

Proposed: 8/7/2023

ORDINANCE NO. 123-2023(AS), *Third Reading*

By Mayor Seren

An Ordinance amending Part One, Title Five of the Administrative Code of the Codified Ordinances of the City of Cleveland Heights to enact a new Chapter 142 “Arts Commission” to establish an Arts Commission for the City of Cleveland Heights and provide for appointment, powers, and duties of the commission; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights has not established a formalized mechanism to judge and recommend public art projects, and to facilitate the funding, creation, and enjoyment of the arts in Cleveland Heights; and

WHEREAS, the lack of such an established mechanism has led to a lack of intentional and proactive support for the arts in Cleveland Heights; and

WHEREAS, the City of Cleveland Heights, and this Council, believe that the creation of an Arts Commission will have a positive impact on quality of life for residents of and visitors to Cleveland Heights.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Part One, Title Five Administrative Code of the Codified Ordinances of the City of Cleveland Heights shall be and is hereby amended by adding a new Chapter 142 “Arts Commission” to read as follows:

**CHAPTER 142 ARTS COMMISSION**

**142.01 ESTABLISHMENT, COMPOSITION, TERM, REMOVAL, AND VACANCY.**

- (a) There is hereby established in the City an Arts Commission.
- (b) The Commission shall consist of five (5) members, appointed by the Mayor, subject to confirmation by a majority of Council, none of whom shall hold other municipal office or employment with the City.
- (c) Members of the Commission shall be residents of the City of Cleveland Heights, appointed on the basis of training and experience in the arts, including but not limited to arts creation, funding, management, and promotion.
- (d) The original appointments for the terms beginning October 1, 2023 are to consist of three (3) members appointed for a three (3) year term, and two (2) members

appointed for a two (2) year term. Thereafter, all appointments to the Commission shall be for a three (3) year term.

- (e) Members of the Commission may be removed by the Mayor, subject to Council confirmation.
- (f) Vacancies shall be filled for the remainder of unexpired terms in the same manner as the original appointments.

**142.02 PURPOSE, DUTIES.**

- (a) The purpose of the Cleveland Heights Arts Commission is to act in an advisory capacity to the Council and the Mayor related to arts policies, programs, and projects in order to help facilitate improved funding, creation, and enjoyment of the arts in the City.
- (b) To fulfill the above purpose, the Commission shall provide recommendations to the Mayor for public art projects, and arts programming; and shall provide legislative and budgetary recommendations to the Mayor and the Council in support of the arts in the City.

**142.03 COMPENSATION.**

No compensation shall be paid to any member of the Arts Commission for services performed on this Commission.

**142.04 ORGANIZATION, MEETINGS, OFFICERS.**

- (a) The Commission shall hold an organizational meeting annually in October to determine a schedule of regular meetings and to select officers.
- (b) The members of the Commission shall choose one member to serve as Chairperson for a period of one (1) year or until a successor has been chosen. The Chairperson shall preside over meetings of the Commission. In the absence of the Chairperson, a temporary Chairperson shall be elected by those present to preside over the specific meeting during which the temporary Chairperson was elected.
- (c) The members of the Commission shall choose one member to serve as Secretary for a period of one (1) year or until a successor has been chosen. The Secretary shall keep or cause to be kept a record of the meetings and actions of the Commission. The Secretary shall also provide notice or cause notice to be provided for public meetings of the Commission.

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SECTION 2. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely appoint members of this Commission such that the Commission can timely hold its organizational meeting and begin necessary work improving arts policy and programming in the City as provided in this Ordinance. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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MELODY HART  
President of Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor:

Approved:

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KAHLIL SEREN  
Mayor