

## TITLE 2

### BOARDS AND COMMISSIONS, ETC.

#### CHAPTER

1. PARKS AND RECREATION ADVISORY BOARD.
2. LIBRARY BOARD.
3. DESIGN REVIEW COMMISSION.

#### CHAPTER 1

### PARKS AND RECREATION ADVISORY BOARD

#### SECTION

- 2-101. Creation.
- 2-102. Membership.
- 2-103. Officers, meetings, quorum, and bylaws.
- 2-104. Authority--powers and duties.
- 2-105. Initiation of policy recommendations.

**2-101. Creation.** There is hereby created the Oakland Recreation Advisory Board, hereinafter referred to as the board, to serve in an advisory capacity to the board of mayor and aldermen and the parks and recreation director, hereinafter referred to as director, in matters enumerated in this chapter. (as added by Ord. #02.08.01, Sept. 2002)

**2-102. Membership.** (1) Criteria. The selection of board members will be made from individuals who have an interest in park, recreational, social and cultural activities and in the various park and recreational facilities, as may be evidenced by their training, experience and/or actions, and who reside within Oakland, Tennessee. Membership of the board should include, if possible, both casual and organized users of parks and recreation facilities and programs. Representatives of the board should be selected from areas as evenly dispersed geographically as possible.

(2) Composition. The board will consist of five people and preferably would include both male and female members and a youth representative who may be less than 18 years of age.

(3) Terms. A full term of office for each board member will be four (4) years. Terms of office shall begin on January 1 of the year in which the appointment is made and expire December 31 of the fourth year thereafter. The initial appointments to the board will be made in such a way that no more than two terms will expire in the same year and such terms shall be staggered to achieve this result.

No person may serve on the board more than two consecutive four year terms. The board of mayor and aldermen representative may serve successive one year periods.

The term of office for members appointed to fill expired terms will be a maximum term not to exceed four years. It is intended that no more than two terms will expire in the same year and such terms shall be staggered to achieve this result.

(4) Appointment. Members of the board of mayor and aldermen representative will be appointed by the mayor subject to confirmation by a majority vote of the board of aldermen. Board members will be selected without regard to political affiliations and will serve without compensation, except for reimbursement of actual expenditures duly authorized by the board of mayor and aldermen. Appointments to fill an unexpired term will be for the remainder of that term, after which the board of mayor and aldermen may consider a full term appointment.

(5) Removal. Members of the board may be removed by the mayor, with concurrence of the board of aldermen, for neglect of duty, conflict of interest, malfeasance in office, or other just cause, or for unexcused absence from more than three consecutive regular meetings. The decision of the board of aldermen will be final and there will be no appeal therefrom. Board members who are unable to attend regular meetings are expected to tender their resignation.

(6) Vacancies. Vacancies created by causes other than an expiration of term shall be filled for the remainder of the term in the same manner as otherwise provided in this section. (as added by Ord. #02.08.01, Sept. 2002, and amended by Ord. #08.05.03, June 2008)

**2-103. Officers, meetings, quorum, and bylaws.** (1) Officers. The board will, during the first board meeting in January, annually select from its members a chair-person to serve for a one year period, or until a successor is elected. The chair-person will preside at all meetings; preserve order and decorum, enforce the rules and regulations of the board, sign all letters and documents as authorized by the board and as prescribed by law, and will otherwise perform the duties devolving upon a presiding officer. The board will also select a vice-chair-person. The board will select a secretary who will assume charge of all records of the board and who will keep accurate and complete minutes of all meetings thereof. The secretary need not be a member of the board.

(2) Meetings. The board will determine a regular meeting schedule (time, place, and frequency), as necessary, but not less than once each month, unless the chair-person determines no meeting is necessary. Special board meetings may be held as often as deemed necessary by the board. All meetings will be open to the public. Accurate minutes will be kept of all meetings and

shall be made available to the public. A copy thereof will be transmitted to the board of mayor and aldermen.

