

ORDINANCE NO 2023-10

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER 24 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ART IN PUBLIC PLACES," TO CREATE ARTICLE 24.2 SECTION 6(A)(5) FOR THE PURPOSE OF ESTABLISHING TERMS FOR THE COMPOSITION OF THE ART IN PUBLIC PLACES ADVISORY BOARD; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Westlake deems it in the best interest of the residents of Westlake to provide for terms for the members and alternates of the Art in Public Places Advisory Board by specifically creating Article 24.2 Section 6(A)(5), and

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

SECTION 1: INCORPORATION

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

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

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

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

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

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

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

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

(5) Initially, each member and alternate of the Art in Public Places Advisory Board shall be appointed for a period expiring on April 30, 2024. Thereafter, all appointments shall be for a one (1) year period expiring on the following April 30th. Board members and alternates shall serve until a replacement is appointed by the City Council. The City Council shall make appointments of Board members and alternates at a City Council meeting in May of each year.

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

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

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

SECTION 6. Effective Date: This ordinance shall be effective upon adoption on second reading.

PASSED this ___ day of ____, _____, on first reading.

PUBLISHED on this ___ day of ____, _____ in the Palm Beach Post

PASSED AND ADOPTED this ___ day of ____, _____, on second reading.

City of Westlake
John Paul O'Connor, Mayor

Zoie Burgess, City Clerk

APPROVED AS TO LEGAL FORM

OFFICE OF THE CITY ATTORNEY