



CO00016005

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 06-026

RELATING TO FUNDING THE COUNTY ARTS PROGRAM,
REQUIRING A 1% CONTRIBUTION TO THE ARTS FUND
FROM CERTAIN COUNTY CONSTRUCTION PROJECTS,
AMENDING CHAPTER 2.95 SNOHOMISH COUNTY CODE AND
REPEALING CHAPTER 4.89 SNOHOMISH COUNTY CODE

BE IT ORDAINED:

Section 1. Snohomish County Code Section 2.95.020, adopted by Amended Ordinance No. 04-063 on July 28, 2004, is amended to read:

2.95.020 Definitions.

In this chapter, unless the context clearly requires otherwise,

(1) "arts commission" means the Snohomish county arts commission established by SCC 2.95.010;

(2) "arts fund" means the fund created by SCC 2.95.080;

(3) "arts program" means the arts program established pursuant to SCC 2.95.050;

(4) "arts program administration" means staff responsibilities incidental to aiding the arts commission in implementing this chapter;

(5) "the arts" means all visual and performing artistic media. Visual media include but are not limited to drawing, tapestry, weaving, painting, mural, fresco, sculpture, mosaic, photograph, calligraphy, collage, assemblage, artist made or designed building parts, floor, wall or ceiling treatments, railings, corbels, lintels, beams, benches, and structural or functional elements of a building or structure. Performing media include but are not limited to music, theater, dance, storytelling, and performance art;

(6) "cost" of a county construction project means only the county-funded portion of a county construction project, provided that "cost" shall not include the cost of real property acquisition, equipment or furnishings, and provided further that if the source of construction funding or other applicable law precludes the arts as an object of expenditure of funds, "cost" shall exclude the funds so precluded;

(7) "county construction project" means any project funded wholly or in part by the county to construct or remodel any building, park or public space owned wholly or in part by the county, provided that such project has a cost of at least \$100,000, and provided further that "county construction project" shall not mean a project or portion of project involving county public roads, surface water management, airport airfield or airport lease related structures; and

((6))(8) "works of art" mean products of the arts. Works of art may also include an area or space specifically designed, constructed and managed as a display area for visual media or a performance venue for performing media.

Section 2. Snohomish County Code Section 2.95.040, adopted by Amended Ordinance No. 04-063 on July 28, 2004, is amended to read:

2.95.040 Duties and powers of arts commission.

The arts commission

- (1) shall advocate for the arts as a part of Snohomish county's culture;
- (2) shall recommend an annual arts program to the county executive for proposal to the county council for approval, which recommendation shall detail the proposed sources of funding for the arts program, including the funding provided by SCC 2.95.080(2);
- (3) shall recommend criteria for the selection of any artist or work of art to be funded through the arts program, such selection criteria to be submitted to the county executive for approval;
- (4) shall provide periodic reports to the county executive on recommended acquisitions of works of art;
- (5) shall recommend to the county executive the public site or sites at which to install, display, mount or perform any work of art funded through the arts program;
- (6) shall advise the county executive on the maintenance, conservation, removal, relocation, or alteration of any public arts facility or work of art owned by or loaned to the county;
- (7) shall make recommendations to the county executive on the funding for specific works of art;
- (8) may seek private or public donations and grants for the arts program, and
- (9) shall provide an annual written report to the county council on or before September 1 of each year that describes the activities of the commission during the current calendar year and contains the arts program described in ~~((section))~~ SCC 2.95.050.

Section 3. Snohomish County Code Section 2.95.080, adopted by Amended Ordinance No. 04-063 on July 28, 2004, is amended to read:

2.95.080 Arts fund.

- (1) The arts fund is hereby established.
- (2) The budget for each county construction project shall include an amount equal to one-half of 1% of the cost of the county construction project as defined in 2.95.020(6) and 2.95.020(7) plus an additional one-half of 1% in the event matching funds from any non-county source are available, which amount shall be deposited in the arts fund from the funds identified in that budget. The department responsible for the county construction project shall make or initiate the deposit into the arts fund. The county finance committee shall develop a policy that establishes the time and manner for the making of these deposits into the arts fund.
- (3) The county may in the annual budget ordinance provide for additional contributions to the arts fund.
- ~~((3))~~(4) Private or other public contributions to the county for the arts, including but not limited to grants, bequests and gifts, shall be deposited into the arts fund. At the request of the donor, a contribution may be limited to a particular work or works of art as approved by the county executive and county council acting by motion.
- ~~((4))~~(5) Any other proceeds or revenues dedicated to the county arts program shall be deposited into the arts fund.
- ~~((5))~~(6) The costs of arts program administration may be paid from the arts fund.

~~(((6)))~~(7) Amounts on deposit in the arts fund, less the costs of arts program administration, shall be expended only on works of art recommended by the arts commission and approved by the county executive pursuant to SCC 2.10.010, and thereafter approved by the county council pursuant to SCC 2.95.040(2). Expenditures from the arts fund may be made to create works of art, to acquire works of art, and to install, display, maintain or perform works of art. ~~((Expenditures from the arts fund need not be made on works of art to be installed, displayed, maintained or performed on or in connection with the county construction projects from which 1% contributions were made pursuant to SCC 2.95.080(2).))~~ All expenditures from the arts fund shall be subject to appropriation by the county council.

Section 4. Repeal. Snohomish County Code Chapter 4.89, adopted by Ordinance No. 92-118 on November 4, 1992, is repealed.

PASSED this 14th day of June, 2006.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson

ATTEST:


Asst. Clerk of the Council

- APPROVED
 EMERGENCY
 VETOED

DATE: 6/28/06


County Executive

ATTEST:

Approved as to form only:

Deputy Prosecuting Attorney

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