



City of North Port

ORDINANCE NO. 2022-28

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

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

WHEREAS, on October 25, 2022, the City Commission repealed and replaced Chapter 59, Public Art, of the Unified Land Development Code pursuant to Ordinance No. 2022-27; and

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

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

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

SECTION 1 – FINDINGS

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

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

2.01 Article III, entitled “Art Advisory Board,” of Chapter 4 of the Code of the City of North Port, Florida is repealed and replaced in its entirety as follows:

“...

CHAPTER 4 – BOARDS AND COMMISSIONS

...

ARTICLE III. – ART ADVISORY BOARD

Sec. 4-120. Establishment.

The art advisory board is hereby created and established.

Sec. 4-121. Membership.

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

Sec. 4-122. Meetings.

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

Sec. 4-123. Powers and duties.

(a) The art advisory board shall:

- (1) Serve as an information resource to and advise the city commission on acquisitions, commissions, installation, placement, maintenance, preservation, protection, decommissions, removal, and replacement of art in public places in the city.
- (2) Review public art to be placed on private property in Activity activity centers when the public art does not comply with the general requirements in chapter 59 of the Unified Land Development Code.

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

- (1) Installation and rotation of art exhibits at city-owned facilities; the art advisory board will also install and rotate the exhibits.
- (2) The acquisition, donation, selection, installation, and placement of public art in public places.
- (3) Public art fund expenditures per chapter 59 of the Unified Land Development Code.
- (4) Recommended local artists to create artwork for public places.
- (5) The maintenance, preservation, and protection of existing artwork in public places.
- (6) The removal or replacement of artwork in public places.
- (7) Efforts to increase public awareness and support of art in public places.
- (8) Public art applications where public art departs from the general requirements in chapter 59 of the Unified Land Development Code.

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

SECTION 3 - CONFLICTS

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

SECTION 4 – SEVERABILITY

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

SECTION 5 – CODIFICATION

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance takes effect immediately upon adoption.

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

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

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY