

3 **ORDINANCE NO 2023-10**

4 **AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER 24**
5 **OF THE CITY’S CODE OF ORDINANCES ENTITLED “ART IN PUBLIC PLACES,” TO CREATE ARTICLE 24.2**
6 **SECTION 6(A)(5) FOR THE PURPOSE OF ESTABLISHING TERMS FOR THE COMPOSITION OF THE ART IN**
7 **PUBLIC PLACES ADVISORY BOARD; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS,**
8 **PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**
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11 **WHEREAS**, the City Council of the City of Westlake deems it in the best interest of the residents
12 of Westlake to provide for terms for the members and alternates of the Art in Public Places Advisory
13 Board by specifically creating Article 24.2 Section 6(A)(5), and

14 **NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE,**
15 **FLORIDA, as follows:**

16 **SECTION 1: INCORPORATION**

17 The above recitals are confirmed, adopted and are incorporated herein by reference.

18 **SECTION 2:** Article 24.2 Section 6 of the City of Westlake Code of Ordinances is hereby amended as
19 follows:

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21 **Section 6) Art in Public Places Advisory Board.** The Art in Public Places Advisory Board is hereby
22 established to promote greater public participation in, and access to, arts and culture in the City.

23 **(A) Composition.** The Art in Public Places Advisory Board shall be appointed by the City Council
24 and be composed of five (5) board members and two (2) alternate board members, and one
25 (1) non-voting high school student, who shall be appointed by the City Council.

- 26 **(1)** No less than four board members should have a demonstrated knowledge of the arts,
27 such as at least four years of experience related to the arts or an educational degree
28 related to the arts, and possess competence in the evaluation of art, art history, art
29 education, architecture, sculpture, painting and other appropriate media, urban design,
30 or a related field.

31 **(2)** Board members shall either live or work in the City.

32 **(3)** Each board member shall serve without compensation and at the pleasure of the City
33 Council.

34 **(4)** No board member may be the artist, provide the artwork, consulting services or have any
35 interest in any artwork to be reviewed by the Art in Public Places Advisory Board, whether
36 proposed by a private developer or by the City.

37 **(5)** Initially, each member and alternate of the Art in Public Places Advisory Board shall be
38 appointed for a period of one (1) year or until replaced by the City Council. Thereafter, all
39 appointments shall be for a one (1) year period expiring on the following April 30th. Board
40 members and alternates shall serve until a replacement is appointed by the City Council.
41 The City Council shall make appointments of Board members and alternates at a City
42 Council meeting in April of each year.

44 **SECTION 3. Conflicts:** All ordinances or parts of ordinances resolutions or parts of resolutions which
45 are in conflict herewith, are hereby repealed to the extent of such conflict.

46 **SECTION 4. Codification:** It is the intention of the City Council, and it is hereby ordained that the
47 provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of
48 Westlake, Florida, and the sections of this ordinance may be re-numbered or re-lettered to accomplish
49 such intentions, and the word "ordinance" shall be changed to "section" or other appropriate word.

50 **SECTION 5. Severability:** The provisions of this Ordinance are severable, and it is the legislative
51 intention to confer upon the whole or any part of the Ordinance the powers herein provided for. If any
52 provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the
53 decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby
54 declared to be the legislative intent that this Ordinance would have been adopted had such
55 unconstitutional provision not been included herein.

56 **SECTION 6. Effective Date:** This ordinance shall be effective upon adoption on second reading.
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58 **PASSED AND APPROVED** on First Reading on 5th of December 2023.

59 **PUBLISHED** on this 15th day of December 2023 in the Sun Sentinel.

60 **PASSED AND ADOPTED** by City Council for the City of Westlake, on this 8th day of January 2024.

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City of Westlake
JohnPaul O'Connor, Mayor

66 ATTEST:

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Zoie Burgess, CMC City Clerk

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APPROVED AS TO LEGAL FORM

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OFFICE OF THE CITY ATTORNEY