

ORDINANCE NO 2005-06

**AN ORDINANCE OF THE CITY OF MONROVIA, CALIFORNIA,
REGARDING ART IN PUBLIC PLACES, ESTABLISHING THE
LIBRARY IMPROVEMENT FUND AND AMENDING THE
MONROVIA MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA DOES
HEREBY ORDAIN AS FOLLOWS**

WHEREAS, the Monrovia Municipal Code currently imposes a requirement on specified large development projects that requires the developer to include items of public art in their projects or pay a specified fee to the public art fund in lieu of providing public art on site, and

WHEREAS, The City Council finds and declares the public library facility and services in the City similarly promote the culture, aesthetics and quality of life in the City as art in public places

Section 1 A new section 15 44 045 is hereby added to Chapter 15 44 of Title 15 of the Monrovia Municipal Code to read as follows

“15 44 045 Library Improvement Fund

(A) There is hereby established in the city a fund known as the “Library Improvement Fund”, which shall be a depository for in-lieu fees paid pursuant to this Chapter and for library-improvement related monetary donations to the city

(B) The Library Improvement Fund shall be maintained by the Director of Finance and shall be utilized only to acquire, construct or make capital improvements to the Monrovia public library facilities ”

Section 2 Section 15 44 060 of Chapter 15 44 of Title 15 of the Monrovia Municipal Code is hereby amended to read as follows

“(A) The public art requirement shall be satisfied by completing one of the following actions in accordance with this chapter

(1) Donating a public artwork to the city

(2) Installing a public artwork on private property

(3) Paying an in lieu art fee At the option of developer, 50% of the in lieu art fee may be deposited in the Library Improvement Fund

(4) Construction of on-site improvements pursuant to a disposition and development agreement with the Monrovia Redevelopment Agency

(B) If the artwork value of a public artwork used to satisfy the public artwork requirement is less than the amount of the in lieu art fee that otherwise would be applicable to the development project, then the difference shall be paid to the city and deposited in the Art in Public Places Fund and/or in the Library Improvement Fund, as provided in this Section 15 44 060 ”

Section 3 Severability If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance The City Council hereby declares that it would have passed this Ordinance, each sentence, clause or phrase thereof, and the Chapter this Ordinance amends irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid

INTRODUCED this 15th day of November, 2005

PASSED, APPROVED and ADOPTED this 6th day of December, 2005 by the following vote

**AYES
NOES
ABSTAIN
EXCUSED**

BY

Rob Hammond, Mayor
City of Monrovia

ATTEST

APPROVED AS TO FORM

Linda B Proctor, MMC, City Clerk
City of Monrovia

Craig A Steele, City Attorney
City of Monrovia

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONROVIA)

I, LINDA B PROCTOR, MMC, City Clerk of the City of Monrovia, California, do hereby certify that the foregoing Ordinance No 2005-06 relating to the requirement of art in public places was duly adopted and passed at a regular meeting of the City Council on the 6th day of December, 2005 by the following vote

AYES
NOES
ABSTAIN
EXCUSED

ATTEST

Linda B Proctor, MMC, City Clerk
City of Monrovia