

APPENDIX 3

DENVER CITY CHARTER, ARTICLE IV

1955 AMENDMENT

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CHARTER

OF THE

City and County of Denver

ADOPTED BY VOTE OF THE PEOPLE

March 29, 1904

CONTAINING ALSO
ARTICLE XX OF THE CONSTITUTION OF THE
STATE OF COLORADO

*1960 Compilation
with amendments to and including
May 19, 1959**

Compiled and Edited by
GEORGE A. MANERBINO
of the Colorado Bar, under the direction of HON. DONALD E. KELLEY, Attorney for the City and
County of Denver. Clerical assistance by Lucy Ockl, Office of City Clerk.

By authority of the Council of the City and County of Denver,
Ordinance No. 217, Series of 1959.

**Amendments to and including January 1, 1975, added under the direction of
HON. MAX P. ZALL, Attorney for the City and County of Denver.*

Article IV

DEPARTMENT OF PARKS AND RECREATION

(Nota Bene—By authority of Charter Amendment No. 3 adopted by the vote of the people May 17, 1955, the Department of Improvements and Parks was terminated and the functions and powers of the terminated department were divided between two new departments, namely, the Department of Public Works and the Department of Parks and Recreation to take effect on January 1, 1956.)

A4.1 Department. There shall be and hereby is created a Department of Parks and Recreation to be composed of, but not limited to, a Division of Parks and a Division of Recreation.

(Sec. 1, charter amendment, May 17, 1955.)

A4.2 Control of Department. The Manager of Parks and Recreation (hereinafter called the 'Manager') shall be the officer in full charge and control of the Department and shall devote his entire time to the duties of his office. He shall be a member of the Mayor's Cabinet. He shall be appointed by the Mayor and shall hold his office at the pleasure of the Mayor.

(Charter amendment May 15, 1973; previously amended May 17, 1955.)

A4.3 Board of Parks and Recreation. There is hereby created a Board of Parks and Recreation (hereinafter called the 'Board') consisting of seven members, one of whom shall be a member of Council designated by Council and one of whom shall be a member of the Board of School District No. 1 designated by the Board of that school district. The remaining five members of said Board shall be appointed by the Mayor for a term of five years each; provided, however, that the first members of the Board appointed by the Mayor shall be appointed for terms of one, two, three, four and five years respectively, as designated by the Mayor, said terms to begin on January 1, 1956. The members appointed by the Mayor may be removed only for cause upon written charges and after public hearing. Any vacancy which occurs in the Board among the five members appointed by the Mayor shall be filled by the Mayor for the unexpired term of any member whose terms became vacant. Members of the Board shall serve without pay.

A4.3-1 The Board shall advise the Manager with respect to the policy and operation of the Department and shall review and comment on the proposed annual budget for the Department.

(Sec. 1, charter amendment, May 17, 1955.)

A4.4 Duties and powers. The following duties and powers are hereby vested exclusively in the Department of Parks and Recreation:

(Sec. 1, charter amendment, May 17, 1955.)

A4.4-1 Park and other recreational facilities. Management, operation and control of all facilities, either within or without the territorial limits of the City and County, owned by the City and County for park and recreational purposes, including the right to make reasonable charges, subject to

ordinance approval, for the use of any special facility or activity and management and control of the operation, care, repair and maintenance of all structures in which and all land on which those facilities are located and operated. At the request of the Department, Council shall provide, by ordinance, for the enforcement of the rules and regulations of the Department.

(Sec. 1, charter amendment, May 17, 1955.)

A4.4-2 Building Line Restrictions Around Parks and Parkways. To establish a building line or lines, determining the distance at which all structures may be erected upon any private premises fronting any park or parkway and, in the name of the City and County, to prevent the erection and require the removal of all structures outside said lines. No permit shall be issued authorizing the erection of any structure outside the building line so established.

(Sec. 1, charter amendment, May 17, 1955.)

A4.4-3 Licenses, Privileges and Concessions. In the manner and pursuant to terms and conditions fixed by the Mayor's Cabinet, to grant or refuse the license or privilege of operating concessions in or of selling goods and services in all parks and recreational facilities and on the streets and sidewalks within three hundred feet of the boundary of any park or recreational facility.

(Sec. 1, charter amendment, May 17, 1955.)

A4.4-4 Landscaping of Public Ways and Thoroughfares. Landscaping and beautification, together with such horticultural maintenance as appears desirable in the public interest, of suitable portions of any public ways, thoroughfares, pleasure driveways and similar facilities as determined by agreement with the Department of Public Works.

(Sec. 1, charter amendment, May 17, 1955.)

A4.4-5 Gifts. Management and control of all real or personal property, including all rents, issues and profits thereof, granted, bequeathed, devised or conveyed to the City and County for the purpose of the creation, improvement or ornamentation of any park, boulevard, pleasure way, parkway or recreational facility or for the establishment or maintenance therein of museums, zoological or other gardens, collections of natural history, observatories or recreational facilities; provided, however, that no such gifts shall be accepted without the prior approval of the Mayor and Council.

(Sec. 1, charter amendment, May 17, 1955.)

A4.4-6 Cooperative Agreements. To conduct negotiations for cooperative agreements with School District No. 1 and other public and private agencies for the development of park and recreational facilities, programs and activities and for the establishment and maintenance of the museums, zoological or other gardens, collections of natural history and observatories. Such agreements may provide for such grants-in-aid or appropriations from the General Fund as may be made from time to time by Council, and the Manager, subject to approval by ordinance, may delegate his functions in connection with these matters.

(Sec. 1, charter amendment, May 17, 1955.)

A4.4-7 Appropriations. To expend all such sums of money as may be appropriated for the Department from the general revenues.

(Sec. 1, charter amendment, May 17, 1955.)

A4.5 No Park to be Sold or Leased. No portion of any park now belonging to or hereafter acquired by the City and County shall be sold or leased

at any time; provided, however, that no land hereafter acquired by the City and County shall be deemed to be a park unless specifically designated a park by ordinance.

(Sec. 1, charter amendment, May 17, 1955.)

A4.6 Franchises Within Parks Prohibited. No franchise, license or permit for the construction or maintenance of any railway shall ever be granted within the limits of any park or lengthwise upon any parkway nor shall any franchise for the maintenance of any other special privilege within any park be granted; provided, however, that the foregoing shall not be a limitation upon the right of the Department to grant licenses for the operation of concessions or for the sale of goods or services in or near park and recreational facilities and to designate specific areas, structures or parts of structures or to authorize the construction and maintenance of facilities or structures in which licensees or concessionaires shall operate and function.

(Sec. 1, charter amendment, May 17, 1955.)