



## Display of Public Artwork on City-Owned Property

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Subject: Public Art	Mayor's Approval Date:
	Effective Date:

### Purpose

- 1) The City of Gahanna values the importance of art in adding to the vibrancy of the community. As an owner of property throughout the City, the City has the opportunity to make spaces available to advance art and enhance the beauty of the city.
- 2) In part, the City speaks through the art that it decides to display on its property. As a result, the City must have a thoughtful process to determine what artwork will be displayed on city-owned property.
- 3) The purpose of this policy is to ensure that the display of public artwork on city-owned property is administered thoughtfully and in a way that is consistent with the values of the City as the owner of the property on which artwork is displayed and that respects the work of the artist creating public art and the interests of the public in enjoying the public art.

### Definitions

- 1) "Public Art" means visual artwork that is displayed on property owned by the City of Gahanna or **designated by the City as a public art mural**. For the purposes of this policy, "Public Art" shall not include performing or literary arts such as music, theater, or dance.
- 2) "Temporary Art" means Public Art that is intended to be removed **within six (6) months** from the date on which it is first displayed.
- 3) "Permanent Art" means Public Art that is intended to be in place for more than six months from the date on which it is first displayed.
- 4) "Administrative Approval" means approval by the Program Administrator.
- 5) "Government Speech" means speech that represents the views of the City itself. It is the intention of the City that all displays of Public Art on property owned by the City is government speech. As a result, the City reserves the right to reject any and all Public Art submissions based on the themes or messages expressed, as permitted by applicable law.
- 6) "City" means the City of Gahanna.

### Policy

#### 1) ADMINISTRATION

- a) A five-member, volunteer Public Arts Advisory Committee ("PAAC") shall be established. Membership of the PAAC shall be as follows:
  - i) Two members appointed by the Mayor.
  - ii) Two members appointed by City Council.
  - iii) One member representative of the Gahanna Area Arts Council.
  - iv) The Mayor shall appoint a designee from city staff to serve as the City's Program Administrator for the

PAAC. The Program Administrator may attend PAAC meetings but shall have no voting rights.

- v) All voting members of the Committee shall be current residents of the City of Gahanna.
  - vi) PAAC members shall: Be free of conflict of interest or the potential for financial gain from either the project or the purchase of that specific work of art by the City; Be willing to sign a conflict of interest statement.
  - vii) Appointed voting members shall serve for overlapping two-year terms, beginning January 2. For initial appointments upon the creation of the Committee, one (1) member appointed by the Mayor and one (1) member appointed by the City Council shall serve an initial one (1) year term.
  - viii) A vacancy occurring during the term of any member of the PAAC shall be filled for the unexpired term in the manner authorized for an original appointment as set forth in this policy, providing this is done within forty-five (45) days after the date such vacancy occurs. If an appointment is not made by the appropriate appointing authority within forty-five (45) days after the date such vacancy occurs, the other appointing authority shall make an appointment to the PAAC for the unexpired term.
  - ix) A member of the PAAC may be removed for just cause by the appointing authority for that member. A removed member shall not be eligible for reappointment to the PAAC for a period of five (5) years following removal.
- b) The PAAC shall perform the following functions, as necessary:
- i) Develop and manage the process for the selection of Public Art for display on city-owned Property consistent with the City's procurement policies and procedures, including creating and using a singular, criterion-based, double-blind evaluation process.
  - ii) Engage Gahanna residents in the selection process.
  - iii) Evaluate safety and maintenance concerns when considering Public Art.
  - iv) Review and make recommendations to the City's Program Administrator regarding the approval of submissions to be displayed as Public Art on city-owned Property.
  - v) Provide input to the City's Program Administrator in the selection of site(s) for Public Art; and
  - vi) Assist in developing and implementing promotion strategy, including public dedication event after installation of Public Art.
- c) The City, through its Program Administrator, shall:
- i) Make final determinations on recommendations received from the Committee regarding the display of Public Art on City-owned Property.
  - ii) Make final determination on safety and maintenance.
  - iii) Provide project administration during design review/refinement, construction, and installation.
  - iv) Ensure compliance with applicable zoning code and procedures.
  - v) Upon completion, acquire all Public Art in accordance with the City's procurement policy.
- d) PAAC may provide a written report and/or oral presentation to the City when appropriate. The City may at any time request the PAAC to report regarding its activities.

## 2) ART AND ARTIST SELECTION

- a) The PAAC shall review proposals and make recommendations to the City based on the following criteria:
- i) The artistic merit of the project;
  - ii) The project management capabilities of the artist;
  - iii) The expected lifespan of the project; and
  - iv) Construction, durability, maintenance, environmental impact, and safety.
- b) PAAC members shall not submit an application for the art component. PAAC members shall refrain from



giving advice to applicants or answering their questions and direct such questions to the Program Administrator.

- c) Acquisition of Artwork.
  - i) Direct Purchase: The City may acquire Public Art by directly purchasing it from artists.
  - ii) Donation: The City shall consider donations on a case-by-case basis, with the review and recommendation of the PAAC. In reviewing donated artwork, the PAAC shall use the criteria set forth in this policy.
  
- d) Art On Loan/Temporary Display
  - i) Art on loan to the City must meet the donation requirements above. A formal agreement with terms of the loan including duration, insurance and maintenance shall be entered prior to acceptance of the loaned Artwork.
  - ii) Temporary Art shall be displayed with administrative approval. PAAC approval is not required for the display of Temporary Art.

### 3) OWNERSHIP OF ARTWORK

- a) All ownership rights of the Public Art created, purchased, or donated through the Public Art process shall vest in the City upon receipt and acceptance of the Public Art. The City shall reserve the right to remove or alter the work to ensure public safety.
- b) In accepting Artwork, the City shall not be bound by any agreement that restricts the City's ability to act in the best interest of the City. Nothing in the acceptance of artwork shall prevent the City from approving subsequent removal, relocation, or deaccessioning of such art if it serves the City's best interest to do so.

#### History

Original policy creation date, reviewed, and revision dates:

<b>Original Policy Creation Date: 3/2024</b>	<b>Review Frequency: As needed</b>
<b>Revision Date(s):</b>	<b>Review Date(s):</b>

#### Approval

Approval required for any new policy or revision to existing policy. The Mayor reserves the right to update, modify, or rescind this policy at any time.

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Laurie A. Jadwin, Mayor

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Date