

ORDINANCE AMENDING CHAPTER 2 OF THE CHARLOTTESVILLE CITY CODE BY
ADDING ARTICLE XVIII REGARDING A PUBLIC ART COMMISSION

WHEREAS, the City Council of the City of Charlottesville recognizes the value of public art in enriching the cultural, historical, and aesthetic character of the community; and

WHEREAS, the City Council desires to promote thoughtful and transparent processes for the commissioning, placement, acceptance, maintenance, and deaccessioning of public art located on City property; and

WHEREAS, the City Council finds that an appointed citizen body can provide meaningful public input, professional expertise, and community representation in the review of such matters; and

WHEREAS, the establishment of a Public Art Commission will assist City Council by providing informed recommendations on proposed projects and policies, consistent with the City's adopted goals for equity, inclusion, and cultural expression; and

WHEREAS, the City Council affirms that the City shall retain ownership of all public art located on City property, whether commissioned, donated, or otherwise acquired; and

WHEREAS, the City Council wishes to codify the creation, composition, and duties of the Public Art Commission within Chapter 2 (Administration) of the Charlottesville City Code.

Now therefore be it ordained by the Council of the City of Charlottesville that the following sections be added to Chapter 2 (Administration), Article VI (Boards and Commissions) of the Charlottesville City Code:

Article XVIII – Public Art Commission

Sec. 2-484. - Public Art Commission created; purpose.

- (a) There is hereby created a *Public Art Commission* for the City of Charlottesville (“the Commission”).
- (b) The purpose of the Commission is to advise and make recommendations to City Council concerning the selection, placement, acceptance, maintenance, relocation, and deaccessioning of public art located on property owned, leased, or controlled by the City of Charlottesville.
- (c) The Commission shall further serve to promote awareness and appreciation of public art within the community and to encourage the integration of artistic and commemorative works into the City's public spaces.

Sec. 2-485. - Membership; terms; vacancies.

- (a) The Commission shall consist of seven (7) members appointed by the City Council.
- (b) Members shall serve three-year terms and may be reappointed for one (1) additional consecutive term. Members appointed to fill an unexpired term shall be eligible for appointment to two (2) additional full terms.
- (c) In making appointments, City Council shall seek to ensure a broad representation of backgrounds and expertise, including but not limited to the fields of visual arts, history, architecture, landscape design, and education.
- (d) Vacancies shall be filled by City Council for the unexpired portion of the term in the same manner as the original appointment.

Sec. 2-486. - Officers; meetings; quorum.

- (a) The Commission shall annually elect a chair and vice-chair from among its members.
- (b) The Commission shall adopt rules of procedure consistent with state law as well as the City Code and any applicable City policies and shall hold regular meetings at least quarterly.
- (c) Five (4) members shall constitute a quorum for the transaction of business.

Sec. 2-487. - Staff liaison; coordination with other departments.

- (a) Administrative and professional support for the Commission shall be provided through a staff liaison designated by the City Manager.
- (b) The staff liaison shall coordinate with other departments as necessary to provide information and technical assistance to the Commission.

Sec. 2-488. - Powers and duties.

The Commission shall serve in an advisory capacity to the City Council and shall have the following powers and duties:

- (1) To review and make recommendations to City Council concerning proposals for the commissioning, acquisition, acceptance, placement, relocation, or removal of public art on City property.
- (2) To recommend policies and guidelines governing the City's public art and memorial programs, including procedures for community engagement and selection criteria.

(3) To advise City Council regarding priorities for conservation and maintenance of existing public art.

(4) To promote educational and cultural initiatives designed to enhance public understanding of the City's art and memorial heritage.

(5) To submit an annual report to City Council summarizing its activities, recommendations, and the status of the City's public art and memorial assets.

Sec. 2-489. - City Council authority.

(a) City Council shall retain ultimate authority to approve or deny any proposal concerning the placement, commissioning, acceptance, relocation, or deaccessioning of public art on City property.

(b) All recommendations of the Commission shall be advisory only and shall not be binding upon City Council.

Sec. 2-490. - Ownership of public art.

(a) All public art accepted by City Council or installed on property owned, leased, or controlled by the City shall be and remain the property of the City of Charlottesville, unless otherwise provided by written agreement approved by City Council.

(b) The City shall have full authority to maintain, conserve, relocate, modify, or remove such works in accordance with applicable law and City policy.