



Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed  
**File created:** 2/3/2014      **In control:** City Council  
**On agenda:** 2/18/2014      **Final action:** 2/18/2014  
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**Title:** An Ordinance to Amend Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-14-02)

**Sponsors:** Jane Lumm, Sumi Kailasapathy, Jack Eaton

**Indexes:**

**Code sections:**

**Attachments:** 1. 14-02 Briefed and Approved.pdf, 2. 14-02 Briefed - Art Ordinance - Chapter 24.pdf, 3. Art Ordinance - Chapter 24

Date	Ver.	Action By	Action	Result
2/18/2014	1	City Council	Held and Closed	
2/18/2014	1	City Council	Adopted on Second Reading	Pass
2/3/2014	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-14-02)

This amendment would allow City Council to amend the FY14 or any future budget to return to their funds of origin public art funds (including pooled funds) that were allocated under the previous percent-for-art ordinance. It does not allow the return of public art funds that are already committed to specific public art projects at the time the budget is amended.

Prepared by: Christopher Frost, Assistant City Attorney

ORDINANCE NO. ORD-14-02

First Reading: February 3, 2014      Approved: February 18, 2014

Public Hearing: February 18, 2014      Published: February 20, 2014

Effective: February 20, 2014

PUBLIC ART

AN ORDINANCE TO AMEND SECTION 1:835 OF CHAPTER 24 (PUBLIC ART) OF TITLE 1 OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor Ordains:

Section 1. That Section 1:835 of Chapter 24 of Title I of the Code of the City of Ann Arbor be amended to read as follows:

**1:835. - Funds for public art appropriated prior to July 1, 2013.**

(1) Prior to July 1, 2012, funds for public art that are included as part of a capital improvement project financed from the City's general fund may be used as part of that capital improvement project for the creation, purchase, production or other acquisition of art incorporated as a part of the capital improvement project, including art located on the site where the project is located. New capital improvement projects financed on or after July 1, 2012, from the City's general fund shall not be subject to the requirements of this subsection (1).

(2) Prior to July 1, 2012, funds for public art that are included as part of a capital improvement project financed from the City's general fund may instead be pooled in a separate public art fund within the general fund. New capital improvement projects financed on or after July 1, 2012, from the City's general fund shall not be subject to the requirements of this subsection (2). Any funds in this pooled public art fund as of June 30, 2012, that are not allocated on or before June 30, 2015, shall be returned to the general fund.

(3) Funds for public art that are included as part of a capital improvement project financed from a City fund other than the City's general fund shall be accounted for within that fund and may be used as part of that capital improvement project for the creation, purchase, production or other acquisition of art incorporated as a part of the capital improvement project, including art located on the site where the project is located.

(4) Funds for public art that are included as part of a capital improvement project financed from a City fund other than the City's general fund may instead be pooled in a separate public art fund within that fund. Public art funds that are held within a city fund other than the general fund shall be expended only on projects that are related to the purposes of that fund.

(5) Funds in pooled public art funds may be used for the creation, purchase, production or other acquisition of art for display in public spaces or facilities; for extraordinary maintenance, repair or refurbishment, including structural reconstruction, and for relocation, alteration and removal of public art.

(6) Funds appropriated for public art as part of a budget that is effective prior to July 1, 2013, including pooled funds and funds appropriated for art components of specific capital improvement projects, shall be expended according to the provisions of this section. Funds appropriated for public art as part of a budget that is effective on or after July 1, 2013 shall not be subject to the provisions of this section.

(7) City Council may, at its discretion, amend the Fiscal Year 2014 budget to return to their respective funds of origin some or all of the funds required to be allocated for public art in Fiscal Year 2014 under the prior ordinance Section 1:833.

(8) City Council may, at its discretion, amend the Fiscal Year 2014 budget or any subsequent budget to return to their respective funds of origin some or all uncommitted funds allocated for public art prior to Fiscal Year 2014 under the prior section 1:833, including funds that have been pooled in accordance with the prior section 1:834, as those sections existed prior to June 11, 2013.

Section 2. That this ordinance shall take effect immediately after legal publication.

**CERTIFICATION**

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of February 18, 2014.

Jacqueline Beaudry, Ann Arbor City Clerk

Date

John Hieftje, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk's Webpage on February, 20, 2014.

Jacqueline Beaudry, Ann Arbor City Clerk

Sponsored by: Councilmembers Lumm, Eaton and Kailasapathy