

CITY OF BONITA SPRINGS

ORDINANCE NO. 18-16

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, AMENDING BONITA SPRINGS CODE §34-94, RELATED TO THE ART IN PUBLIC PLACES PROGRAM; PROVIDING FOR ADDITIONAL MEMBERS TO THE ART IN PUBLIC PLACES ADVISORY BOARD; ESTABLISHING QUORUM CRITERIA; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Bonita Springs is the governing body for the City of Bonita Springs, Florida; and

WHEREAS, Bonita Springs City Council desires to provide vast cultural resources to beautify the community and for the enjoyment by the citizens of Bonita Springs; and

WHEREAS, the Art in Public Places Board, which has served the City of Bonita Springs for over thirteen years, has requested additional membership to accommodate art teachers from emerging new schools in the Bonita Springs community; and

WHEREAS, the Bonita Springs City Council desires to amend the APPB Board, to foster through the Art in Public Places Program the development for a receptive climate for the fine arts, to enrich culturally and benefit the citizens of the City of Bonita Springs in their daily lives and to serve a public purpose.

THE CITY OF BONITA HEREBY ORDAINS:

SECTION ONE: BONITA SPRINGS CODE §34-94

Section 34-94 of the Bonita Springs Code is amended to read as follows, with strike-through identifying deleted language and underline identifying additional language:

Sec. 34-94. - Art in Public Places Board (APPB).

- (a) It is hereby established and created an art in public places board (APPB), consisting of ~~seven~~ eleven members appointed by the mayor with the advice and consent of city council, all of whom shall serve without compensation. The quorum will remain at four members. The composition of the APPB will include one voting member who represents the city art league, one voting member

who has a bachelor's degree or higher in the area of fine arts, and ~~five~~ nine general voting members. City council will adopt a resolution setting forth the terms and appointments of the art in public places board. The mayor shall annually select one of the APPB members as chairperson for the APPB, with the APPB selecting its vice-chairperson.

- (b) The APPB shall advise city council on acquiring, commissioning, and maintaining works of art for public places.

SECTION TWO: CONFLICTS OF LAW

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Ordinance or Statute, the most restrictive requirements shall apply.

SECTION THREE: 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 FOUR: CODIFICATION AND SCRIVENER'S ERRORS

The Bonita Springs City Council intends that this Ordinance will be made part of the Bonita Springs Code; and that sections of this Ordinance can be renumbered or relettered and the word "Ordinance" can be changed to "Section", "Article" or some other appropriate word or phrase to accomplish codification, and regardless of whether this Ordinance is ever codified. The Ordinance can be renumbered or relettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the City Manager or his designee, without the need for public hearing.

SECTION FIVE: EFFECTIVE DATE

The effective date of this ordinance shall be thirty (30) days from its adoption date.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 17th day of September, 2018.


AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 

City Attorney

Vote:

Carr	Aye	O'Flinn	Aye
DeWitt	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye		

Date filed with City Clerk: 9/20/18