

ORDINANCE NO. 2024-2301

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF SUBSECTION (c) OF SECTION 27-3 OF CHAPTER 27 OF THE CODE OF ORDINANCES, PERTAINING TO EXPENDITURE OF FUNDS IN THE PUBLIC ART FUND; PROVIDING FOR EXPENDITURE OF FUNDS ON PRIVATE PROPERTY WHEN APPROVED BY CITY COUNCIL; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City has an established public art fund providing for expenditures of funds to provide public art on public property;

WHEREAS, opportunities are available to allow for expenditure of public art funds on private property where the art is accessible to the public;

WHEREAS, the City Council wishes to expand the use of public art funds for art on private properties where the public maintains access thereto;

WHEREAS, the City Council has found that this ordinance provides a public purpose and enhances the City's public art fund; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

SECTION 1. Amendment. Subsection (c) Section 27-3 of Chapter 27 of the Code of Ordinances, pertaining to the expenditure of funds in the public art fund and providing as set forth hereafter, is hereby amended as follows (strikeout text is deleted and underlined text is added):

(c) Monies on deposit in the public art fund shall be budgeted and appropriated by city council solely to pay the cost of selection, commissioning, acquisition, installation, maintenance, administration and insurance of works of art installed in public places, and such other places generally available to the public and approved by the City Council upon the execution of an appropriate agreement with the private property owner. Monies derived from a municipal building project may be utilized for the installation of works of art on the project site or on such other city owned property as the city council may designate.

SECTION 2. Enforcement. The provisions of this Ordinance shall be enforced as otherwise provided in the Code of Ordinances.

SECTION 3. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

SECTION 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

SECTION 5. Effective Date. This ordinance shall take effect immediately upon its adoption as provided by law.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 4th day of June, 2024, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 18th day of June, 2024.

ATTEST:

By: _____
Judy Meyers, CMC, City Clerk

By: _____
Alfred C. Davis, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE SOLE USE
AND RELIANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA:

Timothy P. Driscoll, City Attorney CA Approved 5-23-24