

[illegible]The logo for the City of Vancouver, Washington, is located in the top right corner. It features the text "CITY OF" in a small, white, sans-serif font above the word "Vancouver" in a large, bold, white, sans-serif font. Below "Vancouver" is the word "WASHINGTON" in a smaller, white, sans-serif font. The entire logo is set against a blue background with white wavy lines at the bottom.

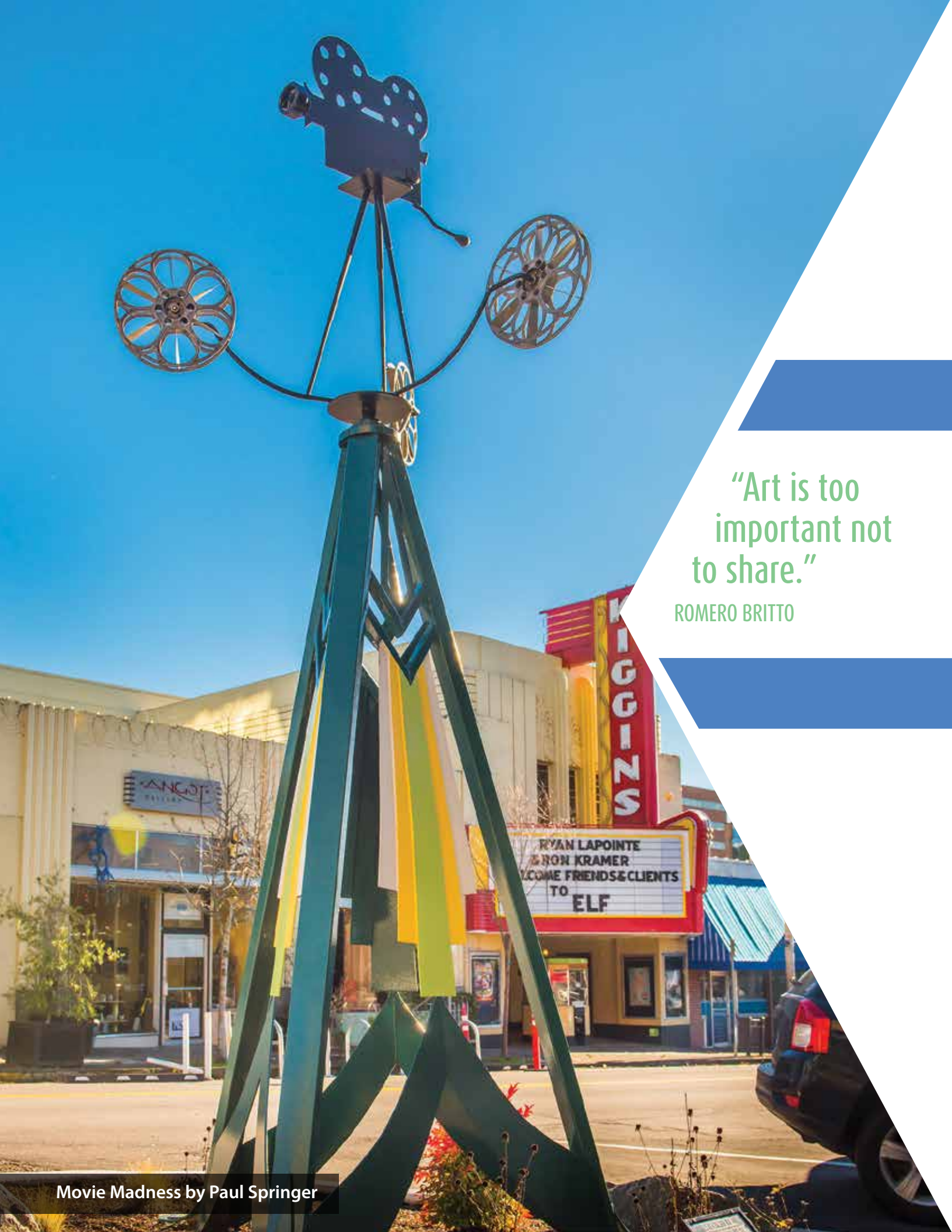


Heart & Stone by Cobalt Designworks

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"Art is too
important not
to share."

ROMERO BRITTO

Movie Madness by Paul Springer

Vancouver is home to a growing and ever-evolving cultural ecosystem, with a variety of artists, arts and cultural organizations, institutions of higher education, a historical museum, a national historic site, and other arts and cultural venues such as festivals, outdoor concerts and a monthly First Friday Artwalk.

The City of Vancouver's 2016-2021 Strategic Plan affirms the importance of culture, arts and heritage for the future of our community. The City of Vancouver's Culture, Arts and Heritage Plan, adopted in 2018, outlines objectives and action items for the next several years that will steward Vancouver's exceptional heritage assets, as well as contribute to the cultural identity of Vancouver through the arts and public events.

THE VISION

Public art contributes to experiences which enrich our community, our economy, and our social and physical environment. We envision a community of public art that transforms and activates civic spaces—creating a unique identity for Vancouver.

The Public Art Plan will help the City integrate artwork into our community's public spaces and reflect the diversity and character of Vancouver through a variety of artistic viewpoints and artistic mediums.

PLAN PURPOSE

The purpose of this plan is to provide direction for:

- Establishing a diverse collection of public artworks
- Engaging local, regional and national artists of diverse backgrounds
- Providing ongoing opportunities for artists to advance their art with temporary or permanent public artworks
- Considering economic development and cultural tourism when advocating for public art
- Encouraging understanding of public art and sparking public dialogue
- Incorporating high quality art and design projects throughout the community—in essence creating a museum without walls and making art accessible to all
- Providing a legacy of art and culture for future generations



Ilchee Statue and Plaza by Eric Jensen

CULTURE, ARTS & HERITAGE COMMISSION

The City of Vancouver's Culture, Arts and Heritage Commission is a nine member public development authority appointed by the City Council. The commission is charged with overseeing the implementation of the City's Culture, Arts and Heritage Plan.

Commissioner duties related to the City's Public Art Plan include, but are not limited to:

- Establishing and approving curatorial and programmatic goals, policies and guidelines as they pertain to artwork acquired on behalf of the City of Vancouver
- Approving the accession, care and deaccession of artwork accepted into the City's Public Art Collection
- An annual review of the budget and maintenance plan for the Public Art Collection as recommended by the Public Art Committee

Public Art Committee

The Public Art Committee reviews, interprets and provides recommendations for qualified artists and art proposals, based on criteria provided in this Public Art Plan.

The committee is comprised of a minimum of five members. A representative from the Culture, Arts and Heritage Commission serves as the chair, and one member of the committee must be a working professional artist. Depending on the proposed location of the artwork, a representative from the affected business district and/or neighborhood association will also be included as an ad hoc member of the committee.

Duties include but are not limited to:

- Reviewing and refining the scope of collections for the City's Public Art Collection
- Identifying and vetting potential locations for new public artworks
- Developing and disseminating Requests for Proposal (RFP) for new public artworks
 - Reviewing and narrowing the artist application pool based on the project's goals and the site criteria
 - Reviewing and narrowing the finalists through proposals and/or interviews
 - Providing recommendations to the Culture, Arts and Heritage Commission for projects and final concept designs
- Reviewing and approving the cleaning, repair and overall care of artworks in the City's collection, complying with currently accepted standards of care
- Approving temporary public art projects



"The essence of
all beautiful art,
all great art,
is gratitude."

