

PREPARED BY:  
CITY OF LEAD  
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## ORDINANCE #1102-24

### AN ORDINANCE MODIFYING LEAD CITY ORDINANCES TITLE III, CHAPTER 33, CITY ORGANIZATIONS, BY AMENDING CHAPTER 33.

*BE IT ORDAINED* by the City Commission of the City of Lead that, pursuant to SDCL 9-19, section of Lead Ordinance Title III, Chapter 33, City Organizations be amended to read as follows:

## CHAPTER 33: CITY ORGANIZATIONS

Section

- 33.01 ~~Parks and Recreation Board Code of Conduct~~
- 33.02 ~~Planning and Zoning Commission~~
- 33.03 ~~Library Board of Trustees~~
- 33.04 ~~Historic Preservation Commission~~
- 33.05 ~~Requirements Committees and Volunteer Boards~~
- 33.06 ~~Requirements~~

### § ~~33.01~~ **PARKS AND RECREATION BOARD. CODE OF CONDUCT**

~~(A) Under authority of SDCL § 9-38-90.1 and the special levy therefore having been approved at a municipal election on June 13, 1972, there is established a Park and Recreation Board, consisting of up to 11 members to be appointed by the Lead City Commission each to serve five-year terms.~~

~~—(B) As to the new members of the Board, one shall be appointed for five years, one for four years, one for three years and thereafter each for five years.~~

~~—(C) The members of the Board shall be appointed on January 1, and their term on the Board shall be determined from the appointment date. The Board members shall receive no compensation for their services.~~

~~—(D) The Board shall hold regular meetings at least once a month and as many special meetings as it may deem proper. Five members shall constitute a quorum for the transaction of business, but an affirmative vote of at least four members shall be necessary to authorize any action of the Board.~~

~~—(E) The organization, powers and duties of the Park and Recreation Board shall be regulated by SDCL Chapter 9-38 and acts amendatory thereto.  
(Prior Code, § 2-900) (Ord. 819-90, passed 7-9-1990)~~

(A) Commission members, committee members, volunteers, city commissioners and city employees shall follow the code of conduct as prescribed in the City of Lead Personnel Policy.

### § **33.02 PLANNING AND ZONING COMMISSION.**

(A) The official name of the Planning and Zoning Commission shall be "Lead City Planning and Zoning Commission", hereafter referred to as "P & Z Commission".

(B) The composition of the ~~City Planning Commission~~ P & Z Commission shall consist of up to seven members appointed by the mayor and confirmed by the Lead City Commission, and to hold office as set forth by state law.

(C) The ~~City Planning Commission~~ P & Z Commission created under and by virtue of SDCL Chapter 11-6-2 shall be created, established and carry on its' functions in accordance with SDCL Chapter 11-6-2 ~~shall be created, established and carry on its' functions in accordance with SDCL Chapter 11-6 and any acts amendatory thereto, and shall have all the powers, duties and responsibilities as set forth in state statute,~~ and any acts amendatory thereto, and shall have all the powers, duties and responsibilities as set forth in the statutes.

(D) An appointment to the P & Z Commission shall be for a 3-year term. Terms shall be staggered in sets of two for two years and a set of 3 for the third year. Appointees may be renewed for additional terms by the mayor and confirmed by the Lead City Commission. It is the responsibility of the appointee to formally request renewal from the mayor prior to the end of their term. Failure to do so could result in the loss of the appointee's position on the commission when the current term ends. An appointee shall receive no compensation for their service.

(E) A majority of the commission shall constitute a quorum for the transaction of business. A less number may adjourn from time to time and compel the attendance of absentees under such penalties as may be prescribed in ordinance. No action of the commission shall be effective unless upon a vote of majority of such quorum.

(Prior Code, § 2-901) (Ord. 947-03, passed 3-17-2003)

### **§ 33.03 LIBRARY BOARD OF TRUSTEES.**

~~(A) There is hereby established a Library Board of Trustees, consisting of five members to be appointed by the Mayor, one for one year, two for two years, and two for three years, and thereafter each for three years, or until his or her successor is appointed and confirmed. They shall receive no compensation for their services.~~

~~(B) The organization, powers and duties of the Library Board of Trustees shall be regulated by SDCL Chapter 14-1 and acts amendatory thereto and SDCL § 9-12-15.~~

(A) The official name of the library board shall be the Library Board of Trustees, herein referred to as the Library Board.

