

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1197**

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO,
AMENDING CHAPTER 3, ARTICLE I, OF THE *FREDERICK
MUNICIPAL CODE* WITH RESPECT TO ART IN PUBLIC PLACES**

WHEREAS, THE Board of Trustees has determined that it is in the best interests of the community to amend the Art in Public Places chapter to clarify certain provisions therein.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. Chapter 3, Article I, Section 3-2(4) of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

“**Sec. 3-2(4).** (4) *Construction project* means the construction, rehabilitation, renovation, remodeling, equipping or improvement of any building, street, park, utility line or public improvement by the Town, including all associated landscaping, parking and the like, but excluding any other improvements exempted by the Board of Trustees from the requirement of Section 3-3 below after a public hearing thereon.

Section 2. Chapter 3, Article I, Section 3-3 of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

3-3 Funds for works of art.

(1) There shall be included in all estimates of necessary expenditures and all requests for authorizations or appropriations for construction projects by Town staff, a fee for works of art in an amount equal to at least one percent (1%) of the construction cost. If any project is partially funded from any source which precludes art as an object of expenditure of funds, then this Section shall apply only to the amount of funds not so restricted. All funds set aside for works of art shall be paid into the Art in Public Places Fund.

(2) General maintenance of works of art, not including repairing damage to those works of art shall be paid for from funds budgeted and appropriated out of the general fund.

Section 3. Chapter 3, Article I, Section 3-4 of the *Frederick Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

3-4 Accounts established.

There is hereby established a separate account to be known as the Art in Public Places Fund. Said account shall be credited with such funds as determined by the Board of Trustees and with all funds received by the Town for art in public places, whether contributed, earned, secured through grants or otherwise obtained. Moneys credited to such account shall be expended only for the commissioning and/or acquisition of works of art and repair of works of art and the expenses of the administration of this Chapter.

Section 4. Effective Date. This ordinance shall be published and become effective as provided by law.

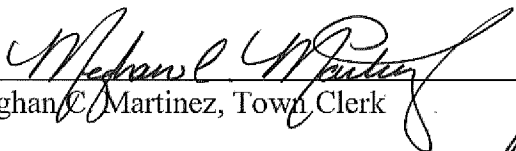
Section 5. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

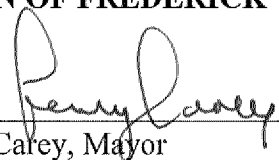
Section 6. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED
THIS 14TH DAY OF JULY, 2015.**

ATTEST:

TOWN OF FREDERICK

By 
Meghan C. Martinez, Town Clerk

By 
Tony Carey, Mayor