FRIEDRICH NIETZSCHE

The Phoenix by Andrew Carson

- Approving temporary citizen-initiated public art projects with budgets under \$5,000. Pieces with proposed budgets over \$5,000 require approval from the Culture, Arts and Heritage Commission and/or City Council depending on the dollar value and/or visibility of the pieces.
- Making recommendations to the Culture, Arts and Heritage Commission regarding pieces in the Public Art Collection that may need to be moved or deaccessioned

PUBLIC ART PROJECT TYPES

For the purposes of this document, works of public art may include, but are not limited to:

- Sculpture: in the round, bas relief, mobiles, fountains, kinetic and electric work in any approved material or combination of approved materials
- Paintings that are portable, in oils or acrylics or other media
- Murals
- Graphic arts, such as printmaking, drawings and banners
- Mosaics: artworks executed in tile, glass, stone or other materials
- Crafts using clay, fiber, wood, metal, plastics, stained glass and other materials both functional and ornamental
- Photography, including digital and traditional photographic print media
- Mixed media, including any combination of two and three dimensional forms of media, including collage
- Earthworks: environmental installations and environmental art
- Light-based or luminal art or sound-based art that is experiential, site-specific or installation-based work. May include video, animation and/or sound projected by audio/visual equipment
- Portable art that may be displayed at locations other than a substantially permanent location
- Temporary performance or time-based art
- Decoration of City-owned property in the public right of way, including signal boxes, manhole covers, sidewalks, street intersections in residential areas, retaining walls and light poles.



VPD West Precinct mural by Fort Vancouver High School students



Phrogy (artist unknown)



A woman paints a mural on a stormwater drain and curb



Spike Flower by Manuel Izquierdo and Wheel Series by Don Wilson

Scope of Collection

The City of Vancouver's Public Art Collection consists of artwork acquired through donations, through commissions or through purchase under the authority of City Council. The Culture, Arts and Heritage Commission and Cultural Services Manager are responsible for the development, administration and management of the collection with advice provided by the Public Art Committee.

The collection includes primarily original two- and three-dimensional, freestanding and integrated artworks. The collection is intended to be inclusive and containing a diversity of artworks from both established and emerging artists from multiple genres.

The following criteria are considered by the Culture, Arts and Heritage Commission and the Public Art Committee when assessing artwork for inclusion in the collection:

- A strong preference is given to artwork produced by local, state or regional artists. The artist's credentials, recognition and quality of work will be reviewed.
 - Strength of concept: How well the artwork contributes to the documentation and interpretation of the culture and heritage of Vancouver.
 - The originality and high aesthetic quality or value of the artwork is similar or better than to pieces already in the collection and would contribute to the collection as a whole.
- The artwork will appeal to a broad community audience, as well as future generations.
- The artwork is in suitable condition for use and exhibition.
- Durability of materials, finishes and construction methods of any artwork designed for permanent display. As much as practical, pieces should also be vandal resistant.
- Safety of the artwork (e.g. unsealed rust, sharp edges), both for people in the right of way and for people interacting with the art. Artwork should also be designed considering ADA accessibility.
- Appropriate site availability and the relationship and scale of the artwork to the proposed site, surroundings and to the collection as a whole.
- Maintenance requirements: Because the City must be able to provide proper storage and care, no artwork will be accepted that requires extensive or extraordinary preservation and care.
- The artwork must not contain overt themes of advertising, religious references, sexual content, negative imagery or convey political partisanship.

Work not consistent with the scope of the City's Public Art Collection shall be accepted only in rare circumstances and only after review and recommendation from the Culture, Arts and Heritage Commission and approval by City Council.

Criteria for Acquiring Art for the Public Art Collection

The Culture, Art and Heritage Commission and its Public Art Committee must adhere to the criteria included in the Scope of Collection (page 8). The following considerations will be reviewed and evaluated by the commission pertaining to all acquisitions.


- 1. Aesthetic Quality and Artistic Merit:** What has the artist proposed to accomplish with the artwork and does it align with the project goals? Is the artwork appropriate for the community it serves? Is this original artwork?
- 2. Placement/Siting:** What is the relationship of the artwork to the site? Is it appropriately scaled? Does the artwork have a connection with the surrounding community?
- 3. Fabrication, Structural Integrity, Handling and Installation:** Are the projected costs accurate and realistic? Does a certain site present any special obstacles to installation?
- 4. Maintenance Requirements:** Are the materials durable? Does the artwork have a limited lifespan due to built-in obsolescence or inherent weakness? Would the artwork require extensive care?
- 5. Liability and Safety:** Proposed projects may require additional review by the City's Risk and Traffic Safety programs.
- 6. Ongoing Expenses:** If the work of art requires significant and/or costly ongoing maintenance, the City may require the donor to include an endowment to offset that cost.

Criteria for Non-Acceptance of Public Art

The City of Vancouver cannot accept all works of art. Artwork that fails to meet professional standards for acceptable public art practice includes one or more of the following:

- Faults of design or workmanship poses a public health or life safety hazard or diminishes the value of the artwork
- The maintenance and/or insurance cost of the artwork is determined to be too costly to include in the Public Art Collection
- The artwork is fraudulent, inauthentic or appears to be of inferior quality relative to the quality of other works in the City's Public Art Collection
- The artwork is not the original. If the artwork is one of multiple, it will be accepted only as an authorized limited edition. In the case of fine art prints and photographs, a limited edition is 200 or fewer
- The artwork is not appropriate for the proposed site due to scale, material or subject matter

The Winged Woman by Beth Heron

- 
- In the case of commissioned artworks, if the final piece does not meet the criteria of the contract, the City is under no obligation to accept it

Community Input

The City of Vancouver is committed to engaging the public in its ownership of public art. For each type of acquisition, there are specific requirements for public comment and/or participation. The participation types are specified in the Public Art Acquisition Policy (Appendix A), the Art in the Right of Way Policy's Public Art Installation Guidelines Process (Appendix B).

Acquisition Types

Artwork considered for acquisition must have a direct connection to the arts programming and objectives of the City. The type of acquisition may vary and may include ceremonial gifts, commissions, art competitions, or donations/bequeaths. The Culture, Arts and Heritage Commission must approve any artwork designated for the City's Public Art Collection. In making its decisions, the Culture, Arts and Heritage Commission considers the recommendation of the Public Art Committee. Projects with high visibility or significant costs may require approval by City Council.

The Culture, Arts and Heritage Commission takes into account the extent to which an acquisition meets the criteria and objectives of the Public Art Collection, and any other factors that may influence acceptance or rejection of an acquisition. A chief consideration is whether the artwork can be sited rather than stored, or is temporary.

Citizen-initiated Artwork

The Culture, Arts and Heritage Commission reviews all citizen-initiated requests for artwork projects. Citizens who wish to site privately-funded, privately-owned artwork on public property or in the public right-of-way must comply with the City's Art in Right of Way Policy.

Proposals for publicly-owned artworks or public monuments and proposals having benefactors contributing \$10,000 or more to the artwork require careful consideration and will require public comment before a final decision. Such projects are referred to the Public Art Committee. All costs associated with soliciting public feedback are the responsibility of the presenter. Projects with high visibility or significant financial contributions may require approval by City Council.

