Attested by:

Rhonda Gary, Clerk-Treasurer