

**BOROUGH OF SHARON HILL
COUNTY OF DELAWARE
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. 1380**

**AN ORDINANCE AUTHORIZING AND ESTABLISHING AN ARTS AND CULTURAL
COMMISSION, DESIGNATING THE PURPOSES FOR THE COMMISSION, DUTIES
AND APPROPRIATING FUNDS FOR ITS OPERATION**

WHEREAS, the Borough of Sharon Hill is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania, including but not limited to the Borough Code; and,

WHEREAS, the Council of the Borough of Sharon Hill, is empowered to establish ordinances providing for the health, welfare and safety of Borough residents and visitors; and,

WHEREAS, the Pennsylvania Borough Code empowers the Borough of Sharon Hill to make grants annually to local arts council, commission or coordinating agency or any other nonprofit corporation engaged in the production or display of works of art, including the visual, written or performing arts, including the display or production of theater, music, dance, painting, architecture, sculpture, arts and crafts, photography, film, graphic arts and design and creative writing; and

WHEREAS, Borough Council has determined that it is in the best interests of the health, safety and general welfare of Sharon Hill Borough to establish and arts and cultural commission to provide leadership for Sharon Hill in supporting art and culture, and to recommend programs and policies that develop, sustain and promote artistic and cultural excellence in the community, provide opportunities to diversity and promote interaction between neighbors through art and/or cultural events to honor and preserve it; and,

NOW THEREFORE this 23rd day of April 2015, the Council of the Borough of Sharon Hill hereby **ORDAINS**:

SECTION I.: The Code of the Borough of Sharon Hill shall be amended to add a Section entitled "Arts and Cultural Commission," which shall provide as follows:

A. AUTHORIZATION.

The Council of the Borough of Sharon Hill ("Borough Council") hereby signifies its intention to and does hereby create an organization arts and cultural commission in the Borough of Sharon Hill.

B. NAME.

The name of this organization shall be the Sharon Hill Arts and Cultural Commission (hereinafter referred to as the "Commission").

C. PURPOSE.

The Commission serves the Borough Council as policy advisors and proponents for a vibrant cultural environment in Sharon Hill. The Commission helps guide implementation of a Borough Arts Program, advocates for public art and cultural activities that enhance the identity and enjoyment of Sharon Hill, encourages community collaborations, and initiates cultural programs that integrate, support, and advance arts and culture as an essential part of life in Sharon Hill.

D. COMMISSION COMPOSITION.

The Commission shall have a five (5)-member board appointed by Borough Council. All members shall be residents of Sharon Hill. The terms of office of the first members of the Board shall commence on the date of appointment and shall be computed from the first Monday in September 2015. Membership on the Commission shall be staggered. There shall be two (2) members each with four (4) year terms; two (2) members each with two (2) year terms; and one (1) member with a one (1) year term. The Borough Council shall have the exclusive right and power to appoint all subsequent members to the Commission. Any person appointed by the Borough Council to fill a vacancy created by death, incapacity, disqualification, resignation, or removal shall only serve the remaining unexpired term held by the replaced member of the Commission. All members appointed to the Commission hereafter to fill a vacancy created by the expiration of a member term shall serve a term of four (4) years. The Borough Council shall have the exclusive right and power to appoint all subsequent members to the Commission.

E. FINANCES.

The Commission shall be funded through voluntary donations. In addition, Sharon Hill Borough may, on an annual basis, provide appropriate funding for Commission projects. The Commission shall, no later than September 1 of each year provide to Borough Council any request for funding during the ensuing fiscal year. The Commission may not pledge the credit or taxing power of Sharon Hill Borough, and Sharon Hill Borough shall not be liable for the payment of principal, interest, late charges, or penalties on obligations of the Commission.

F. MEETINGS OF THE COMMISSION; REPORTS TO COUNCIL.

The Commission shall meet at a minimum quarterly. A majority of the Commission shall constitute a quorum and any action taken at any meeting shall require the affirmative vote of a majority of the Commission. The members shall provide accurate and complete minutes of their meetings and make an annual report to the Borough Council, including but not limited to a detailed report of activities and all receipts and expenditures.

G. ORGANIZATION; RULES; AND, REGULATIONS.

The Commission shall annually select from its membership a chairperson, vice-chairperson, secretary, and such other officers as it may deem necessary. The Chairperson shall be

responsible for directing, proposing, and guiding the Commission to reach its stated purposes and objectives. The Vice-Chairperson shall assume the duties of the Chairperson in the absence of the Chairperson, or in the case of a vacancy in the Office of Chairperson. The Secretary shall record, communicate, and research all matters related to the Commission.

The Commission shall adopt such rules and regulations as it deems proper, including, but not limited to, a requirement of regular periodic meetings, and rules of procedure and decorum, provided, however, that such rules and regulations shall not conflict with the terms of this Chapter, the Code of Ordinances for the Borough of Sharon Hill, or the laws of the Commonwealth of Pennsylvania.

H. DUTIES OF THE COMMISSION.

The Commission shall have all powers and duties conferred and imposed by the laws of the Commonwealth upon such commissions.

SECTION II: All persons employed or appointed by Sharon Hill Borough are authorized to take all action necessary to ensure implementation of and effect the purpose hereof.

SECTION III: All Ordinances and/or Resolutions, or parts thereof, conflicting herewith are repealed insofar as the matters herein are affected.

SECTION IV: The provisions of this Ordinance are severable, and if any clause, sentence, subsection or section hereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair or invalidate the remainder but shall be confined in its operation and application to the clause, sentence, subsection or section rendered. It is hereby declared the intent of the Borough Council that this ordinance would have been adopted if such illegal, invalid, or unconstitutional clause, sentence, subsection, or section had not been included therein.

SECTION V: This is effective immediately upon enactment according to law, and shall remain in effect hereafter until revised, amended, or revoked by action of the Borough Council.

ADOPTED by the Borough Council this 23rd day of April 2015.

Council President

APPROVED by the Mayor, this ___ day of _____, 2015.

Mayor

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said ordinance duly adopted at a meeting of Borough Council held on the 23rd day of April 2015.

, Secretary