(3) Quorum. Three members of the board will constitute a quorum for the transaction of business.

(4) Bylaws. The board will adopt bylaws for the conduct of its business, a copy of which will be kept on file in the city recorder's office. (as added by Ord. #02.08.01, Sept. 2002)

**2-104. Authority--powers and duties.** (1) The board will have only such powers and authority as may be granted to it by the board of mayor and aldermen. The board shall have no final authority over the adoption of policy nor the administration of the parks and recreation department.

(2) The board will act at all times in an advisory capacity to the board of mayor and aldermen and the director, and will have no direct power. It will interpret community programs, facilities and needs, survey public opinion, prepare studies and reports as requested by the board of mayor and aldermen, and make recommendation on subjects as may be requested from time to time by the board of mayor and alderman.

(3) The board will serve as a liaison between citizens, the parks and recreation department, and the board of mayor and alderman. The board is subject to rules and regulations in the performance of their duties and responsibilities as prescribed by city ordinance. (as added by Ord. #02.08.01, Sept. 2002)

**2-105. Initiation of policy recommendations.** (1) The board of mayor and alderman will be the initiator of requests to study city policy regarding parks and recreation facilities and programs.

(2) Requests of the board to study and/or make recommendations on administrative policy will be initiated by the director or the board of mayor and alderman.

(3) The board may from time to time initiate study and recommendations by first submitting the topics to the board of mayor and alderman. When approval of the board of mayor and alderman is received, the board will commence its work on the approved topics. (as added by Ord. #02.08.01, Sept. 2002)

## CHAPTER 2

### LIBRARY BOARD

#### SECTION

2-201. Library established.

2-202. Library board created.

2-203. Appointment and tenure of members; filling vacancies

2-204. Removal from office; filling of vacancies.

2-205. Powers and duties of library board.

2-206. Use of library.

**2-201. Library established.** Pursuant to Tennessee Code Annotated, § 10-3-101 there is hereby established a free public library for the use of the residents and inhabitants of the town: However, the library board may, in its discretion, extend the privilege and facilities of the library to persons residing outside the city upon such terms as it may deem proper. (as added by Ord. #08.06.01, July 2008)

**2-202. Library board created.** There is hereby created a library board which shall consist of seven (7) members, who shall serve without compensation. (as added by Ord. #08.06.01, July 2008)

**2-203. Appointment and tenure of members; filling vacancies.** Three (3) members of the library board shall be appointed by the board of mayor and aldermen for one (1) year, two (2) for two (2) years and two (2) for three (3) years, and their successors for a term of three (3) years. Not more than one (1) official each of the county and of the town governing bodies shall serve on this board. Not more than five (5) of the members shall be of the same sex. Vacancies in the library board, occurring otherwise than by normal expiration of a term, shall be filled by the board of mayor and aldermen for the unexpired portion of the term. (as added by Ord. #08.06.01, July 2008)

**2-204. Removal from office; filling of vacancies.** Any member of the library board may be removed from office by majority vote of the board of mayor and aldermen for failing to attend meetings of the board, for any other neglect of duties as such member or for any misconduct in office. (as added by Ord. #08.06.01, July 2008)

**2-205. Powers and duties of library board.** The members of the library board shall organize by electing officers and adopting bylaws and regulations. The board has the power to direct all the affairs of the library, including appointment of a librarian who shall direct the internal affairs of the library, and such assistants or employees as may be necessary. Such board may

make and enforce rules and regulations and establish branches of travel service at its discretion. Such board may receive donations, devises and bequests to be used by it directly for library purposes. The library board shall furnish to the state library agency such statistics and information as may be required, and shall make annual reports to the board of mayor and aldermen. Annually, the library board shall submit a budget in conformance with the town charter to the town recorder who shall forward same to the board of mayor and aldermen. All city tax funds and appropriate fees for library purposes, whether raised by bonds or taxation, shall be held by the town recorder or appropriate designee. Such funds may be disbursed when properly drawn upon by vouchers or requisitions. Proceeds from the sale of surplus books by the town library may be credited to such special fund in the discretion of the library board. All library accounts of every character and kind shall be audited annually by or under the supervision and direction of the board of mayor and aldermen. The library board shall only have those powers and authority as granted to it under Tennessee Code Annotated, § 10-3-101 et seq., and such other authority, power and duties as the library board may be granted by the board of mayor and aldermen. (as added by Ord. #08.06.01, July 2008)

