ORDINANCE NO. 1010

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE KETCHUM MUNICIPAL CODE, BY ADDING A NEW TITLE 4, "COMMISSIONS", CHAPTER 4.01, "ARTS COMMISSION"; TO STATE THE PURPOSE AND POLICY OF THE CITY IN ENCOURAGING PUBLIC ART; 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 RESPONSIBILTIES OF THE COMMISSION; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City 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, public art has been shown to attract tourism and to provide incentives to businesses to locate within communities which support public arts; and

WHEREAS, an additional purpose of this Ordinance is to install artwork chosen in a manner which enhances such capital improvement project where appropriate and practicable and yet to retain some flexibility where such is necessary.

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

SECTION 1 NEW TITLE AND CHAPTER. That Ketchum Municipal Code shall be amended by the addition of Title 4, Chapter 4.01, "Arts Commissions" as follows:

Chapter 4.01

ARTS COMMISSION

Sections:

4.02.010	Purpose.
4.02.020	Definitions.
4.02.030	General Requirements.
4.02.040	Administrative Responsibilities.
4.02.050	Source of Funds.
4.02.060	Establishment, Composition and Terms.
4.02.070	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, 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:

Reserved

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.

B. Any public art chosen shall be located in a public place with public visibility 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 shall seek input and advice from City departments prior to installation. It shall also advise 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 Administrator regarding the public art selected for installation in coordination with projects contained in the Capital Improvement Program.

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.

Reserved.

4.01.060 Establishment, Composition and Terms.

There is established an arts commission in the city of Ketchum, which shall consist of seven (7) members who shall receive no salary. They shall be appointed by the mayor and confirmed by the city council, and any members may, in a like manner, be removed.

A. One (1) member thereof shall be an outside city resident, but must be a resident of Blaine County, who shall be appointed annually.

B; One (1) member shall be a high school student, who attends school within the boundary of Blaine County School District 61, between the ages of fourteen (14) and eighteen (18) years, who shall be appointed annually.

C. Five (5) members shall be chosen from the residents of the city. The term of office of these members shall be for a term of three (3) years or until a successor is appointed and qualified, whose term shall run for the duration of the existing term, The terms of office of the members shall be staggered in such a manner so that the terms of two (2) of those members shall expire at the end of three (3) years, the terms of three (3) of those members shall expire at the end of two (2) years.. The mayor shall determine which of the first appointed member's term of office shall expire at the first council meeting in April 2009, and which shall expire at the first council meeting in April 2010. Thereafter, the term of office for each appointed member in this section shall be three (3) years. Vacancies shall be filled by appointment of the mayor with the consent of the city council.

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 artists, arts institutions and community organizations sponsoring arts activities, 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 CALUSE. 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, substantially in the form annexed hereto as Exhibit "A," 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 2nd day of April, 2007.

CITY OF KETCHUM, IDAHO

Randy Hall, Mayor

ATTEST:

Sandra E. Cady, CMC
City Treasurer/Clerk

APPROVED AS TO FORM
AND CONTENT:

Benjamin W. Worst,
City Attorney

EXHIBIT A

PUBLICATION OF SUMMARY OF ORDINANCE NO. 1010
CITY OF KETCHUM, IDAHO

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE KETCHUM MUNICIPAL CODE, BY ADDING A NEW TITLE 4, "COMMISSIONS", CHAPTER 4.01, "ARTS COMMISSION"; TO STATE THE PURPOSE AND POLICY OF THE CITY IN ENCOURAGING PUBLIC ART; 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 RESPONSIBILTIES OF THE COMMISSION; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1010 of the City of Ketchum, Blaine County, Idaho, adopted on April 2, 2007, is as follows:

Section 1: Amends Ketchum Municipal Code by adding a new Title 4, "Commissions" and adds a new Chapter 4.01, "Arts Commission".

Section 2: Provides a savings and severability clause.

Section 3: Provides a codification clause.

Section 4: Provides a repealer clause.

Section 5: Provides for publication of a summary of the Ordinance.

Section 6: Establishes the effective date.

The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

CITY OF KETCHUM, IDAHO

Randy Hall, Mayor

ATTEST:

Sandra E. Cady, CMC
City Treasurer/Clerk

STATEMENT OF LEGAL ADVISOR

I, the undersigned attorney at law, duly licensed in the State of Idaho and serving as City Attorney to the City of Ketchum, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 1010 of the City of Ketchum and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated this 2nd day of April, 2007.

Benjamin W. Worst,
Ketchum City Attorney

Publish: Idaho Mountain Express
Date: April 11, 2007