

ORDINANCE NO. 13276

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE,  
CHAPTER 9, RELATIVE TO THE ESTABLISHMENT OF THE  
PUBLIC ART COMMISSION.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,  
TENNESSEE:

SECTION 1. That Chattanooga City Code, Chapter 9, Sections 9-1 through 9-6, relative to the establishment of the Chattanooga Public Art Commission, be added as follows:

**Sec. 9-1. Established.**

There is created and established a Commission to be legally known as the "Chattanooga Public Art Commission," referred to in this chapter as "Commission."

**Sec. 9-2. Membership and term of office.**

The Commission shall be composed of no fewer than nine members ("Members") to be appointed by the Mayor and to serve without compensation. All members of the Commission shall be confirmed by Chattanooga City Council. The term of the members shall be as follows:

Except for practicing visual art members whose terms shall be limited to one year, members shall serve a three-year term (initially staggered one, two and three years) and can be reappointed for one consecutive three-year term with each member serving no more than six consecutive years. Members should have considerable knowledge and experience in public art, the visual arts, architecture and/or urban design and must live or work in Chattanooga.

The Commission shall be comprised of the following:

1. At least two (2) practicing visual artists;
2. At least two (2) design professionals such as architects, landscape architects, or urban planners;
3. At least one (1) representative from a local arts and culture organization; and

4. Individuals with either a specific professional expertise or significant advocacy or leadership experience in public art, the visual arts or urban design such as contemporary arts curator, museum professional, or professor of art or art history and design professionals such as architects, landscape architects, or urban planners.

**Sec. 9-3. Purpose of the Commission.**

The purpose of the Commission shall be as follows:

1. To promote and advocate for the inclusion of art in public spaces;
2. To cooperate with and assist public, private and governmental entities in realizing public spaces as a place where the visual arts are an essential component of enhancing community identity and connection;
3. To provide information and recommendations to the Public Art Division, the Chattanooga City Council and the Mayor of Chattanooga with respect to art, architectural design and the aesthetics of public places and property;
4. To advise on the selection, placement, maintenance, relocation, and deaccessioning of artwork acquired by the City of Chattanooga through the public art program; and
5. To support the efforts of the City Public Art Division and its staff whose responsibilities are outlined in Sec. 9-6.

**Sec. 9-4. Duties of the Commission.**

The Commission shall:

1. Adopt public art guidelines, which shall include criteria for accepting donations or gifts, both cash and tangible art, a method or methods for the selection of artists or public art projects and for placement of public art projects;
2. Acting through the Public Art Division staff and Departments of Finance and Purchasing and in accordance with City procurement guidelines, provide guidance regarding the purchase public art projects or commission the design, execution and/or placement of public art projects;
3. Consult with the appropriate City department (i.e. Public Works, CDOT) regarding the design and construction components of any public art project;
4. Ensure the existence of an appropriate amount of funds to cover the maintenance of commissioned and donated public art projects;

5. Promulgate rules and regulations consistent with this ordinance to facilitate the implementation of the Commission's responsibilities hereunder;
6. In order to carry out and facilitate the Commission's general purposes, it shall have authority to:
  - a. Elect a chairman and such other officers as it may deem necessary to carry out the functions and duties of the Commission;
  - b. Promulgate and maintain its own regulations and bylaws;
  - c. Select advisory committees or panels of experts as necessary to assist in the discharge of its duties;
  - d. Receive and spend any money allocated to the Commission by the City for public art projects;
  - e. Review and accept any donations to the City of public artworks or funds for public art projects;
  - f. Recognize individuals, institutions and organizations who exemplify excellence in public art endeavors by bestowing upon such individuals, institutions and organizations such awards and commendations as the Commission from time to time deems appropriate; and
  - g. Expend funds for the acquisition of a public art project in accordance with public art guidelines and City procurement policies.

**Sec. 9-5. Financing.**

1. City funds designated for public art projects may only be used for the planning, design and/or implementation of a public art project and must be expended, in conformance with state and federal law, on the building, erection, reconstruction, replacement, extension, repairing, betterment, or improvement of public art projects prescribed by the public art guidelines. If designated funds are insufficient to fund a public art project, proceeds so deposited may, in conformance with state and federal law, accumulate until they are sufficient to fund a public art project.
2. In addition to City capital funds, donations from private persons or entities and state or federal monies may be expended on public art projects in accordance with Public art guidelines and City procurement policies.
3. The percentage of the funds for any commissioned or donated public art project set aside for maintenance, as determined by Public Art guidelines, shall be maintained

in a separate public art maintenance fund for the sole purpose of ongoing care and maintenance of the City public art collection.

**Sec. 9-6. Public Art Program Staff.**

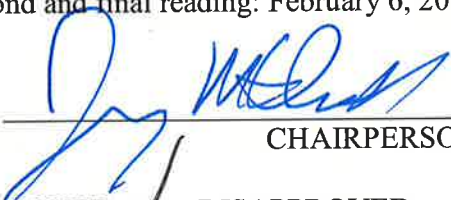
The Commission shall support the efforts of the City Public Art Division and its staff. Public Art Division Staff shall be employees of the City of Chattanooga and funded through the City's operational budget or approved use of public art capital project funds.

The Staff's responsibilities include the following:

1. Manage the City's public art program and facilitate communication among the Commission, selection panels and other City departments;
2. Identify public art project opportunities consistent with City procurement guidelines;
3. Administer the artist recruitment and selection process;
4. Officially accept artwork from artist or donor and ensure artwork is included under City of Chattanooga's insurance coverage;
5. Administer the public art funds and accounts based in large part upon the recommendations from the Commission; and
6. Direct the public relations and general education of the public art program.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: February 6, 2018

  
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CHAIRPERSON  
APPROVED:  DISAPPROVED:

  
\_\_\_\_\_  
MAYOR

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