Citizen-initiated concept proposals require a project abstract including:

- Project introduction
- Preferred location
- Conceptual sketches
- Anticipated maintenance guidelines
- Anticipated budget and funding strategy
- Anticipated timeline

- Community feedback
- Context and themes

In addition, project concepts must be reviewed and endorsed by all affected City departments and/or site/facility owners.

Community Feedback – Proposed concepts and/or donations must include community feedback about the proposed donation. If a site is proposed, the community feedback must include the views of residents and/or businesses adjacent to the site or other stakeholders to the site. The City can assist in facilitating communication to the affected neighbors; however, any expenses relating to the collection of feedback are the responsibility of the presenter.

Loans

Outgoing – Artworks that are part of the City of Vancouver’s Public Art Collection and are not permanently installed in a specific location may be loaned out for special exhibitions in public spaces.

Artwork in the Public Art Collection may also be loaned to educational or non-profit organizations. Organizations should contact the City of Vancouver at least two months before the proposed loan period. The borrower is responsible for all costs related to the loan unless otherwise agreed upon.

It is the responsibility of the City staff to review and approve or decline loan requests. Loans will only be approved if the borrower is willing to agree to the appropriate terms as stipulated in the loan agreement prepared by the City. All requests will be considered on a case by case basis. Long-term loans will be approved by the Culture, Art and Heritage Commission.

Incoming – The City of Vancouver may borrow artwork from individuals, artists, galleries, educational institutions, or other arts organizations for the purpose of exhibition in public spaces.

Decisions regarding incoming loans are made by City staff. Loans will only be approved if the lender is willing to agree to the appropriate terms as stipulated in the loan agreement prepared by the City. All requests will be considered on a case by case basis. Long-term loans will be approved by the Culture, Art and Heritage Commission.

Monuments & Memorials

The Culture, Arts and Heritage Commission may consider requests for monuments/memorials that are also artwork. The Commission will work with any affected City departments on acceptance, approval, placement, siting and location of monuments/memorials. Donors typically pay the costs of design, manufacturing and installation. Simple memorial requests will be referred to the appropriate City department.



Vancouver Housing Authority Clock by the Verdin Company



Murals

The City of Vancouver's policy is to not allow murals on City-owned facilities. Exceptions to this policy may be made by the City Manager. There is no City permitting process for murals on privately owned buildings. However, if text is included in the mural design, it may become subject to the City's signage ordinance, in which case the artist, donor or project manager will need approval by the City's Planning Department.

The City strongly encourages the artist or organization to have written approval of the mural design from the building owner before work begins.

Placement of Works of Art

Artwork in the Public Art Collection may be placed in the public right of way (streets, sidewalks, etc.), on the grounds of public buildings, in public parks or on private property through an easement.

Site-specific artwork may be considered for relocation for one or more of the following reasons:

1. The condition or security of the artwork can no longer be reasonably assured at its current site
2. The site has changed so that the artwork is no longer compatible as placed
3. The artwork has become a danger to public safety at its current site
4. A more suitable site has become available for the artwork

Before the artwork is moved, the City will attempt to contact and coordinate with the original artist and/or donor. Every effort will be made to move the artwork to a new location that is consistent with the original intent of the art, e.g. if the artwork was designed to be viewed along the waterfront, the City will seek a new location for it also along a waterfront. Additionally, effort will be made to ensure the artwork has the same level of public visibility or better.

Deaccessioning Policy and Procedures

Deaccessioning is the process of removing artwork from the Public Art Collection. This policy recognizes that over time there may be reasons to deaccession artworks. Deaccessioning is considered only after careful and impartial evaluation of artworks within the context of the collection.

At the beginning of the process, the City's Cultural Services staff makes reasonable efforts to notify any living artist or artist's estate whose work is being considered for deaccession.

Recommendations related to deaccessioning are made to the Culture, Arts and Heritage Commission by the Public Art Committee, according to the following guidelines:

- In considering an artwork for deaccessioning, the Commission must always be aware of its role as trustee of the collection for the benefit of the public
- Generally, artworks are acquired for perpetuity and not with the thought of disposal. At issue is the Commission's responsibility to the community, its donors, and the public
- Objects in the collection should be retained permanently if they continue to be useful to the purposes and activities of the Commission and the City's Public Art Collection, if they continue to contribute to the integrity of the collection, and if they can be properly stored, preserved, used and exhibited

Artwork may be deaccessioned when conditions require or when such action would improve or refine the City's Public Art Collection. Reasons for deaccessioning may include, but are not limited to, situations where:

- The use of the site has changed, the artwork is no longer appropriate, and/or the artwork cannot be reasonably protected or maintained
- The artwork is not, or is rarely, on display due to lack of a suitable site
- The artwork's annual maintenance cost is deemed excessive
- The artwork has been damaged beyond reasonable repair
- The artwork requires extensive conservation or restoration that is cost-prohibitive
- The artwork requires removal because of new developments in the direction of the Public Art Collection
- The site of a site-specific artwork is no longer owned by the City of Vancouver
- The artwork endangers public safety and there is no alternative placement or site that mitigates the risk
- The site of a site-specific artwork is so severely altered that the work is no longer physically possible or conceptually relevant
- The artwork was commissioned or accepted with the provision or understanding that it was to have a limited life cycle or installation period

Deaccession of any artwork from the City's Public Art Collection is based on a written recommendation of the City's Cultural Services staff and review by the Public Art Committee.

The recommendation must specify reasons for the deaccession. The Culture, Arts and Heritage Commission may approve deaccession only upon a two-thirds majority vote. City and state regulations may apply when deaccessioning City property.

The manner of disposition should be in the best interest of the City of Vancouver and its residents. Disposition should occur as follows:

- Unless the Culture, Arts and Heritage Commission specifically determines an alternative means of disposition, all dispositions are by sale with the primary objective of obtaining the best possible price. Sales of artworks are allowed through public auction. A trade with an artist, gallery or other institution for one or more other artworks of comparable value is also allowed



Artist Sharon Agnor with the glass and steel head for the Wendy the Welder sculpture




- Artwork that was commissioned or accepted into the City's Public Art Collection as site-specific works may be destroyed in lieu of being sold or reinstalled at an alternative site. This process is known as decommissioning rather than deaccessioning. Generally, site-specific works are created for a specific location and are not appropriate for relocation
- In rare instances, City Cultural Services staff may recommend re-installation of artwork if its integrity and original intent or purpose can be preserved. When possible, this is done with the cooperation and supervision of the artist or the artist's estate. Deaccessioned artworks may be placed in another institution where they serve a similar purpose to that for which they were originally acquired
- Regarding the sale or trade of artworks, the City of Vancouver offers the right of first refusal to the artist, if still alive, the artist's estate, if deceased, and/or the original donor if the artwork was a gift to the City. In the case of an artwork by a living artist, an exchange may be made if appropriate
- Absent mandatory donor restrictions or requirements, City of Vancouver staff, elected officials, commission members and their immediate family members (spouses and minor children and other family members who live at home) and other members of their immediate households and controlled entities may not purchase or receive deaccessioned artworks

Net proceeds from the sale of deaccessioned artworks are designated "for acquisition only" and must be used only for the growth or care of the Public Art Collection, consistent with acquisition procedures. The donor of a deaccessioned artwork that enters the collection as a gift is fully credited in documentary files, in publications and on identifying labels for artwork purchased with proceeds of the sale. The purchased artwork, so credited, is labeled and identified as a "gift of [name of donor] by exchange."