(B) The composition of the Library Board shall consist of up to five members appointed by the mayor and confirmed by the Lead City Commission, and to hold office as set forth by state law.

(C) The organization, powers and duties of the Library Board of Trustees shall be regulated by SDCL Chapter 14-1 and acts amendatory thereto and SDCL § 9-12-15.

(D) An appointment to the Library Board shall be for a 3-year term. Terms shall be staggered in sets of two. Appointees may be renewed for additional terms by the mayor and confirmed by the Lead City Commission. It is the responsibility of the appointee to formally request renewal from the mayor prior to the end of their term. Failure to do so could result in the loss of the appointee's position on the board when the current term ends. An appointee shall receive no compensation for their service.

(E) A majority of the board shall constitute a quorum for the transaction of business. A less number may adjourn from time to time and compel the attendance of absentees

(Prior Code, § 2-903)

### **§ 33.04 HISTORIC PRESERVATION COMMISSION.**

~~—(A) Membership will be comprised of up to seven members to be appointed by the Mayor and confirmed by the Lead City Commission from a list of applicants. Every effort will be made to receive application from persons who are qualified to serve because of professional activities, or because of academic or experiential qualifications. However, non-professional members, who represent a demonstrated interest, experience or knowledge in historic preservation will also be encouraged to apply and will have equal right to serve. The Board members shall receive no compensation for their services.~~

- (A) The official name of the Historic Preservation Commission shall be the Lead Historic Preservation Commission, herein referred to as the HP Commission.
- (B) The composition of the HP Commission shall consist of up to seven members appointed by the mayor and confirmed by the Lead City Commission, and to hold office as set forth by state law.
- (C) The organization, powers, and duties of the HP Commission shall be regulated by SDCL 1-19B-3.
- (D) An appointment to the HP Commission shall be for a 3-year term. Terms shall be staggered in sets of two for two years and a set of 3 for the third year. Appointees may be renewed for additional terms by the mayor and confirmed by the Lead City Commission. It is the responsibility of the appointee to formally request renewal from the mayor prior to the end of their term. Failure to do so could result in the loss of the appointee's position on the commission when the current term ends. An appointee shall receive no compensation for their service.
- (E) A majority of the commission shall constitute a quorum for the transaction of business. A less number may adjourn from time to time and compel the attendance of absentees under such penalties as may be prescribed in ordinance. No action of the commission shall be effective unless upon a vote of majority of such quorum.

(Ord. 934-01, passed 7-16-2001; Ord. 1034-15, passed 6-15-2015; Ord. 1040-15, passed 9-8-2015)

### **§ 33.05 REQUIREMENTS.**

~~—To be an appointed member on any of the city organizations, as defined in [Chapter 33](#), the appointee must meet one of the following requirements:~~

- ~~—(A) Be a resident within the city;~~
- ~~—(B) Own and/or operate a business within the city;~~
- ~~—(C) Own property in the city;~~
- ~~—(D) Be a person who has qualities that would benefit the city.~~

(Ord. 1040-15, passed 9-8-2015; Ord. 1084-22, passed 4-18-2022)

### **§ 33.05 COMMITTEES AND VOLUNTEER BOARDS**

- (A) The mayor may appoint someone to be a member on any city committee or volunteer board for a term defined by the mayor provided the appointee is confirmed by the Lead City Commission.

### **§ 33.06 REQUIREMENTS.**

To be an appointed member on any of the city organizations, as defined in [Chapter 33](#), the appointee must meet one of the following requirements:

- (A) Be a resident within the city.
  - (B) Own and/or operate a business within the city.
  - (C) Own property in the city.
  - (D) Be a person who has qualities that would benefit the city.
- (Ord. 1040-15, passed 9-8-2015; Ord. 1084-22, passed 4-18-2022)

Those voting aye:

Those voting nay:

Motion carried.

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Ron Everett  
City of Lead, Mayor  
(Seal)

ATTEST:

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John Wainman  
City of Lead, Administrator

First Reading: 08/19/2024

Second Reading:

Published:

Enacted: