

ORDINANCE NUMBER 08-04
OF THE CITY OF FRANKLIN

AN ORDINANCE CREATING THE BEAUTIFICATION COMMISSION

WHEREAS, Indiana Code § 36-1-3 *et seq.* confers upon units of local government within the State of Indiana such powers as are necessary or desirable to conduct the affairs of the governmental unit; and,

WHEREAS, Indiana Code § 36-4-6-18 authorizes the Common Council of the City of Franklin, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and,

WHEREAS, it appears to the Common Council of the City of Franklin, Indiana, that it would be in the best interests of the citizens of the City of Franklin, Indiana, that a beautification commission be created by ordinance, to assist the Board of Public Works and the Common Council in the carrying out of statutorily imposed duties with respect to improving the aesthetic quality of the City's public improvements.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Common council of the City of Franklin, Indiana:

- 1) **Creation of Beautification Commission:** There is hereby created by this ordinance a public body within the government of the City of Franklin, Indiana, to be known as the City of Franklin Beautification Commission.
- 2) **Duties:** The Beautification Commission shall be responsible to, and shall report to, the Board of Public Works and the Common Council of the City of Franklin, Indiana, with respect to the duties, responsibilities, and authority delineated herein.
- 3) **Membership:** The membership of the Beautification Commission shall consist of five (5) members, a majority of whom must be residents of the City of Franklin, Indiana. Subject to the foregoing qualification, members of the Beautification Commission may be residents of the City of Franklin Buffer Zone. Two (2) of the members shall be appointed by the Mayor of the City of Franklin, Indiana. Three (3) of the appointments shall be made by the Common Council. Additionally, the Beautification Commission may retain the assistance and services of volunteer members as needed.
- 4) **Term:** The term of Beautification Commission members shall be for a period of four (4) years. However, the initial appointments made by the Mayor shall be for a term to expire on December 31, 2009, and the term of the initial appointments by the Common Council shall be for a term to expire on December 31, 2011.
- 5) **Powers and Responsibilities:** The Beautification Commission shall have the following powers and responsibilities:

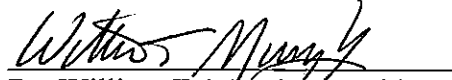
- a) To study the beautification needs of the City and explore ways to improve the general aesthetic quality of the City's public improvements;
 - b) To assist members of the public and non-profit organizations in their efforts to improve the general aesthetic quality of the City's public improvements;
 - c) To seek out and retain the services of other persons, organizations and companies for purposes of satisfying the responsibilities assigned to the Beautification Commission by this ordinance;
 - d) To report at least once a year, or more frequently upon request, to the Mayor, the Common Council, and the Board of Public Works, in writing, on the Beautification Commission's activities and expenditures.
 - e) To make recommendations and/or suggestions to the Board of Public Works and/or Common Council of the City of Franklin in a timely fashion, as appropriate or as requested.
 - f) The Beautification Commission shall, within thirty (30) days after the initial appointments thereto have been made, meet for an organizational meeting and elect such officers and adopt such rules, regulations and bylaws as it deems necessary.
 - g) The Beautification Commission shall have no authority to incur any debt or pay any per diem not authorized by the City of Franklin's Common Council either through the regular budget process or by way of additional appropriation.
- 6) **Repeal of Conflicting Ordinances.** All conflicting ordinances are repealed and replaced with this ordinance.
- 7) **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
- 8) **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance.
- 9) **Duration and Effective Date.** This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and publication according to the laws of the State of Indiana.

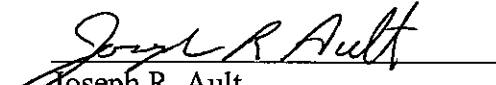
Introduced and Filed on the 25 day of February, 2008.

DULY PASSED on this 25 day of February, 2008 by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote 6 in Favor and 0 Opposed.

City of Franklin, Indiana, By its Common Council:

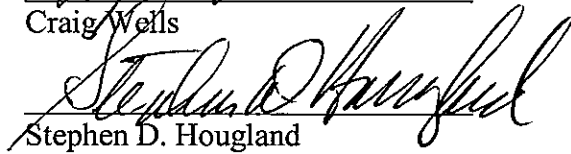
Voting Affirmative:

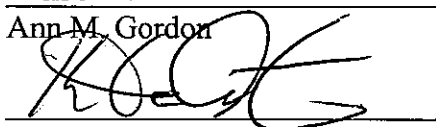

Dr. William T. Murphy, President


Joseph R. Ault


Joseph Abban


Craig Wells


Stephen D. Hougland

Absent
Ann M. Gordon

Kenneth W. Austin

Voting Opposed:

Dr. William T. Murphy, President

Joseph R. Ault

Joseph Abban

Craig Wells

Stephen D. Hougland

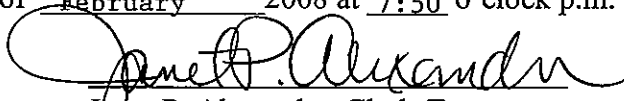
Ann M. Gordon

Kenneth W. Austin

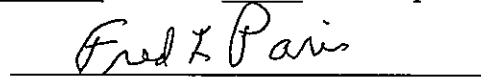
Attest:

Janet P. Alexander, Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15, 16, this 25 day of February, 2008 at 7:50 o'clock p.m.


Janet P. Alexander, Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 25 day of February, 2008 at 7:50 o'clock p.m.


Mayor Fred L. Paris

Attest:

Janet P. Alexander, Clerk-Treasurer

Prepared by:
Robert H. Schafstall