Conditions and circumstances of any deaccession are entered into the collection's permanent record. If possible, a file on the object is retained, including object and donor history, photographs, conservation/restoration records, appraisals, and other relevant records.



Vancouver Fire Department mural by Guy Drennan



“When artists give form to revelation, their art can advance, deepen and potentially transform the consciousness of their community.”

ALEX GREY

Wendy Rose by Women Who Weld (Sharon Agnor, Wendy Armstrong, Sumi Wu, Jennifer Corio, Kathy Wilson and Terry Marvin)

COLLECTION MAINTENANCE

Collection Maintenance Responsibilities

The City's Cultural Services staff maintains an inventory of all artworks in the Public Art Collection. The inventory is conducted bi-annually, with updates reported to the City's Risk Management Services for insurance purposes. Where possible, the inventory of artworks should include estimated values of objects in the collection. New donations to the collection require an appraisal at the time of the gift, typically provided and paid for by the donor. Valuations of artworks are established principally for insurance purposes.

City Cultural Services staff oversees the assessment, treatment, maintenance and relocation of artwork. Cleaning and repair of artwork in the Public Art Collection are completed by a roster of qualified on-call art conservators, who comply with currently accepted standards of care and conservation. A complete evaluation of all public artworks by a professional conservator is conducted every 10 years. This evaluation may cause changes to be made to the maintenance plans for each artwork.

Cultural Services staff, in collaboration with the City's Facilities Department, coordinates repairs with the involvement of other art conservators or independent contractors, as needed. Reasonable efforts are made to notify artists of repairs made to their works.

Maintenance Procedures

Artworks in the City's Public Art Collection require a wide range of care under the oversight of the Cultural Services staff. The staff creates a maintenance plan, which is updated bi-annually, to determine current and future collection needs. When available, funding is allocated by the Culture, Arts and Heritage Commission for framing, documenting and routine maintenance of artworks in the Public Art Collection. Secure storage is provided for artwork not on display. The Cultural Services staff works with the Public Art Committee to determine funding for special conservation or restoration projects outside the scope of routine maintenance.

A centralized, computerized collections management system is used to inventory, photograph, document and track all artworks in the Public Art Collection. All documentation, both written and visual, is maintained in an easily retrievable format. Exhibited artworks are labeled with the title, artist and date of the work, at a minimum.



The Visitor and artist Matthew Dockrey

PUBLIC ART PLAN REVISIONS

The Culture, Arts and Heritage Commission is responsible for approving this Public Art Plan and all subsequent revisions. The City's Cultural Services staff is charged with monitoring and implementing this policy and may review and propose revisions at any time.

Revisions will not take effect until approved by the Culture, Arts and Heritage Commission. Minor updates that do not affect the plan itself (grammatical corrections, updated citations, updated dates, etc.) do not require approval.

Procedures used to implement this plan as prescribed in any section are exclusively the purview of Cultural Services staff and do not require approval from the Culture, Arts and Heritage Commission.

TERMS & DEFINITIONS

Accession – The act of adding an artwork to the permanent collection

Art easement – The written agreement that allows placement of public art on the property of another individual, business or organization

Artist – A person generally recognized by their peers, critics and other arts professionals as producing works of art on a regular basis

Artwork – All forms of art conceived in any discipline or medium, including visual, performance, literary, media and temporary works

Bequest – A gift or donation made through a will

Conservation – The repair of damaged or deteriorating artwork in a way that maximizes endurance with as little change to the object as possible. Treatment performed by a conservator can typically be undone if necessary. As opposed to restoration which refers to treatment that returns the artwork to a known or assumed state, often by the addition of non-original material

Deaccession – The formal removal of accessioned artwork from the permanent collection

Decommissioning – The destruction of artwork, in lieu of being sold or reinstalled at an alternative site, that was commissioned or accepted into the City's Public Art Collection as site-specific works. Generally site-specific works are created for a specific location and are not appropriate for relocation

Disposition – The ultimate method of disposal of a deaccessioned artwork. This can be done through sale, trade, donation or destruction

Diversity – The quality or state of having many different forms, types, ideas, etc.; or the state of having people who are different races, ages, who have different cultures, or who are from different geographical locations in a group

Donation – An artwork or sum of money given willingly and without compensation

Inventory – The process of checking the physical location of an artwork against the location record. Inventory is also a method of surveying the physical condition of artwork in the collection

Loan – 1) **Outgoing**: a work of art lent for exhibition in an approved public space. Artwork may also be lent to private organizations for special exhibition at their expense 2) **Incoming**: a work of art borrowed by the City of Vancouver for exhibition at the City's expense

Maintenance – Regular routine inspection and care of an artwork carried out by a trained technician

Mural – A large scale painting or other work of art executed directly on or attached to a wall, street or sidewalk.

Provenance – The history of ownership of a work of art

Public art – Original works of art that are accessible to the public and which may possess functional as well as aesthetic qualities, regardless of accession into the Public Art Collection

Public art collection – All accessioned works of art owned by the City of Vancouver

Public Art Committee – A panel appointed by the Culture, Arts and Heritage Commission for the artist selection, reviewing proposed works of art, and recommending to the Culture, Art and Heritage Commission specific expenditures of City funds for each project

Site-specific – Artwork specifically designed for and permanently installed in a particular location



Blue Messenger by George Batho

PUBLIC ART PROGRAM

Acquisition Policy for Public Art Collection

Purpose

To establish the criteria and acceptance process for the review of artwork that is accepted into the City of Vancouver's Public Art Collection.

Policy

The City and Culture, Arts and Heritage Commission shall comply with the Public Art Plan in order to consider artwork for acquisition into the City's Public Art Collection, whether acquired by a City department or the Culture, Arts and Heritage Commission. The artwork must fit the City's scope of collection, and have a direct connection to the arts programming and objectives of the City of Vancouver.

There are several ways that artwork is acquired for the Public Art Collection. To that end, the following acquisition policy defines the criteria used when considering artwork for the collection.

Roles & Responsibilities

- City of Vancouver staff, including but not limited to Cultural Services staff, make acquisition recommendations to the Culture, Arts and Heritage Commission or the Public Art Committee depending on the type and scope of art to be acquired
- The Culture, Arts and Heritage Commission, on the recommendation of the Public Art Committee, approves any artwork, valued at more than \$5,000, designated for the City of Vancouver's Public Art Collection. The Culture, Arts and Heritage Commission takes into account the extent to which the acquisition meets accepted criteria and objectives as designated below
- Artwork valued at less than \$5,000 may be approved by the Public Art Committee
- The Culture, Arts and Heritage Commission approves all artwork purchased with City funds. Projects with high visibility or significant costs may require approval by the City Council
- Culture, Arts and Heritage Commission approves all artwork donations made to the City of Vancouver
- City departments are required, when considering any of the acquisition types below to direct their consideration for approval to the Culture, Arts and Heritage Commission

Criteria

The Culture, Arts and Heritage Commission and its Public Art Committee may consider the following criteria and questions when conducting reviews of proposed artwork:

1. Aesthetic Quality and Artistic Merit

- a. What has the artist proposed to accomplish with the work and does it align with the project goals?
- b. Does the work under consideration have high artistic merit?
- c. Is the work relevant to the City, its values, culture and people and does it contribute to the fabric of the City? Is the work an integral component of a larger project?
- d. Is the work of art appropriate for the community it serves?
- e. Is the work of art original or a replica?

