

STATE OF GEORGIA

First Reading: August 26, 2013  
Second Reading: September 23, 2013

FULTON COUNTY

**ORDINANCE TO AMEND CHAPTER 14, PARKS, RECREATION & CULTURAL AFFAIRS,**  
**ARTICLE 14.4 , CULTURAL ARTS BOARD, OF THE CODE OF ORDINANCES**  
**OF THE CITY OF ROSWELL**

WHEREAS, State law provides that the governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law; and

WHEREAS, the Mayor and Council of the City of Roswell are charged with the protection of the public health, safety and welfare; and

WHEREAS, the Mayor and Council now wish to update the Ordinance regarding the Roswell Arts Commission:

NOW, THEREFORE, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following amendment:

1.

Chapter 14, *Parks, Recreation & Cultural Affairs*, of the Code of Ordinances of the City of Roswell, Georgia is hereby amended by deleting *Article 14.4, Cultural Arts Board* in its entirety and substituting therefor a new *Article 14.4*, to read as follows:

**Article 14.4 Roswell Arts Commission**

**Section 14.4.1 Establishment of the Roswell Arts Commission**

The Mayor and Council hereby create and establish a Roswell Arts Commission. The Commission shall consist of seven (7) members serving staggered terms. Four-year terms shall be staggered with initial appointments as follows: two (2) members for a term of four (4) years; two (2) members for a term of three (3) years; two (2) members for a term of two (2) years; and one (1) member for a one year term. Members of the Commission shall be appointed by the Mayor with the advice and consent of the City Council. Vacancies shall be filled for the remainder of the term in the same manner that original appointments are made.

The Commission shall elect by majority vote a chairperson from among its members. The chairperson shall serve for one (1) year or until a successor is elected. Only actions of the Commission which are taken from a majority vote of those members present shall have any effect to recommend or promote any purpose herein contemplated. Four (4) members or more of the Commission shall constitute a quorum.

**Section 14.4.2 Qualifications for Service.**

Each member shall be and remain at all times, during his or her incumbency, a resident of the City. No person shall be eligible for appointment, and no person shall be permitted to serve, on the Roswell Arts Commission that serves as a staff member of or on the board of any group or organization which performs or presents at the Roswell Cultural Arts Center. If any member ceases to meet these requirements, the member's office shall be deemed vacant and the member's term ended.

**Section 14.4.3 Duties and Responsibilities.**

(a) The Roswell Arts Commission shall have the responsibility, and it shall be the Commission's principal purpose and duty to be the primary advocate for the arts; to study and make recommendations to the Mayor and Council concerning creating a strong thriving culturally rich arts community and creative economy through collaborative relationships, financial support, services for, and promoting development of arts organizations, artists, cultural activity, and cultural tourism in the City.

(b) The Roswell Arts Commission will advise the Mayor and Council on matters pertaining to the arts, culture, and cultural tourism.

(c) The Roswell Arts Commission shall also have the responsibility and it shall further be the Commission's discretionary duty to:

(1) Monitor, evaluate and assist in efforts to implement the community cultural plan by presenting, advising or recommending matters related to the plan. Examples of matters relating to the plan include, but are not limited to, recommendations on visual and performing arts facilities development, funding for cultural events, activities and programs, and planning for cultural initiatives.

(2) Assist the City in obtaining state, federal and local and private funding for arts and cultural initiatives.

(3) Provide cooperation and assistance to the Mayor and City Council, Planning Commission, Design Review Board, Historic Preservation Commission, and Recreation Commission with any review or evaluation which may assist in preserving or promoting the arts and culture in the City;

(4) Review and recommend to City Council the resident status for resident companies at the Cultural Arts Center; review and recommend rules and regulations governing the use of the Cultural Arts Center subject to the approval of City Council, advise staff of the Cultural Arts Center and other cultural facilities of the City as designated by the City Council, in the scheduling of events, approval of lease agreements for the use of the Cultural Arts Center and other cultural facilities of the City as designated by the City Council; Evaluate and provide strategic oversight for cultural programs and initiatives except those developed under the auspices of the Recreation Commission, the Convention and Visitors Bureau or some other city department with authority to so act.

**Section 14.4.4 Absences.**

The minimum attendance requirement for a Board member shall be two-thirds (2/3) of the regularly scheduled meetings. Failure to adhere to minimum attendance requirements during any twelve-month period shall cause such member's position to be declared vacant.

**Section 14.4.5 Assignment of Liaison.**

The City Council member assigned as liaison to the Administration Department shall serve as an ex officio nonvoting member of the Roswell Arts Commission. The City Administrator shall appoint a staff member to serve as staff support to the Roswell Arts Commission.

2.

*Severability.* Should any court of competent jurisdiction declare any section or part of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

3.

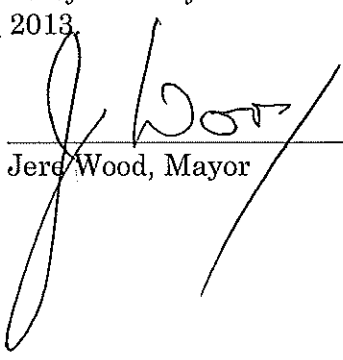
*Repeal of Conflicting Provisions.* All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

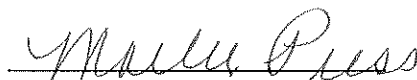
*Renumbering.* It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

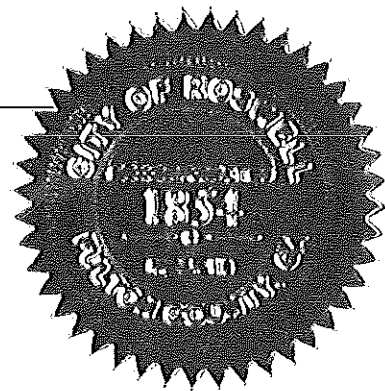
This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the 23<sup>rd</sup> day of September 2013.

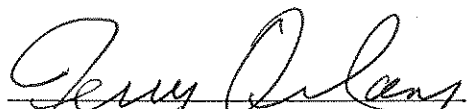
  
Jerd Wood, Mayor

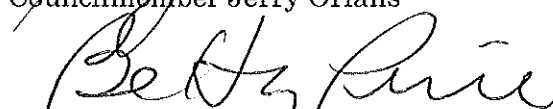
Attest:

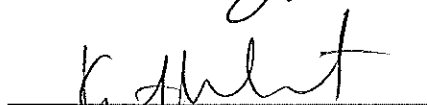
  
Marlee Press, City Clerk




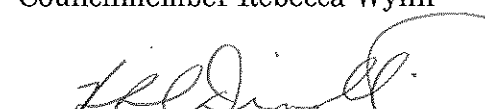
SEAL


  
Councilmember Jerry Orleans

  
Councilmember Betty Price

  
Councilmember Kent Igleheart

  
Councilmember Rebecca Wynn

  
Councilmember Richard Dippolito

  
Councilmember Nancy Diamond