

**AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE TO
REESTABLISH THE WILMINGTON ARTS & CULTURE COMMISSION**

#0069

Sponsor:

**Council
Member
Darby**

WHEREAS, the City of Wilmington recognizes that arts and culture are essential to the city's economic development, public health, youth engagement, neighborhood revitalization, and collective well-being; and

WHEREAS, a vibrant and equitable arts ecosystem fosters civic pride, increases property values, and supports the creative economy through job creation, entrepreneurship, and tourism; and

WHEREAS, the Wilmington Arts Commission, previously established to oversee cultural affairs, has become defunct, creating a leadership vacuum in arts policy and program coordination; and

WHEREAS, Wilmington's diverse and talented arts community lacks a formalized structure for public participation, funding access, and decision-making support at the municipal level; and

WHEREAS, many cities nationwide have empowered cultural commissions to elevate community voices in shaping public art, policy, funding priorities, and cultural equity; and

WHEREAS, green spaces, including community gardens and urban farms, play a vital cultural role in Wilmington and should be elevated as artistic and educational hubs; and

WHEREAS, the City seeks to formally reestablish the Wilmington Arts Commission as the Wilmington Arts & Culture Commission to enhance coordination, expand funding streams, and uplift the cultural, environmental, and artistic vibrancy of Wilmington; and

WHEREAS, the Commission will serve as an official advisory board to Cityfest, Inc., the City’s nonprofit partner, to help guide equitable festival planning, artistic programming, and funding decisions in alignment with community priorities.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON
HEREBY ORDAINS:**

SECTION 1. A new division, Division 20, is hereby added to Chapter 2 (“Administration”), Article III (“Boards, Commissions and Similar Entities”) is amended by deleting the stricken language and adding the underlined language as follows:

DIVISION 20. – WILMINGTON ARTS & CULTURE COMMISSION

Sec. 2-150.91. – Authorization; responsibilities.

- (a) *Authorization.* The Wilmington Arts & Culture Commission is hereby established as the official advisory board on arts and culture for the Mayor and City Council.
- (b) *Duties and responsibilities.* The Commission shall be responsible for:
 - (1) Reviewing and approving the allocation of funds for art in construction contracts, as described in sections 2-586 through 2-593 of the city code, and other cultural projects, and garden-based art initiatives.
 - a. Garden-based art initiatives shall refer to creative programming, installations, performances, or education activities occurring in community gardens, green spaces, or urban farms that integrate visual, performing, or cultural arts
 - (2) Administering arts and culture grants to local artists and organizations, and community gardens that incorporate artistic or cultural elements.
 - (3) Developing policies to increase access to arts education, green spaces as cultural hubs, and public arts programming.
 - (4) Advising on citywide arts initiative and integration of arts into public space.
 - (5) Advising on and participating in planning of city-sponsored festivals and cultural projects
 - (6) Supporting equitable usage of public art spaces and creative infrastructure across neighborhoods
 - (7) Serving as an advisory board to Cityfest, Inc., for artistic direction, equity goals, and funding strategies

Sec. 2-150.92. – Composition; Term Limits.

- (a) The Commission shall reflect the racial, geographic, gender, and cultural diversity of Wilmington’s communities and shall consist of thirteen (13) members, appointed as follows:

- (1) Two (2) local artists, appointed by the Mayor
 - (2) One (1) member from the business/creative economy section, appointed by the Mayor
 - (3) One (1) Youth Representative (aged 18-25), appointed by the Mayor
 - (4) One (1) representative from community gardens or urban green spaces, appointed by the Mayor
 - (5) One (1) cultural historian or preservation expert, appointed by the Mayor
 - (6) Two (2) representatives from Arts Organizations, appointed by the President of City Council
 - (7) One (1) representative from the Wilmington Public Library or humanities section, appointed by the President of City Council
 - (8) One (1) Community Arts Advocate, appointed by the President of City Council
 - (9) One (1) environmental artist or landscape designer, appointed by the President of City Council
 - (10) Two (2) at-large Community Representatives, appointed by the President of City Council
- (b) Term limits. Members shall serve staggered three-year terms, with a maximum of two terms (consecutive or non-consecutive).
 - (c) Vacancy. Vacancies shall be filled within sixty (60) days by the appropriate appointing authority.
 - (d) By-laws. The Commission is entitled to enact its own by-laws to conduct its business, subject to administrative board approval.
 - (e) Chairperson. Each year during or before the month of December, the Commission shall elect a chairperson and vice chairperson from among its members. The chairperson and vice chairperson shall serve one year from January 1 until December 31.

Sec. 2-150.93. – Public reporting.

- (a) The Commission shall meet at least once per quarter.
- (b) All Commission meetings shall comply with all public meeting laws, including the Delaware Freedom of Information Act, 29 Del. C. § 10001 et seq.
- (c) The Commission shall submit an annual report to the City Council's Education, Youth & Families Committee detailing:
 - (1) Projects funded, completed, and in progress;
 - (2) Financial statements and budget expenditures; and
 - (3) Impact assessments on Wilmington's cultural, economic and green space landscapes
 - (4) The annual report shall include both quantitative metrics (e.g., funding totals, number of public art projects) and qualitative outcomes (e.g., community engagement stories, testimonials, and visual documentation).

Sec. 2-150.94 – Implementation and Oversight.

The Mayor's Office of Cultural Affairs shall provide administrative support to the Commission.

Sec. 2-150.95. – Biannual review.

City Council shall conduct a formal review of the Commission every two (2) years to assess compliance with this division and overall performance and effectiveness.

SECTION 2. Section 2-587 of the City Code is amended by deleting the stricken language and adding in the underlined language to read as follows:

Sec. 2-587. – Definitions.

The following words, terms, and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commission means the Wilmington Arts & Culture Commission. ~~The arts commission is a city corporation authorized by Resolution No. 76-065 and by Resolution Nos. 78-232 and 82-185. Pursuant thereto the Wilmington Arts Commission, Inc., has been incorporated with a charter providing inter alia that the board of directors of such corporation shall consist of three employees of the city to be appointed by and serve at the pleasure of the mayor; three members of the city council to be designated by the president of the city council; and up to nine other members to be appointed by the mayor and whose terms shall be regulated by the bylaws of the corporation.~~

SECTION 3. The City shall take the necessary steps to dissolve the current Wilmington Arts Commission in accordance with applicable corporate law.

SECTION 4. This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading.....June 5, 2025
Second Reading....June 5, 2025
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this _____ day of _____, 2025

Mayor

SYNOPSIS: This Ordinance amends Chapter 2, Article III by creating a new Division 20, restarting the Wilmington Arts Commission.

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance should be *de minimis*.