2. Placement/Siting
 - a. What is the relationship of the work to the site? Is it appropriately scaled?
 - b. Will the work help to anchor and activate the site and enhance the surrounding area?
 - c. Will there be convenient public access to the site?
 - d. Will additional parking or access accommodations be required?
 - e. What are the utility requirements of the artwork?
 - f. Does the artwork have a connection with the surrounding community?
3. Fabrication, Handling and Installation
 - a. Are the projected costs accurate and realistic?
 - b. Have written estimates been obtained from qualified technical support and fabrication contractors?
 - c. Does a certain site present any special obstacles to installation?
 - d. Can the work be removed or relocated with reasonable effort if necessary?
4. Maintenance Requirements
 - a. Is the work suitable for outdoor display or special indoor environments?
 - b. Are the materials durable and will they last? Does the work have a limited lifespan due to built-in obsolescence or inherent weakness?
 - c. What are the existing or projected maintenance requirements of the work? Are they excessive or cost prohibitive? Are any unusual or ongoing costs likely?
 - d. What are the artist's suggestions for protection of the work from vandalism?
5. Liability and Safety: Proposed projects may require additional review by the City's Risk and Traffic Safety programs.
 - a. Is any aspect of the work a potential safety hazard?
 - b. Does the work meet building code requirements?
 - c. Does the work or any portion of the work require a professional seal (structural engineer, electrical engineer, etc.)?
 - d. Will fencing or other types of security measures be required?

Criteria for acquisitions to the City of Vancouver's Public Art Collection include but are not limited to:

- The artwork is relevant to the collection's vision and fit within the City's defined scope of collection
- The artwork is of high artistic merit
- The artwork must be an original work of art, no unauthorized replicas are accepted
- The artwork is of the highest quality materials and construction. Generally, acquisitions should take into consideration durability and relatively low maintenance. The artwork should retain its intended appearance and function over a substantial period of time
- The artwork has historical or cultural significance, especially for the City of Vancouver
- Consideration will be given to the presence and number of works by the same artists that are already in the collection
- The artwork has clear title and satisfactory provenance

- The artwork can be preserved within the resources of the City of Vancouver. Liability associated with the artwork, based on the work's susceptibility to theft, damage and vandalism, and special insurance requirements will be evaluated. No artwork shall be acquired if the City cannot give it proper storage, protection and preservation
- The artwork is appropriate in scale, material, form and content for the audience and for the intended destination for the artwork
- The City shall have complete and total ownership rights to the artwork, including but not limited to the right to copyright, move, display and destroy such artwork without any right of compensation to the artist. Artists must sign a Visual Artists Rights Act waiver (Appendix A-1)

Acquisition Types – Definitions

There are various types of acquisition and are defined as follows:

Gifts

The City's Public Art Collection includes artworks acquired through donations and ceremonial gifts to the City. A wide range of artworks may be acquired with no limits on form or size provided they meet the established criteria. New donations to the collection require an appraisal at the time of the gift, typically provided and paid for by the donor.

Purchase/Commission of Artwork

The City may purchase artwork for the collection. The artwork is subject to the process and criteria in place for acceptance by the Culture, Arts and Heritage Commission.

Public Art Project Selection Methods

One of the following selection methods may be used to select artists or artist teams for eligible public art projects:

Open Invitational/Open Entry

The process is open to all qualified artists with possible limitations based on geographical or other eligibility criteria. Some competitions may also be open to other design professionals. The project is advertised and project guidelines are published. No fees will be charged to artists submitting materials and applications.

Limited Invitational/Focused Invitational

Selected artists are invited to enter a competition or are pre-selected as candidates for a particular project or site. Artists are considered for a commission by invitation only. A finalist may be asked to submit a proposal in the form of a drawing or maquette and/or attend and interview with the selection panel. This method generally applies when a certain type of artwork or certain qualifications and experience are required, such as sculpture competitions, site-specific works and works requiring design team expertise.

Acquisition Review and Acceptance Procedures

1. When a donor would like to give the City of Vancouver a work of art, the potential donor meets with the Cultural Services staff to review the appropriateness of the acquisition. The proposed acquisition must be of appropriate theme, character and design for public display and be consistent with criteria defined in the Public Art Plan.

2. Acquisitions must be of the highest quality design, materials and construction. Durability and maintenance requirements may be factors in considering acquisitions. The artwork should retain its intended appearance and function over a substantial period of time.
3. The donor provides support materials and forms as directed by the Cultural Services staff.
4. The Culture, Arts and Heritage Commission in most cases formally reviews the recommendation of the Public Art Committee, or the acquisition itself depending on the scope of the acquisition, and decides whether to approve the acquisition at its next regular meeting or as scheduled by the Cultural Services staff.
5. Once the Culture, Arts and Heritage Commission approves the donation, the donor provides signed documentation, depending upon the type of acquisition, to the Cultural Services staff, formally transferring ownership to the Public Art Collection.
6. The Cultural Services staff works closely with site agencies to determine a suitable location for the artwork. Once a site has been identified and the artwork placed, signage properly crediting the donor is installed next to the artwork.

Procedure for Public Art Collection Acquisitions

1. The artwork under consideration for acquisition is reviewed by the City's Cultural Services staff.
2. Artworks may be added to the collection by means of gift, bequest, purchase, commission, exchange, or any other transaction by which title to an object passes to the City.
3. The Culture, Arts and Heritage Commission reviews all potential acquisitions.
4. The Public Art Committee reviews all public art commissions, proposed gifts or bequests and offers recommendations on acceptance into the collection to the Culture, Arts and Heritage Commission.
5. For artwork offered to the City as a gift, Culture, Arts and Heritage Commission's acceptance recommendation is forwarded to City Council for approval.
6. If the object is a commissioned work, or the artist is known, the artist must complete and submit a Visual Artists Rights Act (VARA) waiver.
7. Culture, Arts and Heritage Commission accepts artwork into the Public Art Collection.
8. Once approved by the Culture, Arts and Heritage Commission, the donor or seller provides signed documentation, depending upon the type of acquisition, to the City of Vancouver, formally transferring ownership of the artwork to the Public Art Collection. All documentation related to the object will be kept as part of the object's accession file and maintained by the City of Vancouver.

