

Order 116-14/15

Passage: 9-0 on 1/5/2015

MICHAEL F. BRENNAN (MAYOR)  
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**CITY OF PORTLAND  
IN THE CITY COUNCIL**

Effective on 2/4/2015

JOHN R. COYNE (5)  
JILL C. DUSON (A/L)  
JON HINCK (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO CITY CODE CHAPTER 18  
(PARKS, RECREATION AND PUBLIC BUILDINGS AND GROUNDS)  
Re: Parks Commission to Adopt Rules**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Chapter 18 (Parks, Recreation and Public Buildings and Grounds) is amended to read as follows:*

...

**Sec. 18-10. Parks Commission.**

(a) *Findings.* The City Council hereby finds that:

(1) Several city parks and public grounds including, but not limited to, Deering Oaks, Eastern Promenade, Western Promenade, Baxter Woods, Baxter Pines, Riverside Golf Course, Payson Park and Stroudwater Park are already all protected by and through deed covenants and restrictions;

(2) The city's cemeteries are already protected by Chapter Seven (7) of the Portland City Code;

(3) The Land Bank has protected twenty-six (26) properties for conservation and preservation purposes;

(4) Therefore, in order to enhance these existing protections on the city's parks and public grounds, the city council hereby amends the city's parks ordinance as follows:

(b) *Established.* There shall be a commission composed of thirteen (13) members which shall be known as "Parks Commission," hereinafter referred to as the "commission."

(c) *Composition.* One (1) member of the city council, who is on the Transportation, Sustainability and Energy Committee, shall be appointed annually by the city council. One (1) member representing Friends of Deering Oaks; one (1) member representing Friends of the Eastern Promenade; one (1) member representing Friends of Evergreen Cemetery; and one (1) member representing Portland Trails shall be appointed for three-year terms by the city council. Seven (7) members representing the public-at-large and one (1) member representing the Land Bank Commission shall be appointed for three-year terms by the city council. Such three-year terms shall be staggered so that no more than three (3) members representing the public-at-large are appointed in any one (1) year. All members shall serve until their successors are

appointed, for a period, however, not to exceed sixty (60) days after expiration of the term. The commission may from time to time establish such subcommittees as it deems appropriate.

- (d) *Duties.* The duties of the commission shall include:
- (1) Soliciting, encouraging and accepting private contributions to the city, in cash or in kind, whether by gift, trust, or subject to conditions; provided any gift in kind and that the form of any trust or conditions has been approved by the city council or is ratified by the city council;
  - (2) Making recommendations to the city council as to the sale of dedicated parks and public grounds (as described in section 18-14 below) and disposition of trust funds held for parks, trails and open space;
  - (3) Maintaining inventories of parks, trails and open space needs as it determines to be desirable;
  - (4) Submitting an annual report to the city council regarding the state of the city's parks and public grounds and making specific recommendations therein about suggested goals and improvements for the parks and public grounds;
  - (5) Encouraging educational programs, through the schools or otherwise, in forestry education or other relevant subjects it determines to be beneficial to the parks programs of the city;
  - (6) Undertaking such other activities as to enhance the parks, trails and open space programs of the city as it deems appropriate from time to time; ~~and~~
  - (7) Conducting an annual meeting of all parks, trails and open space advocacy groups to discuss annual projects and to recommend goals and priorities for capital improvement projects to the city council; ~~and-~~
  - (8) Adopting reasonable rules for the conduct of its meetings, which rules shall include provisions for public comment.