

TITLE 2

CHAPTER 1

ARTS COMMISSION**SECTION**

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2-101. Creation, purpose. There is hereby created an Arts Commission which shall work to expand the public experience with the visual arts; to promote the artistic and cultural development of the community by supporting the development of artists and their access and exposure to the community; to support diversity in the arts; and to encourage the active participation of all citizens in making art a valuable aspect of their daily lives.

2-102. Chair / membership. The commission shall elect a chair and vice-chair from its membership for a term of one year. The commission shall consist of six (6) citizen members, all of whom shall be appointed by majority vote of the town council. In addition, the Council shall appoint one (1) town council member to a two year term to serve on the commission. The members must be residents of the Town of Smyrna. Members shall be selected from among applicants who are active in arts and cultural activities and who demonstrate interest or accomplishments in one or more of the following art disciplines: music; dance; theater; cinema; photography; architecture; art criticism; textile arts; literary arts; and the visual arts; including (but not limited to) the public or environmental arts; graphic arts, design, drawing, painting, printmaking, sculpture, ceramics, and art history; or experience in any of the following: arts education, aesthetic decision-making, financial or organizational management for nonprofit organizations; or community-based arts projects.

Each member shall hold his or her seat for a period of two (2) years from the date of appointment, but the terms shall be staggered so that not more than four members' terms of office shall expire in any one year. Members may be reappointed, except that a member who has served two full two-year terms may not be reappointed until one full year after the date of expiration of his or her immediate previous term of office, excluding the appointed council member that serves at the will of the Mayor. In case of a vacancy, a successor to serve the remainder of the term shall be appointed by the Town Council, after receiving recommendations on the applicants from the Mayor. Members of the commission shall serve without compensation.

2-103. Removal of members, filling of vacancies. The town council shall have the power, upon a majority vote of said town council, to remove from office any or all said members of the said arts commission for nonperformance of duties or for misappropriation of wrongful use of funds which are allocated to the commission or which are received by the commission from other sources. Should a vacancy occur, then the vacancy shall be filled by appointment by a majority vote of the Town Council at the next council meeting after which the vacancy occurs, which appointee shall fill the unexpired term of the vacant position.

2-104. Quorum, meetings, and bylaws. A majority of the members of the commission shall constitute a quorum for the transaction of business. They may hold general or special meetings in the town hall at such times as they may by order direct and may make and establish such reasonable bylaws, rules, and regulations as may be necessary for their own government and for the full and complete execution of their powers and duties.

2-105. Record of proceedings to be kept. The Town shall keep a permanent record of the proceedings of the commission in a book provided for that purpose. All minutes of the meetings of the commission shall be public records.

2-106. Goals and objectives. The commission shall consider the following list of objectives and goals but shall not be bound by any one of them and further may consider any other matters which would further the stated purpose, powers, and duties of this commission. The list of items which may be considered includes:

- (1) To organize and advise the town council on proposed community arts projects;
- (2) To review and make recommendations on the technical and aesthetic aspects of proposed community artwork;
- (3) To organize competitions for artistic works in public places;
- (4) To implement the goals, objectives and policies of the arts master plan adopted by the town council; and
- (5) To perform such other duties pertaining to art as the council from time to time may require.

2-107. Powers and duties. The commission shall serve as an advisory and reporting agency of the Town of Smyrna and the town council. The commission shall make such studies and perform inquiries so as to promote the artistic and cultural development of the community. The commission shall carry on such educational programs as it may deem advisable in the promotion of its purpose and may hold such meetings and conduct such public forums as will promote its purposes. The commission shall make such recommendations to the town council as it deems advisable in connection with projects, programs or developmental betterment of the Town of Smyrna.

2-108. Limitation on Powers of the Commission. The Commission shall have no authority in law, in fact, by implication or otherwise to bind the Town of Smyrna or the mayor or the town council, for any contractual obligation unless specifically authorized and permitted by resolution or ordinance of the town council dealing upon the particular subject thereof and which said limitation shall include the prohibition upon commission from incurring any monetary liability whatsoever on the part of the Town of Smyrna or the mayor or town council.

2-109. Use of position for private gain is prohibited. No member of the Arts Commission may use his or her position to obtain or attempt to obtain any personal gain, including any gain that would accrue to the commission member in the form of compensation for outside employment activities. A member of the Arts Commission may not receive compensation and may not permit compensation to accrue to his or her beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his or her position in the Arts Commission. No member of the Arts Commission may use his or her position with the commission to obtain or attempt to obtain private gain or advantage for other persons.