Conditions

- All artworks accepted into the Public Art Collection become the City of Vancouver's exclusive property and, if unrestricted, may be displayed, loaned, retained or disposed of in the best interests of the collection, the City and the public they serve
- If an entire collection is being offered, the collection on balance must meet the established criteria for acquisition. The Culture, Arts and Heritage Commission is required to consider the disposal of those artworks not to be accessioned into the collection, and every effort will be made to align decisions on such disposal with the wishes of the donors and their legal representatives, as may be appropriate
- No artwork will be accepted into the collection if it is offered with any restriction, unless there is convincing reason to do otherwise. If an artwork is acquired with restrictions, the conditions will be stated clearly in writing and will become part of the accession records for that artwork

- Objects bequeathed to the City for the Public Art Collection should be approved for acquisition prior to the City being designated as the beneficiary. If this is not done, the collection and the City will not be under any obligation to accept the bequest. All objects bequeathed to the City are subject to the approval of the Culture, Arts and Heritage Commission. The City will observe appropriate confidentiality with regard to accepted testamentary distribution of art works
- All acquisitions will be evaluated to avoid possible violations of legal and ethical standards involving ownership, possession and authenticity. The City of Vancouver will not knowingly acquire an artwork unless valid title to the item in question can or has been acquired
- The Culture, Arts and Heritage Commission and City of Vancouver are not responsible for appraisals of artwork

Forms to be included in this policy:

- VARA Waiver
- Loan Agreements (outgoing and incoming)
- Conservation Record Form (for maintenance planning on commissioned art)
- Acquisition Form (includes provenance and maintenance information for donated art)
- Deaccession Worksheet

PUBLIC ART PROGRAM

Artist's Waiver of VARA Rights

Artist hereby agrees that _____ [hereinafter referred to as "Artwork"], which is the subject of this agreement, shall be the property of the City of Vancouver, Washington. The City shall own the Artwork and associated rights with ownership except as provided below.

1. Title to the Work shall pass to the City upon final acceptance.

2. Waiver of Rights Under Visual Artists Rights Act of 1990 ("VARA").

The Artist understands and agrees that, as to their rights in the Work, the provisions of this Agreement shall supersede the provisions of the Visual Artists Rights Act of 1990, 17 U.S.C. §101 et. seq., as amended ("VARA"), including but not limited to §106A(a) and §113, as to the Work, and that execution of this Agreement by the Artist shall constitute a waiver by the Artist, as permitted in 17 U.S.C. §106A(e), as amended, of any and all rights or protections in the Work, and any uses of the Work whatsoever, set out in or otherwise granted by 17 U.S.C. §101, et seq., as amended, including but not limited to §106A(a) or §113, or otherwise in the nature of "Droit Moral" under which artists claim an interest in their work. The Artist understands that despite the City's commitment not to intentionally damage, alter, or modify the Work without the prior written approval of the Artist, removal of the Work from the Site may subject the Work to destruction, distortion, mutilation, or other modification, by reason of its removal.

3. Artist's Remaining Retained Rights in the Work.

The Artist retains: (i) all other right, title and interest in the Work including all copyrights, but expressly excluding any rights in the Work under VARA, including but not limited to §106A(a) and §113, or otherwise in the nature of "Droit Moral" under which artists claim a continuing interest in their products and in the maintenance or modification of their products; and (ii) all rights expressly granted in this Agreement.

The Artist's waived rights as described above are, insofar as such rights are transferable, assigned to the City. In view of the intention that the Work in its final dimension shall be unique, the Artist shall not make any additional exact duplicate, two or three-dimensional reproductions of the final Work, including but not limited to miniatures or jewelry applications, nor shall the Artist grant permission to others to do so except with the written permission of the City. The City is unable to grant permission of any kind for political use of the Work. The restriction for duplication or reproduction shall not apply to the Artist's use of photographic reproductions of the Work in portfolio or in critical and scholarly writings. The Artist grants to the City and its assigns an irrevocable license to make two-dimensional reproductions of the Work for non-commercial purposes, in the sole discretion of the City and its assigns, including but not limited to reproductions used in advertising brochures, media publicity, and catalogs or other similar publications.

4. Notice. All reproductions by the City shall contain a credit to the Artist and a copyright notice substantially in the following form: Artist Name, Date of Publication.

5. Credit to City. The Artist shall give a credit reading substantially, "an original work owned and commissioned by the City of Vancouver, Washington," in any public showing under the Artist's control of reproduction of the Work.

- 6. Registration.** The Artist shall at his expense cause to be registered, with the United States Register of Copyrights, a copyright of the Work in the Artist's name.

ARTIST'S RIGHTS:

Artist's Enumerated Contractual Rights in the Work. Subject to and consistent with the provisions of Sections 1-6 above, the Artist understands and agrees that he is therefore granted the following rights in the Work pursuant to this Agreement.

7. Maintenance and Repair.

a. The City shall have the right to determine, in its sole discretion, after consultation with a professional conservator, selected by the City, when and if maintenance, repairs and restorations to the Work will be made. To the extent practical, the Artist, during the Artist's lifetime, shall be given the opportunity to make or personally supervise significant repairs or restorations and shall be paid a reasonable fee for any such services, provided that the City and the Artist shall agree in writing, prior to the commencement of any significant repairs or restorations, upon the Artist's fee for such services, and subject to appropriation by the City of such fee.

b. All repairs and restorations shall be made in accordance with recognized principles of conservation.

8. Damage, Alteration, and Modification.

a. Subject to subsection 8(c) below, the City agrees that it will not intentionally damage, alter, or modify the Work without the prior written approval of the Artist.

b. Notification to Artist. During the Artist's lifetime, the City shall endeavor to notify the Artist of any proposed change to the place and manner of display that would affect the intended character of the Work and shall endeavor to consult with the Artist in the planning and execution of any such alteration and shall make a reasonable effort to maintain the integrity of the Work.

c. Removal, Relocation, Sale, Donation or Destruction. Nothing in this Agreement shall preclude any right of the City, in its sole discretion, (i) to remove the Work from public display, (ii) to move or relocate the Work to another location selected solely by the City for public display, (iii) to donate or sell the Work to a third person or entity, or (iv) to destroy the Work. In addition, the Artist will have the right of final refusal as to any sale, donation or destruction of the Work. If the City decides to donate or sell the Work, the recipient or buyer of the Work will assume all of the City's duties toward the Artist stated herein, will be obligated to defend and indemnify the City with respect to such duties, and will take the Work subject to all of the Artist's rights as stated herein, and the recipient or buyer shall be given a copy of this executed Agreement at the time of donation or sale. The City will make all reasonable efforts to notify the Artist of such donation and sale and of the identity of the recipient or buyer. If the City shall at any time decide to destroy the Work, it shall by notice to the Artist offer the Artist a reasonable opportunity to recover the work at no cost to the Artist, except for an obligation of the Artist to indemnify and reimburse the City for the amount by which the cost to the City of such recovery exceeds the costs to the City of the proposed destruction as determined solely by the City. The Artist waives any rights which he might have in connection with the removal or destruction of the Work under VARA, including but not limited to §106A(a) and §113.

d. Artist's Address. The Artist shall notify the City of changes in his address. The failure to do so, if such failure prevents the City from locating the Artist, shall be deemed a waiver by the Artist of the rights

granted to the Artist in this Section 8, or otherwise retained by the Artist, the exercise of which requires response by the Artist. A mailing of notice by the City by certified mail with return receipt requested to the address of the Artist or of his attorney currently on file with the City at the time of such mailing, shall be deemed to be an adequate notification effort by the City.

e. Surviving Covenants. The covenants and obligations set forth in this Article shall be binding upon the parties, their heirs, legatees, executors, administrators, assigns, transferees and all their successors in interest, and the City's covenants do attach and run with the Work and shall be binding to and until twenty (20) years after the death of the Artist. However, the obligations imposed upon the City by Sections 7(a) and 8(a)-(c) shall terminate on the death of the Artist. The City shall give any subsequent owner of the Work notice in writing of the covenants herein by providing such owner with an executed copy of this Agreement.

