

CITY OF ROANOKE  
PUBLIC ART POLICY  
Revised February 6, 2023

Art enhances Roanoke's identity as a community that values creative and diverse expressions. It builds our sense of civic pride, and enriches the quality of our lives. Public art fulfills these purposes in a myriad of ways: by improving our experience of public spaces through excellent and harmonious design; by sensitively preserving or highlighting vistas; by introducing surprising and enlivening elements into otherwise ordinary spaces; and by engaging us with insightful interpretations of our community's activities, aspirations, and history. In sum, public art has the capacity to humanize our urban and suburban environments. In recognition of the importance of integrating public art into the daily lives of the residents of Roanoke, Virginia ("City"), the Roanoke City Council supports a strong public art program. To this end the Council hereby establishes the City of Roanoke Public Art Policy ("Policy") with the following goals in mind:

- to create exciting, appealing, and harmonious public spaces by integrating art into architecture, urban design and the planning of infrastructure at the earliest design stage;
- to celebrate our community's heritage, ethnicity, commonality and civic pride by stimulating collaboration and understanding between artists and the City's diverse community;
- to enhance the City's image locally, regionally and nationally by ensuring the creation of the highest quality public art;
- to foster the public's understanding and enjoyment of public art;
- to promote artists to live and to work in the City and to participate in public presentations of their art in the City; and,
- to encourage federal, state and private support for the City's public art program.

Through this Policy and the Public Art Program Guidelines ("Guidelines") Council seeks to have the City provide opportunities for creating exciting and attractive public spaces that are used and enjoyed by the City's residents, workers and visitors.

1. PUBLIC ART COVERED BY THIS POLICY

Public art, defined as original or limited edition works of art in any discipline or medium that is accessible to the public, encompasses the broadest definition of art including the imaginative use and interplay of all artistic disciplines. Public art governed by this policy shall be art that is visually or physically accessible to the public, and that is acquired by City funds, donated to the City, or provided by a private entity as a community benefit. Public art may possess functional as well as aesthetic qualities. Public art that is not paid for with public funds or located on public property is not covered by this Policy.

2. GUIDELINES

Council authorizes the City Arts Commission ("Commission") and City staff to develop detailed guidelines outlining all aspects involved with the implementation of this policy,

including the processes used to: develop an inventory of existing and approved public art; develop and update the Roanoke Public Art Plan and the Public Art Site Plan as necessary and review and recommend a process for the selection, placement and implementation of specific public art projects. These guidelines will be developed by the Commission and appropriate City staff, reviewed by the City Attorney as to form and approved by the City Manager.

3. PUBLIC ART SITES

Sites for public art covered by this Policy are prominent and highly visible locations in the City which are identified as suitable for public art projects and are physically and/or visually accessible to and by the public. Public art projects covered by this Policy for which public money is utilized may be located on either public or private property. For a public art project to be located on private property, the owner must grant the City an easement for access, with a grant of all ancillary rights that the City deems necessary in order to implement the public art project according to this Policy. Identification of a piece of property as a public art site shall not relieve the property owner from complying with all applicable City laws and regulations.

4. SITE SELECTION

The process used to select public art sites is dependent upon the type of project executed.

A. City Initiated Projects

Working with the Commission, the City will develop a Public Art Site Plan ("Plan"). The Plan will identify appropriate and significant sites for the location of public art. The Commission shall ensure that the process of preparing the Plan and any subsequent modifications provides ample and appropriate opportunities for public input into site identification. The Plan must complement and supplement the City's various other planning documents guiding the growth and development of the City, such as the City's Comprehensive Plan. The initial Plan shall be submitted to the Council by the Commission for Council's review and approval. The Plan will be reviewed and updated every five years thereafter. The Plan may also be revised at such other times as a proposal for inclusion of a project on a site not identified in the Plan is received by the City, if the City finds such proposal to be consistent with laws and regulations and the City's general policies on public art. In general, City Initiated Projects will be located on sites identified in the Public Art Site Plan.

The Commission, working with City staff, will identify the highest priority projects described in the Plan and recommend those projects for implementation as funding allows. As much as possible, these projects should correspond with new construction or renovation projects planned by the City for that year.

