

Order 70-09/10

Given first reading: 9/21/09

Public Hearing & Passage: 10/5/09 7-0 (Leeman, Mavodones absent)

JILL C. DUSON (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
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CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JOHN R. COYNE (5)  
JOHN M. ANTON (A/L)  
DORY RICHARDS WAXMAN (A/L)  
NICHOLAS M. MAVODONES (A/L)

**AMENDMENT TO PORTLAND CITY CODE**  
**CHAPTER 18 PARKS, RECREATION AND PUBLIC BUILDINGS AND GROUNDS**  
**ARTICLE I. IN GENERAL**  
**SECTION 18-10**  
**ARTICLE II. REGULATIONS FOR PARKS AND PUBLIC GROUNDS**  
**SECTIONS 18-43**

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

*1. That Chapter 18, Article I, In General, Section 18-10 of  
the Portland City Code is hereby amended to read as  
follows:*

**Sec. 18-10. ~~Friends of the parks~~ Parks Commission.**

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

(b) *Composition.* ~~Three (3)~~ One (1) members of the city council, who is on the Health and Recreation Committee, shall be appointed annually by the city council, ~~one (1) of whom shall be designated chairperson.~~ 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. ~~Eight (8) of the ten (10) members representing the public-at-large 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. The ninth at large member shall be appointed annually by the planning board from among the membership of the planning board. The tenth at large member shall be appointed annually by the school committee from among the membership of the school committee.~~ 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.

(c) *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 disposition of trust funds held for parks, trails and open space and ~~recreational~~ purposes;
- (3) Maintaining inventories of parks, trails and open space and ~~recreational~~ needs as it determines to be desirable;
- (4) Encouraging educational programs, through the schools or otherwise, in forestry education or other relevant subjects it determines to be beneficial to the parks and ~~recreational~~ programs of the city;
- (5) Undertaking such other activities as to enhance the parks, trails and open space and ~~the recreational~~ programs of the city as it deems appropriate from time to time.
- (6) 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.

*2. That Chapter 18, Article II, Regulations for Parks and Public Grounds, Section 18-43 of the Portland City Code is hereby amended to read as follows:*

**Sec. 18-43. ~~Friends of the park~~ Parks Commission review.**

Within five (5) days of receipt of the complete application for a permit, the permitting authority shall provide a copy of the complete application to the chairperson of the ~~friends of the parks~~ commission for review. The commission shall have the opportunity to render an opinion within seven (7) days of the receipt of the complete application on the issuance of the

permit, which opinion shall be advisory in nature. A copy of the advisory opinion of the commission shall be provided to the applicant.