

O R D I N A N C E

Year - 1992 Number -130-

To amend the Arts, Cultural and Community Affairs Policy, as amended by Ordinance Nos. 101 and 135 of 1981, and No. 62 of 1988, to provide for three-year terms of office of the Panel regarding allocation of the one-third of the Hotel/Motel Tax, which has been reenacted for another three years; and repealing Ordinance Nos. 101 and 135 of 1981, and No. 62 of 1988.

Whereas, the Arts, Cultural and community Affairs Policy was originally adopted by Ordinance No. 75 of 1981, and amended by Ordinance Nos. 101 and 135 of 1981, and No. 62 of 1988, which established a seven-member Cultural Affairs Panel regarding allocation of the one-third of the Hotel/Motel Tax; and

Whereas, Ordinance No. 75 of 1992, amended Sec. 183.13 of the Codified Ordinances entitled "Expiration," which reenacted the Motel/Hotel Excise Tax for three years, from July 22, 1992 through July 21, 1995; therefore, the terms of office of said Panel should be amended from four to three years, as discussed at Council Conference on October 12, 1992. Now, therefore,

BE IT ORDAINED by the Council of the City of Portsmouth, Ohio:

SECTION I. That the Arts, Cultural and community Affairs Policy, originally adopted by Ordinance No. 75 of 1981, and amended in part by Ordinance Nos. 101 and 135 of 1981, and No. 62 of 1988, which established a seven-member Cultural Affairs Panel regarding allocation of the one-third of the Hotel/Motel Tax, shall be amended to read as follows:

POLICY OF THE CITY OF PORTSMOUTH
ON THE
ARTS, CULTURAL AND COMMUNITY AFFAIRS

WHEREAS, the Council of the City of Portsmouth officially recognizes that availability of the arts, cultural and community activities (hereinafter referred to as arts) is a service essential to the fostering of creativity and freedom of thought, imagination and inquiry in a democratic society, and

WHEREAS, the citizens involved and the art and cultural institutions of Portsmouth contribute to and provide cultural, educational, entertainment and recreational benefits available to and used by the citizens of the City and thereby enhance the public welfare, environment and quality of life, and

WHEREAS, this Council recognizes that the arts have been and will continue to be economically advantageous to the City of Portsmouth through its employment of creative individuals, its attraction of tourism dollars, and its enhancement of

the City's appeal to prospective new business and industry;
and

WHEREAS, it is necessary and appropriate for the City government to complement, assist and foster programs for the advancement of the arts and the humanities by private agencies and their organizations, and

WHEREAS, revenue is presently available for support of the purpose hereinabove identified from the tax levied by the City upon room rentals at hotels and motels, in an amount equal to one-third (1/3) of the revenues generated from such tax, and whereas it is contemplated that additional funds will become available to the City for the support of the purposes herein identified, which funds shall herein be referred to as the "Funding," and

WHEREAS, this Council desires hereby to establish procedures and policies for allocation and distribution of the Funding in the manner most likely to foster said purposes:

1. One-third Hotel/Motel Tax: The funding for distribution shall be known as the Cultural/Arts Community Fund, and shall be disbursed from time to time in the discretion of the City Council. In order that Council may be fully informed in the use of such discretions, a Cultural Affairs Panel is hereby created for the purpose of monitoring the relative merits of various organizations and projects consistent with the purposes herein expressed and making recommendations to the City Council with respect to its allocation of the Discretionary Funds. Such panel shall make its report and recommendations for funding to Council not less frequently than annually. The Panel shall consist of seven (7) members, who must be residents of the City of Portsmouth, and who shall be appointed in the following manner: each member of Council shall appoint one member and the President of Council shall appoint two members. Said terms of office shall be for three (3) years, from the date of their appointment. Such Panel shall meet not less frequently than semi-annually, shall adopt its own by-laws to govern its proceedings, shall elect its own officers, shall keep written minutes of its proceedings, and the minutes shall reflect the decision making process of the recommended disbursements.

a. ELIGIBILITY

Grant funds may be requested by organizations which meet the following criteria. Grants are not presently available to individuals.

1. The applicant must be a non-profit organization, association or institution in which no part of earnings inures to the benefit of any individual and to which donations are allowable as a charitable

contribution under Section 170(c) of the U. S. Internal Revenue Code.

2. The applicant organization must reside in the City of Portsmouth and perform within the City.

3. The applicant organization must in most cases, have a Board of Directors and should have a support group drawn from the community. In general, the organization should have been in existence for at least one (1) year and preferably more.

4. City of Portsmouth agencies and departments, colleges, public and private school districts may not apply.

b. METHODS OF FUNDING

Grants from the City of Portsmouth must be matched by the recipient on a dollar-for-dollar basis, either in matching dollars or in-kind services. Matching dollars must be from non-City government sources.

General Guidelines

1. City grants will not normally be given for capital improvements, administrative costs, mortgage payments, building construction or renovation, or for the purchase of permanent equipment or real property. Any exceptions to this policy requires two-third (2/3) approval of the Board.

2. City grants may not be used for fund raising events.

3. Funds are not available for scholarship programs of any organization.

4. In any event sponsored with City grants, the following credit shall appear in all publicity and on printed programs which are distributed.

"The (activity, performance, event) on this program is made possible in part through the sponsorship by the City of Portsmouth, Ohio."

5. Where applicable, requests for grant should be made to Federal and State funding agencies (National Endowments, Ohio Arts Council, etc.).

SECTION II. That Ordinance Nos. 101 and 135 of 1981, and No. 62 of 1988, be and the same are hereby repealed.

SECTION III. The City Clerk of the City of Portsmouth, Ohio, is hereby authorized and directed to publish the within ordinance by posting a true and authenticated copy thereof on the bulletin board in the lobby of the second floor of the Municipal Building of said City for a period of not less than fifteen (15) days.

SECTION IV. This ordinance directing administrative action as provided for in Section 12 of the Charter of the City of Portsmouth, Ohio, shall be in force and effect from and after its passage.

Passed this 26th day of October, 1992.

Attest:

J. [Signature]
City Clerk

A. P. [Signature]
President of Council