

**TITLE 2**

**BOARDS AND COMMISSIONS, ETC.**

**CHAPTER**

1. RECREATION COMMISSION.
2. EDUCATION FUNDING BOARD.
3. SPECIAL EVENTS ADMINISTRATIVE REVIEW.
4. DISQUALIFICATION OF APPOINTED BOARD MEMBERS.

**CHAPTER 1**

**RECREATION COMMISSION**

**SECTION**

- 2-101. Creation, members, terms, compensation, vacancies.
- 2-102. General powers and duties.
- 2-103. Gifts for recreational purposes.
- 2-104. Powers reserved to the board of commissioners.

**2-101. Creation, members, terms, compensation, vacancies.**

Pursuant to Tennessee Code Annotated, title 11, chapter 24 there is hereby created a city "recreation commission" which shall consist of the mayor, city manager, and five (5) Pigeon Forge residents, to be appointed by the board of commissioners to serve for terms of five (5) years or until their successors are appointed. However, the first appointive members shall be appointed for such terms that the term of one (1) member shall expire annually thereafter. The members of the recreation commission shall serve without pay. Any vacancy in the commission occurring otherwise than by expiration of a term shall be filled only for the unexpired term, and such appointment shall be made by the board of commissioners. (1979 Code, § 1-1201)

**2-102. General powers and duties.**

The recreation commission is hereby empowered and directed to provide, establish, maintain, and conduct a supervised recreation program for residents of the City of Pigeon Forge, utilizing such playgrounds, recreation centers, and other land, facilities, and appropriations as the board of commissioners may designate or appropriate for recreational activities. Utilizing only such funds as may be appropriated for the recreation commission's use by the board of commissioners and such additional funds as it may receive gratuitously, the city manager may, in consultation with the recreation director, if that position is filled at the time, employ play leaders, playground directors, supervisors, recreation superintendents, and such other officers or employees as the recreation commission deems proper. (1979 Code, § 1-1202)

**2-103. Gifts for recreational purposes.** The recreation commission may accept any grant or devise of real estate or any gift or bequest of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds or recreation purposes, but if the acceptance thereof for such purpose will subject the city to additional expense for improvement, maintenance, or renewal, the acceptance of any grant or devise of real estate shall be subject to the approval of the board of commissioners. Money received for such purpose, unless otherwise provided by the terms of the gift or bequest, shall be deposited by the recorder of the city to the account of the recreation commission and the same may be withdrawn and paid out in the same manner as money appropriated for recreational purposes. (1979 Code, § 1-1203)

**2-104. Powers reserved to the board of commissioners.** It is intended and hereby expressly provided that the recreation commission shall have only those powers herein granted. The board of commissioners expressly reserves to itself all powers to purchase, condemn, or lease lands and buildings; to issue bonds; and to levy taxes for recreational purposes. (1979 Code, § 1-1204)

## CHAPTER 2

### EDUCATION FUNDING BOARD

#### SECTION

2-201. Board created.

**2-201. Board created.** There shall be hereby created an educational funding board which shall exist and operate under the following terms and conditions:

(1) Said board shall consist of seven (7) members appointed to indefinite terms who shall serve at the pleasure of the Pigeon Forge Board of Commissioners and said membership shall include one (1) member who is an active or retired educator, one (1) member who is a school board member, one (1) member of the Pigeon Forge Board of Commissioners, one (1) member who is the city manager or their designee, one (1) member of the business community, one (1) member who is a city resident, and one (1) member who is a city resident or a business owner within the city.

Each new member of the education board shall serve an initial three (3) year term, except that the provisions contained in this section shall not apply to the board seat held by a member of the board of commissioners and the seat held by the city manager and her/his designee, as there shall be no set term for those holding these seats. In order to ensure appropriate continuity, those board members who are serving on the date the ordinance amending this section is passed and wish to continue their service shall be assigned an initial term of either one (1), two (2), or three (3) years. Two (2) of the five (5) members shall be assigned three (3) year terms; two (2) shall be assigned two (2) year terms; and one (1) shall be assigned a one (1) year term. In the event that members cannot agree among themselves regarding the term of their continued service, the length of the initial terms shall be determined by drawing lots.

Members of the education board may serve two (2) consecutive, three (3) year terms, but must then rotate off of the board for no less than one (1) year before being eligible for further service. For members serving on the board as of the date the ordinance amending this section is passed, they shall be entitled to serve the initial term assigned to them and a second three (3) year term before rotating off of the board. Those holding seats on the board designated for a member of the board of commissioners and the city manager or her/his designee are not subject to term limits.

(2) Said board shall review requests from the public schools located within the corporate limits of the City of Pigeon Forge for funding of projects to benefit the schools from revenue generated from tax collected from the sale of alcoholic beverages i.e. wine, liquor and mixed drinks and otherwise referred to herein as a "mixed drink tax."

(3) Said board shall meet no less than one (1) time annually and more often as needed at the discretion of said board.

(4) Before the educational funding board shall approve any project for any public school within the corporate limits of the city, the respective schools shall submit a list of desired equipment or improvements or projects to be funded along with a cost proposal for each project. Should the board elect to approve funding for all or any of said projects, they shall do so by a majority vote and their recommendation shall be forwarded to the city's chief financial officer who shall issue funds to the particular school. No project shall be voted upon for funding approval unless the city's chief financial officer shall advise the board that sufficient funds are available for the same from the mixed drink tax collections and that when required, the Sevier County School System's regulations for public bidding have been met. Should the board fail to approve any requested school project by a majority vote, the same shall be deemed to be rejected and the requesting school shall submit additional requests.

(5) No funds from the mixed drink tax shall be expended to any public school within the corporate limits of the city for any school personnel salary or for any expense that is mandated by the State of Tennessee or any federal rule or regulation. Therefore, the expenditures of mixed drink tax revenue shall benefit projects of the public schools within the City of Pigeon Forge over and above the normal funding for school operations in place by the Sevier County School System.

(6) The board shall on an annual basis divide the revenue from the mixed drink tax by the number of public schools within the corporate limits of the City of Pigeon Forge and funding to any one school shall not exceed that school's percentage of the total mixed drink tax revenue. (as added by Ord. #967, Aug. 2013, and amended by Ord. #1050, Feb. 2018, and Ord. #1085, Nov. 2019)

## CHAPTER 3

### SPECIAL EVENTS ADMINISTRATIVE REVIEW

#### SECTION

- 2-301. Special events and site plan regulations for special events, festivals, and similar activity uses.
- 2-302. Creation, members, terms, vacancies.
- 2-303. General powers and duties.
- 2-304. Appeal from a special events administrative review.

**2-201. Special events and site plan regulations for special events, festivals, and similar activity uses.** It is the general purpose of and intent of this section to require site plans for special events or activities. A special event is a unique festival, fair, carnival or other type of promotion that is outside the customary or usual activities associated with the daily events of the business/property where the special event will be hosted. It is a temporary outdoor use that extends beyond the normal business activities and is designed to draw large crowds to promote a specific charity, cause, city-wide event, hobby or festival. Special events that are held in conjunction with a City of Pigeon Forge city-wide special event promoted by the department of tourism such as Winterfest, Celebrate Freedom, or nationally known non-profit groups with a recognized local chapter, will be allowed permits to operate for thirty (30) consecutive days during that event, providing the applicant can show a direct correlation in activities that promote, compliment and correspond in nature and type with the city sponsored events. Only one (1) permit per business, group or location may be submitted for a city-wide special event permit per calendar year. Special events that are promoted by businesses that are not held in conjunction with city-wide special events may be held for three (3) consecutive days per calendar year, excluding one (1) day for the set-up and one (1) day for the take-down of the event, with an approved site plan. No more than six (6) permits shall be issued to a business, group, or location per calendar year. No special event shall be located on any easements or on any rights-of-way. All special events must be contained solely on the property of the sponsoring business. Special event permits shall be allowed only in commercial districts. The special event review may allow additional time based on extenuating circumstances. (as added by Ord. #1015, May 2016)

**2-202. Creation, members, terms, vacancies.** There is hereby created a special events administrative review to oversee the permitting of special events, peddlers, vendors and similar short-term outdoor displays and events. The special events administrative review is an in-house review in which proposals are distributed to the following departments and agencies: police, fire, planning, streets, utilities, solid waste, recreation, tourism and trolley. The

review shall be conducted on an as needed basis in the review applications for special events, peddlers, vendors. The special events applications may be approved administratively unless staff thinks that a full planning commission review is necessary. (as added by Ord. #1015, May 2016)

**2-203. General powers and duties.** The powers and duties are to review all applications for special events, peddlers and vendors to determine the health safety and welfare issues of each event. Off Premise Canvasser (OPCs) requirements are not included in these sections but OPCs are required to meet §§ 9-208 through 9-216. The review power shall include all those enumerated in title 9, chapter 2 of the municipal code entitled peddlers, etc., § 9-205. Additional powers include the right to deny a special event permit for fraud, incompleteness of application, conflicts in time and location with other special events, timing of the applicant event, location of an event, problems with past events by the same applicant or group represented, potential damage to public property, disapproval of site owner or property owners, potential harm to the public, noise, potential abuse of animals, lack of sanitary facilities for waste, after hours noise nuisance by holding the event after 12:00 A.M. and before 7:00 A.M., site incapacity to handle crowds, disruptions to adjacent businesses by blocking of access to facilities or any other unsafe conditions. (as added by Ord. #1015, May 2016)

**2-204. Appeal from a special events administrative review.** An appeal from a special events administrative review is to the planning commission for a full hearing. (as added by Ord. #1015, May 2016)

## CHAPTER 4

### DISQUALIFICATION OF APPOINTED BOARD MEMBERS

#### SECTION

2-401. Removal of board member.

**2-401. Removal of board member.** Any member of any appointed board of the City of Pigeon Forge who files or has any legal action against the city in their name or in the name of any legal entity in which they have a family or controlling interest, shall be and is immediately disqualified and removed from their appointed board position. (as added by Ord. #1041, July 2017)