



# City of North Port

## ORDINANCE NO. 2022-28

1           **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REPEALING AND REPLACING**  
2           **CHAPTER 4, ARTICLE III OF THE CODE OF THE CITY OF NORTH PORT, FLORIDA RELATING**  
3           **TO THE ART ADVISORY BOARD; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS;**  
4           **PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN**  
5           **EFFECTIVE DATE.**  
6

7           **WHEREAS**, on June 14, 2010, the North Port City Commission adopted Ordinance No. 2014-10 establishing  
8           the Art Advisory Board and specifying membership, meetings, and powers and duties, which ordinance is  
9           codified in Chapter 4, Article III of the Code of the City of North Port, Florida; and  
10

11           **WHEREAS**, on November 22, 2022, the City Commission repealed and replaced Chapter 59, Public Art, of  
12           the Unified Land Development Code pursuant to Ordinance No. 2022-27; and  
13

14           **WHEREAS**, the City Commission finds that clarification of the membership, meetings, and powers and  
15           duties as provided in Sec. 4-123(b)(8) is necessary for efficient and effective board function; and  
16

17           **WHEREAS**, the City Commission finds that these amendments serve the public health, safety, and welfare  
18           of the citizens of the City of North Port, Florida.  
19

20           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**

21  
22           **SECTION 1 – FINDINGS**

23  
24           1.01     The above recitals are true and correct and are incorporated in this ordinance by reference.  
25

26           **SECTION 2 – REPEAL AND REPLACE CHAPTER 4, ARTICLE III. - ART ADVISORY BOARD**

27  
28           2.01     Article III, entitled “Art Advisory Board,” of Chapter 4 of the Code of the City of North Port, Florida  
29           is repealed and replaced in its entirety as follows:

30           “...

31           **CHAPTER 4 – BOARDS AND COMMISSIONS**

32           ...

33           **ARTICLE III. – ART ADVISORY BOARD**

34

35 **Sec. 4-120. Establishment.**

36  
37 The art advisory board is hereby created and established.

38  
39 **Sec. 4-121. Membership.**

40  
41 The art advisory board shall consist of seven regular members, two youth members, and two  
42 alternate members.

43  
44 **Sec. 4-122. Meetings.**

45  
46 The art advisory board shall meet not less than once each quarter. The chairperson may call  
47 for a special or emergency meeting to address special issues or public art applications.

48  
49 **Sec. 4-123. Powers and duties.**

50  
51 (a) The art advisory board shall:

52  
53 (1) Serve as an information resource to and advise the city commission on acquisitions,  
54 commissions, installation, placement, maintenance, preservation, protection,  
55 decommissions, removal, and replacement of art in public places in the city.

56  
57 (2) Review public art to be placed on private property in Activity activity centers when the  
58 public art does not comply with the general requirements in chapter 59 of the Unified  
59 Land Development Code.

60  
61 (b) The art advisory board shall advise the city commission regarding:

62  
63 (1) Installation and rotation of art exhibits at city-owned facilities; the art advisory board will  
64 also install and rotate the exhibits.

65  
66 (2) The acquisition, donation, selection, installation, and placement of public art in public  
67 places.

68  
69 (3) Public art fund expenditures per chapter 59 of the Unified Land Development Code.

70  
71 (4) Recommended local artists to create artwork for public places.

72  
73 (5) The maintenance, preservation, and protection of existing artwork in public places.

74  
75 (6) The removal or replacement of artwork in public places.

76  
77 (7) Efforts to increase public awareness and support of art in public places.

78  
79 (8) Public art applications where public art departs from the general requirements in chapter  
80 59 of the Unified Land Development Code.

81

82 (c) The art advisory board shall perform other duties as directed by the city commission related  
83 to acquiring, commissioning, installing, placing, maintaining, preserving, protecting,  
84 decommissioning, removing, and replacing public art in public places and raising public  
85 awareness of art.”

86  
87 **SECTION 3 - CONFLICTS**

88  
89 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in  
90 whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.  
91

92 **SECTION 4 – SEVERABILITY**

93  
94 4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase,  
95 or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be  
96 deemed a separate, distinct, and independent provision and will not affect the validity of the  
97 remaining portions of the ordinance.  
98

99 **SECTION 5 – CODIFICATION**

100  
101 5.01 In this ordinance, additions are shown as underlined and deletions as ~~strike through~~. Any  
102 additional codification information and notations appear in *italics*. These editorial notations are  
103 not intended to appear in the codified text.  
104

105 **SECTION 6 – EFFECTIVE DATE**

106  
107 6.01 This ordinance takes effect immediately upon adoption.  
108

109 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public  
110 session on November 8, 2022.

111  
112 ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in  
113 public session on November 22, 2022.

114  
115 CITY OF NORTH PORT, FLORIDA

116  
117  
118 \_\_\_\_\_  
119 PETE EMRICH  
120 MAYOR

121  
122 ATTEST

123  
124  
125 \_\_\_\_\_  
126 HEATHER FAUST, MMC  
127 CITY CLERK  
128

129 APPROVED AS TO FORM AND CORRECTNESS  
130  
131  
132 \_\_\_\_\_  
133 AMBER L. SLAYTON, B.C.S.  
134 CITY ATTORNEY