

ORDINANCE NO. 1168

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING KETCHUM MUNICIPAL CODE, TITLE 4, "COMMISSIONS AND BOARDS", CHAPTER 4.16, "ARTS COMMISSION" TO UPDATE AND CLARIFY THE PURPOSE AND POLICY OF THE CITY AND ARTS COMMISSION IN ENCOURAGING PUBLIC ART; TO ADD NEW SECTIONS 4.16.020 PROVIDING DEFINITIONS AND 4.16.050 IDENTIFYING SOURCES OF FUNDS; TO PROVIDE ADMINISTRATIVE RESPONSIBILITIES FOR CONSERVATION AND MAINTENANCE OF PUBLIC ART; TO PROVIDE FOR THE ESTABLISHMENT, COMPOSITION AND TERMS OF THE ARTS COMMISSION; TO PROVIDE FOR DUTIES AND RESPONSIBILITIES OF THE ARTS COMMISSION; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City has previously established the Arts Commission and wishes to promote and support public art within the City of Ketchum; and

WHEREAS the City believes strongly that public art contributes to and enhances the beauty of public areas and the quality of life for the visitors to and citizens of Ketchum; and

WHEREAS, certain updates and revisions are desired to clarify the role, responsibilities, funding, and administration of the Arts Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KETCHUM, IDAHO AS FOLLOWS:

SECTION 1 AMENDMENT OF TITLE 4, CHAPTER 4.16. That Ketchum Municipal Code shall be amended by the following revisions of Title 4, Chapter 4.16, "Arts Commission" as follows:

Chapter 4.16

ARTS COMMISSION

Sections:

- 4.16.010 Purpose.
- 4.16.020 Definitions.
- 4.16.030 General Requirements.
- 4.16.040 Administrative Responsibilities.
- 4.16.050 Source of Funds
- 4.16.060 Establishment, Composition and Terms.
- 4.16.070 Duties and Responsibilities.

4.01.010 Purpose. It is the purpose of this Ordinance and the policy of the City to recognize the value of art in public places, in order to beautify public areas, to enhance the quality of life for Ketchum citizens, to attract tourism, to enhance art education and celebration of cultural heritage, and to provide incentives to businesses to locate within the City, thus expanding Ketchum's economic base.

4.01.020 Definitions. In construing the provisions of this chapter, the following definitions shall apply:

Public Art: Public art is art in any media (temporary, long-term, visual, performing, time-based, etc.) that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all.

4.01.030 General Requirements.

- A. Public art may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it. Public art may also be located on any publicly owned property or on publicly accessible private property upon formal written agreement with the private entity.
- B. Any public art chosen shall be located in a public place with public accessibility and impact, and further shall comply with any addition to any guidelines established by Council upon recommendation of the Ketchum Arts Commission.
- C. Nothing contained herein shall preclude funding City public art by matching monies, donations, or other means.

4.01.040 Administrative Responsibilities.

- A. The City designates the Ketchum Arts Commission, to be responsible for the location and selection of all public art in the City. The Ketchum Arts Commission shall make recommendations and shall seek input and advice from relevant City departments prior to installation. It shall also advise relevant City departments regarding the maintenance, repair, or other conservation of public art.
- B. Public art selected shall be consistent with the City's Comprehensive Plan, zoning and subdivision ordinances, and land uses contemplated therein.
- C. The Ketchum Arts Commission shall work with the City regarding the public art selected for installation in coordination with projects contained in the Capital Improvement Program and selection of artists for public art projects.
- D. The Ketchum Arts Commission shall make reports from time to time as requested by the Mayor and/or the Council.

4.01.050 Source of Funds.

Funds to support the Arts Commission may include but are not limited to General Funds, Percent for Arts funds, Ketchum Urban Renewal Agency funds, grants, donations, and funding from other organizations and agencies.

4.01.060 Establishment, Composition and Terms.

The Commission shall consist of no more than nine (9) members who shall receive no salary. The Mayor and Commission Chair will work together to discuss new members for appointment. Members shall be appointed by the Mayor and confirmed by the City Council, and any member may, in a like manner, be removed.

- A. The commission shall adopt bylaws for the management and operation of meetings.

B. In addition to the nine (9) members, the Executive Director of the Ketchum Community Development Corporation (KCDC) will serve as a non-voting member of the Commission.

C. The term of office for each of the members shall be three (3) years. Two consecutive three-year terms shall be the maximum allowable for a member and shall constitute a full term. Upon completion of a full term, reappointment will be allowable after a one-year waiting period.

4.01.070 Duties and Responsibilities.

The duties and responsibilities of the commission shall be as follows:

A. Stimulate awareness and appreciation of the importance of the arts in the broadest possible manner including, but not limited to, the review and incorporation of public art with existing and new construction (both public and private), support of visual, performing and literary arts (individuals, organizations, businesses), and both a general promotion of the arts and arts education.

B. Encourage the preservation and growth of the City's art resources, foster the development of a receptive climate for the arts, and promote opportunities for Ketchum residents to participate in artistic activities.

C. Provide information, encouragement, and general assistance to Ketchum's cultural organizations and artists.

D. Promote the development of Ketchum artists, institutions and community organizations sponsoring arts activities.

E. Assess the needs of the arts and of the people of Ketchum and make such information available to the Mayor and City Council and all interested agencies and persons.

F. Review and provide recommendations and advice to the Mayor and City Council on all proposed arts related projects, events, grants, general disbursement of funds or provision of services to artists, non-profit or for-profit arts institutions or organizations.

G. Encourage and provide direction to coordinate, partner or benefit from the arts activities or opportunities provided by other governmental agencies.

H. Seek and encourage financial support, including grants, loans and guarantees for Ketchum Arts Commission projects subject to approval by the City Council and Mayor.

SECTION 2. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. CODIFICATION CLAUSE. The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

SECTION 4. REPEALER CLAUSE. All City of Ketchum ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

SECTION 5. PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

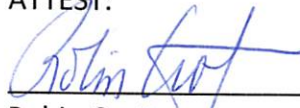
PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 20th day of March 2017.

CITY OF KETCHUM, IDAHO



Nina Jonas, Mayor

ATTEST:



Robin Crotty
Interim City Clerk