**2-206. Use of library.** The library board shall have power to make and enforce rules providing penalties for loss of or injury to library property. (as added by Ord. #08.06.01, July 2008)

## CHAPTER 3

### DESIGN REVIEW COMMISSION

#### SECTION

- 2-301. Creation.
- 2-302. Membership.
- 2-303. Powers.
- 2-304. Applications.
- 2-305. Due consideration.
- 2-306. Permits.
- 2-307. Appeal.

**2-301. Creation.** There is hereby created the Oakland Design Review Commission ("DRC"), which shall have authority over the design and appearance of improvements to real property in Oakland. (as added by Ord. #16-3, March 2016)

**2-302. Membership.** The Oakland Municipal Planning Commission shall be designated as the DRC as per Tennessee Code Annotated, § 6-54-133. (as added by Ord. #16-3, March 2016)

**2-203. Powers.** The DRC shall have the authority to:

- (1) Develop general guidelines for the exterior appearance of nonresidential property, multiple family residential property, and any entrance to a nonresidential development within Oakland ("regulated improvements");
- (2) Develop review procedures for construction of regulated improvements; and
- (3) Apply such procedures in either approving or disapproving proposals for regulated improvements. The DRC shall be organized and shall carry out its powers, functions, and duties in accordance with all applicable provisions of Tennessee Code Annotated. (as added by Ord. #16-3, March 2016)

**2-204. Applications.** Every application for a building permit or other permission to construct a regulated improvement shall be submitted to the Oakland Planning Department ("planning department"), shall include design review forms provided by the planning department and shall include whatever information the DRC and/or the planning department requires. The planning department shall conduct an administrative review of the application and then forward same, along with comments and/or recommendations, to the DRC for its review at its next convened meeting ("DRC package"). (as added by Ord. #16-3, March 2016)

**2-205. Due consideration.** The DRC shall review the DRC package and any other evidence that may be pertinent or requested, at a convened meeting and determine whether the regulated improvement conforms to the general guidelines the DRC promulgated. The applicant or its designee shall appear at the DRC review meeting. The DRC shall:

(1) Approve the application if the proposed regulated improvement will conform with the DRC's general guidelines and is otherwise conducive to the proper development of Oakland; or

(2) Disapprove the application, with written comments and recommendations, if the proposed regulated improvement does not conform with its promulgated guidelines or is otherwise not conducive to the proper development of Oakland.

If disapproved, the applicant may re-submit its application incorporating the DRC's comments and recommendations, pursuant to § 2-204 above. (as added by Ord. #16-3, March 2016)

**2-206. Permits.** If the DRC approves the application, then the planning department shall issue the building permit. If the DRC rejects the application, then the planning department shall not issue the building permit. The planning department shall nevertheless accept a revised application incorporating any comments and recommendations, treating same as a new application under § 2-204 to be reviewed pursuant to the guidelines hereunder. (as added by Ord. #16-3, March 2016)

**2-207. Appeal.** If the applicant is dissatisfied with any DRC action regarding its application, it may, no later than thirty (30) days after the action, appeal to the board of mayor and aldermen ("board") to review the DRC's action. The board shall review the DRC's action not more than sixty (60) days after the appeal is taken. The board's review shall be upon the record submitted to, and reviewed by, the DRC, which record shall be assembled and transmitted to the board by the planning department. The board, at a hearing, shall consider the record and any other evidence that may be pertinent or requested and shall either approve or disapprove the application, on appeal. If the board approves, then the planning department shall issue the building permit. (as added by Ord. #16-3, March 2016)