DATED THIS _____ day of _____, 2020

Artist Signature

Contact Information

Name:

Address:

Phone:

Email:

PUBLIC ART PROGRAM

Outgoing Loan Agreement

Borrower

Organization/City Department: _____

Contact name: _____

Title: _____

Phone: _____ Email: _____

Location where item is going:

Building name: _____

Address: _____

Loan to begin on: _____
(Date)

Loan to conclude on: _____
(Date)

Artwork name: _____

Artist: _____

Accession # or other identifier (if any): _____

I acknowledge that I have read and understand the loan terms of conditions provided with this loan agreement form.

Signature of authorizing agent

Date

Outgoing Loan Terms & Conditions

Loan Period

The City of Vancouver, will loan the listed artwork(s) to the Organization (Borrower) with the stated Contact acting as the Authorized Agent. The artwork will be exhibited at the stated location for a period of at least 6 months, and for a maximum of 5 years, at which time the loan may be extended if reasonable justification for not rotating the artwork exists and an extension is agreed upon by both parties.

The City of Vancouver may cancel this loan for good cause at any time, and will give reasonable notice thereof. The Borrower may cancel the loan at any time after the stated display period, and agrees to give the City one month's notice thereof for the removal of the artwork. This Loan Agreement will expire when the artwork is retrieved by the City of Vancouver.

Display and Placement

Artwork placement will be made in consultation with the Borrower but final positioning/installation is at the discretion of the City's Cultural Services staff.

Care & Handling

The City of Vancouver is responsible for the care of the artwork in the Public Art Collection. The Borrower agrees to contact the City's Cultural Services Manager if the artwork must be moved for any reason, or is in need of cleaning or repair. If artwork is damaged due to unauthorized handling, the Borrower agrees to pay for repairs or replacement.

The Borrower will exercise reasonable care in the safeguarding of the artwork on loan. Artwork lent by the City of Vancouver will remain in the condition in which it is received. The artwork will not be handled, moved, unframed, unglazed, or covered by the Borrower, unless it is necessary in an emergency situation to protect the artwork from damage. To the best of their ability, the Borrower will ensure that no food or beverages will be consumed in close proximity to unglazed (not behind glass) artwork and that, if possible, lights located in areas with artwork are turned off when the area is not in use (e.g., offices or conference rooms). Smoking is prohibited in rooms where artwork is located.

Insurance

The Borrower agrees to insure the loaned items against all risks of physical loss or damage from any external cause subject to the standard exclusions during the period of this loan. Insurance will be placed for the work for the amount specified by the City which should reflect fair market value. In the event of an insurance claim, a professional art appraisal may be required at the Borrower's expense. Borrower agrees that if the work is damaged, recovery will be limited to such amount as may be paid by the insurer. The City must be supplied with a certificate of insurance naming the City of Vancouver as additional insured under the Borrower's policy or waiving subrogation against the City.

PUBLIC ART PROGRAM

Incoming Loan Agreement

Lender: _____

Contact: _____

Phone: _____ Email: _____

Address: _____

Period of loan: _____

Artwork Description

Artist: _____

Title & Date: _____

Medium: _____

Dimensions: _____

Fair market value: \$ _____

Do you wish to maintain your own insurance? Y N

Credit line (exact form of lender's name for exhibition labels and publicity): _____

Conditions Governing Loans

1. The work of art on loan (the "work") will remain in the possession of the City of Vancouver (City) for the time specified in this agreement, but may be withdrawn at any time by the Lender. The work will be returned only the Lender at the address shown in this agreement unless the City of Vancouver is notified in writing.
2. In the case of a change of ownership, the new owner may, prior to its return, be required to establish legal right to receive the loan by proof satisfactory to the City of Vancouver.
3. The City of Vancouver will exercise the same care with respect to the work as it does with comparable property of its own. Except in case of emergency, the work will not be cleaned, restored, or otherwise altered without the written consent of the Lender except when the safety of the work makes such action imperative, in which case the Lender will be notified immediately. The lender certifies that the work is in good condition and will withstand the ordinary strains of packing and transportation.
4. Costs of packing and transportation will be borne by the City of Vancouver unless otherwise stated. Materials included in this loan will be packed for shipment by an experienced and competent packer.

The Lender may choose to make arrangements for the return of the loan at the Lender's expense, including insurance, by notifying the City of Vancouver in writing 15 calendar days prior to the termination of the Loan Agreement.

5. The City of Vancouver will insure the loaned items against all risks of physical loss or damage from any external cause subject to the standard exclusions during the period of this loan. Insurance will be placed for the work for the amount specified by the Lender which should reflect fair market value. In the event of an insurance claim, a professional art appraisal may be required at the Lender's expense. Lender agrees that if the work is damaged, recovery will be limited to such amount as may be paid by the insurer.
6. If the Lender elects to maintain his/her own insurance, this will constitute a release of City of Vancouver from any liability in connection with the loaned property, and the City can accept no responsibility for any error or deficiency in information furnished to the Lender's insurers or for lapses in coverage. The City must also be supplied with a certificate of insurance naming the City of Vancouver as additional insured under the lender's policy or waiving subrogation against the City.
7. Unless notified in writing to the contrary, it is agreed that the Lender authorizes the City to photograph and reproduce in any media the loan for archival, educational, and publicity purposes, including presentation on the City's website (www.cityofvancouver.us). Proper copyright and credit will be given on any photographic representation of loaned artwork.

I have read the conditions of the loan as stated above and authorize their acceptance.

Signature of lender or authorized agent

Date

Signature of the authorized City agent

Date

PUBLIC ART PROGRAM

Conservation Record Form (for maintenance)

To be completed by the artist. In addition, please attach a brief biography of the artist(s) if available.

Artist name: _____

Title of work: _____

Date completed: _____

Dimensions of work (HxWxD): _____

Purchase price: \$ _____

Name of consulting conservator: _____

Please answer the following questions as completely as possible. The information will assist us if the artwork should need future conservation.

Conceptual Information

Provide a brief statement for the artwork, including subject/source of inspiration. This information may be used on artwork designation labels/plaques.

Materials/Technique

Supply brand names of materials used when possible.

1. Principal materials used in fabrication
2. If applicable, describe any electrical components used, their operation and supplier
3. Protective coating (method of application)
4. Where was the work completed? (name of studio, foundry, etc.)

Installation

1. Are there any special installation considerations? (i.e. viewing height, measured distance from other objects, etc.)
2. If work is comprised of more than one piece requiring special assembly, supply instructions for installation and assembly. If the work is comprised of multiple parts not touching, please provide assembly instructions and detailed specifications for how the pieces should be located and installed.

External Factors

Describe the potential effects of existing environmental factors on the artwork, and provide any precautionary measures which would be taken to mitigate adverse effects on the work.

Maintenance/Conservation Instructions

Provide detailed instructions regarding the methods and frequency of maintenance for the artwork

1. Routine maintenance (e.g. removal of dust, dirt; maintenance of protective surfaces; tightening, adjusting, oiling, etc.)
2. Cyclical maintenance
3. What is the anticipated lifespan of the work?

Special Considerations

Provide detailed information about the artwork if it includes any electrical, mechanical, other unique or contemporary materials

1. Are there any electrical or mechanical components? Unique materials that require special consideration?
2. Please provide detailed schematics of electrical components or mechanical drawings and names of manufacturers.
3. How often and in what ways should these components be maintained?
4. Provide any other pertinent information for the care of the components as well as the location of the power disconnect, if applicable.

