

TOWN OF MORGANTOWN

ORDINANCE NO. 2018-4

AN ORDINANCE DECLARING TOWN PROPERTIES PUBLIC PARKS

WHEREAS, pursuant to Indiana Code Chapter 36-10-2, Indiana towns may establish, maintain, and operate public parks and recreation facilities and programs;

WHEREAS, pursuant to Indiana Code Section 36-10-1-2, the term “park purposes” “includes the establishment, equipment, and operation of parks, boulevards, pleasure drives, parkways, wheelways, park boulevards, bridlepaths, playgrounds, playfields, bathhouses, comfort stations, swimming pools, community centers, recreation centers, other recreational facilities, and recreational programs;”

WHEREAS, pursuant to Indiana Code Chapter 35-31.5-2-258, “public park” means any property operated by political subdivision for “park purposes;”

WHEREAS, the Town of Morgantown (the “Town”), acting by and thorough its Town Council, owns and operates, as public parks, the following described properties:

- the approximately 3.5 acres located on W. Washington Street, running along and adjacent to the western most boundary of the Town, assigned parcel no. 55-14-115-001.000-013 and summarily described as S25 T11 R2E Pt W Nw & S24 T11 R2e Pt Sw 3.5 Ac.
- the approximately 2.7 acres running along and adjacent to the south right of way line of Sycamore St. between Church St. and Highland St., assigned parcel no. 55-14-24-455-001.000.013, and summarily described as S24 T11 R2e Pt Sw Se 2.7 A.

(collectively the “Town Park Properties”).

WHEREAS, the Town Council deems it to be in the Town’s best interest to formally designate the Town Park Properties as public parks and clarify that they are and will be maintained and operated by the Town for “park purposes”, as that term is defined in Indiana Code Section 36-10-1-2;

ACCORDINGLY, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MORGANTOWN, INDIANA, AS FOLLOWS:

Section 1. The Town Park Properties, as described above are hereby declared and dedicated as public parks of the Town of Morgantown.

Section 2. The Town, with regard to its public parks, will maintain the grounds and will establish, operate, and maintain recreational facilities and equipment as the Town Council deems appropriate, from time to time.

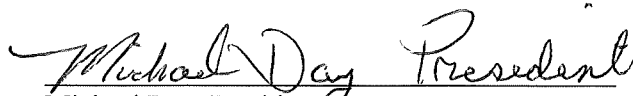
Section 3. The Town Council, as the board with authority to operate and oversee town parks, may adopt rules and policies for use of park properties and facilities by the public, as it deems appropriate from time to time.

Section 4. This Ordinance repeals and replaces all ordinances and parts thereof with which it may be in conflict.


Section 5. This Ordinance shall be effective upon its final adoption.

Introduced and adopted on first reading by the Town Council of the Town of Morgantown on the 14th day of February, 2018.

Adopted, upon suspension of rules, on second and final reading by the Town Council of the Town of Morgantown on the 14th day of February, 2018


Michael Day, President

ATTEST:


Sharon McIntosh, Clerk-Treasurer