Any other comments or information that you would like to offer regarding the creation and preservation of this work of art would be greatly appreciated. Please attach an additional sheet if needed.

Please provide photo credit/s for all images of the artwork given to the City of Vancouver.

To be completed by the City of Vancouver

Condition of artwork at time of acquisition:

☐ Excellent ☐ Good ☐ Fair ☐ Poor

Artist signature

Date

City of Vancouver signature

Date

PUBLIC ART PROGRAM

Acquisition Form

(for donated art - includes provenance information)

Donor name: _____

Address: _____

Phone: _____ Email: _____

Brief bio of donor or estate:

Artist name: _____

Brief bio of artist:

Title of artwork: _____

Artwork material and medium (if available):

Date created/completed: _____

Appraised value: \$ _____

Special display requests?

How did the donor acquire the art?

If the donor is not the first owner, please provide the work of art's full provenance, if available.

Is there a specific reason you would like the City of Vancouver to have this work of art?

Is there a specific connection to the City of Vancouver? If yes, please describe.

Please describe any maintenance that has been done to the work:

Is there any outstanding maintenance that needs to be done? If yes, please describe.

PUBLIC ART PROGRAM

Deaccession Worksheet

Artwork Information Summary

Public Art Inventory #:

Title:

Artist:

Date of work:

Date acquired:

Location:

Medium:

Current value:

Has the artist (or artist's estate if artist is deceased) been notified of intent to deaccession the work?

☐ Yes ☐ No

If no, why not?

Reason for Deaccession

One or more of the deaccessioning criteria outlined in the City of Vancouver's Public Art Plan must be met. Please explain in detail the reason the object has been recommended for deaccession and provide photographic documentation.

Artist's comments on deaccession (please attach any correspondence or documentation):

Method of Disposition

Which of the following methods is recommended for this artwork's disposition?

- ☐ Return to original artist or artist's estate
- ☐ Trade with an artist, gallery or other institution for artwork(s) of comparable value
- ☐ Sale by public auction
- ☐ Re-installation by another institution (appropriate only if the art's integrity, original intent or purpose can be preserved).
- ☐ Decommissioning: destruction of the artwork because it cannot be relocated

Public Art Committee comments:

Culture, Arts and Heritage Committee comments:

Approval

Date approved by Public Art Committee:

Date approved by Culture, Arts and Heritage Commission:

If the recommendation to deaccession is declined, explain reason and plan for artwork:

Date of completed deaccession:

Completed by (name and title):

Signature

Date

PUBLIC ART PROGRAM

Art in the Public Right-of-Way

Siting Guidelines & Policies

ART IN THE PUBLIC RIGHT OF WAY POLICY

The City of Vancouver allows individuals/organizations to paint, install three dimensional artwork, or otherwise decorate City-owned property in the public right of way, provided that the artist/organizations proposing the artwork obtains a Long Term Right of Way Use Permit, or a Street Use Right of Way Permit prior to installation and complies with all guidelines set forth by the City.

Displays are restricted to the areas designated as available by the City. The City retains the right to deny applications that do not comply with the provisions of this policy.

LOCATIONS

City-owned property in the public right of way that may be available for decoration with prior approval includes signal boxes, manhole covers, sidewalks (where chalk or permeable paint should be used) and street intersections in residential areas, retaining walls, and light poles. Decoration of City-owned trees is limited and requires approval from the Urban Forestry Program. Right of Way is defined in Vancouver Municipal Code (VMC) section 11.01.010.

GUIDELINES

- The artwork should enhance its setting and help create a sense of place
- Artwork must be suitable for display to a diverse audience, including children
- Artworks that contain profanity, obscenity or explicit sexual imagery, nudity, graphic depictions of violence or would create a hostile environment are not permitted
- Artwork cannot display religious or political messages
- Artwork must be safe for display in the public right of way (e.g. no unsealed rust, sharp edges) and for people interacting with the art. Art should also meet Americans with Disabilities Act (ADA) accessibility standards.
- Providing space for artwork does not in any way obligate the City to assume any liability or risk for the displayed materials nor does it constitute an endorsement of the belief or viewpoints of the art/exhibit
- The City shall have the final determination as to where artwork can be located
- The City shall have the right to use photos, video, or other visual depictions of the artwork for publicity or other City purposes
- All materials used in the artwork must be provided, maintained, and paid for by the applicant

INSTALLATION

- Applicant must secure either a Long Term Right of Way Use Permit, Type D (VMC 11.60.060) or a Street Use Right of Way Permit through the City's Public Works Department*. There is a fee associated with the permit. A Right of Way Art Display Agreement, for which there is no charge, is also required.
- Along with the permit application, applicant must submit:
 - o Design of the proposed artwork
 - o Written certification of the design by a structural engineer, if required
 - o Information about how the artwork will be affixed in the right of way

** An initial conversation with the City's Cultural Services staff about the proposed project is recommended prior to filling out the Street Use Permit.*

- The City must review and approve the design of any proposed artwork
- All materials must be designed for use on the particular surface to be painted/decorated
- If the artwork includes a foundation, the design must be approved by a structural engineer
- If the artwork includes a lighting plan, that must be submitted along with the Street Use Permit. Other permits may be required depending on the type of lighting.
- Installation must be done in weather conditions meeting manufacturer's recommendations
- The applicant shall clean and prime surfaces prior to application of materials unless this requirement is waived in the Right of Way Use Permit
- Paint and other materials shall be applied according to manufacturer's instructions
- Vinyl wraps must be professionally installed
- The applicant is liable for surrounding personal property damage during installation. The following guidelines apply:
 - o The work area must be coned off so that pedestrians do not brush against painted surfaces
 - o A monitor must be present at the site until materials dry, at which time the cones and tape should be removed
 - o All paints, brushes, and painting materials must be kept within the taped off area
 - o Drop cloths must be used to protect street and sidewalk surfaces
 - o Paint spills must be immediately cleaned up
- In the case of murals or other painted surfaces, anti-graffiti coatings are encouraged. Removal of graffiti often results in the removal of anti-graffiti coating as well so may need to be reapplied
- If artwork is tagged with graffiti or damaged within the display time period that was approved on the Street Use Permit, the City will contact the applicant to repair the artwork. The applicant has seven (7) days from notification to abate graffiti and 30 days from notification to repair any other damage
- A small logo of the organization installing the artwork may be included, provided the logo and its proposed placement is shown on the design submitted with the application materials; Logo may occupy no more than 2% of the project's total surface area
- The City, through the Public Art Committee, must review and approve the design and placement of any proposed artwork. Please allow 45 days for the approval process

- The City reserves the right to reject, remove, or cover over any artwork if the City determines it is a possible safety hazard, is too large, interferes with the flow of pedestrian or vehicular traffic, creates a maintenance problem, interferes with public service or other activities in adjacent areas of is otherwise inappropriate for the space
- If the City owned property including utility boxes, retaining walls, sidewalks, etc. needs to be repaired or replaced—in part or whole—while the artwork is in place, there is no obligation on the part of the City to replace, repair or reinstall the artwork

PROCEDURE

To Obtain a Permit

Under Vancouver Municipal Code (VMC) section 11.60.060 (D), the City has the ability to issue right of way permits to allow artwork/decoration to be placed in the public right of way. Permits can be accessed online at <http://www.cityofvancouver.us/publicworks/page/street-use-right-way-permits>.