B. Private Projects

A site for the inclusion of public art amenities in conjunction with a development project may be identified. The Public Art Site Plan will provide guidelines for this siting process. If public art is a component of proposed site plan, then the Commission shall review the public art proposal and may make recommendations to the developer and the City concerning the appropriateness of the public art proposal as part of the site plan.

C. Community Initiated Projects

A City community group or neighborhood association may propose a public art project for a site that may or may not be on the Public Art Site Plan and apply for City funds to implement the project.

5. ELIGIBLE PUBLIC ART PROJECTS

A. Public Art Projects may include:

- the commissioning of permanent works designed for specific public sites in the City;
- the loan, purchase or donation of art works deemed appropriate for public sites;
- artists contracted to work as integral members of architectural, infrastructure, and urban design teams; and
- installations, artist-in-residence programs, and other short-term projects or planning activities that result in the creation of temporary or permanent public art.

B. Two types of Public Art Projects are possible:

1. City Initiated Projects

The Commission may propose one or more public art projects for sites identified in the Public Art Site Plan. The Commission, working with appropriate City staff, will identify the highest priority projects.

2. Private Projects

In conjunction with the City's site plan review process, developers may offer for the inclusion of public art as a component of the site plan for a specific development.

6. COMMUNITY INVOLVEMENT

Each public art project created through this Policy shall include an outreach program that will encourage community involvement in the implementation of the project as well as periodically inform and educate citizens about the specific project.

7. ARTIST SELECTION

Methods used for artist selection may include open competition, invitational competition, or direct selection but shall comply with all laws, regulations, and City policies governing purchasing. Community involvement in the development of any Public Art Project is crucial and shall be part of the selection process. For Public Art Projects attached to private or public construction, the artist selection and approval process must be integrated into the overall project timeline so as not to cause delays.

8. ART OWNERSHIP AND COPYRIGHT

In general, for City Initiated and Community Initiated permanent works of public art the City shall own the physical work and copyrights shall be retained by the artist, with reproduction rights allowed the City for appropriate promotional and educational purposes. Legal title and copyrights in any work of public art funded in whole or in part by direct City funding and/or the Public Art Fund, or donations or loans of public art which are accepted by the City, shall be spelled out in a mutually agreeable contract between

the City and the artist and the owner. Ownership of art obtained through private projects will be negotiated on a case by case basis.

9. FUNDING

A. Direct City Funding

City funding of art shall be pursuant to the Percent-for-Art Program Guidelines adopted by Council October 3, 2002, by Resolution No. 36076-100302, a copy of which Guideline is attached hereto.

B. Other Funding Sources

1. Government, Foundations, Corporations and Other Contributions

The City will be active in applying for non-City public and private funds to support public art projects as appropriate. Individuals, businesses and organizations will also be encouraged to make contributions to the City for public art projects.

2. Private Projects

Contributions for public art received in conjunction with a private development project may include funding for a specific art project in a proposed development, funds for a project included in the Public Art Site Plan, or a contribution to support the City's public art program. Using the Public Art Site Plan as a guide, the City may accept one of these contributions in conjunction with the development, as agreed to by the developer and the City.

C. Public Art Fund

All funds for public art received by the City from any source other than the Capital Improvement Program of the City shall be deposited in a public art account established by the City ("Public Art Fund"). The Public Art Fund may be used to support City Initiated Projects, as approved by the City Council. The Public Art Fund shall be administered by the Director of Finance.

10. PROGRAM ADMINISTRATION

A. Program and Collection Management

The City Manager is responsible for the administration of the City's public art policy and the management of the City's public art inventory.

B. Project Implementation Costs

Certain costs of the public art program will be allocated from the annual appropriation from the Percent-for-Art Program. These costs include: project consultant fees, programming costs, project implementation costs associated with procurement of public art works, and maintenance expenses for existing public art works. Staffing costs and other related administrative costs will be funded from the City's operating budget.

11. MAINTENANCE

The City shall be responsible for the maintenance of City Initiated projects created through this policy. All permanent public art projects must have a plan that projects both

staff time and funding needed to properly maintain the work. Funds for the maintenance of City Initiated Projects will be allocated as a portion of the public art program's operating budget. Maintenance of public art in private locations will be negotiated on a case by case basis. Maintenance of public art donated to the City will be negotiated with the donor.

12. ACCESSIONING / DEACCESSIONING OF PUBLIC ART

The acceptance/accessioning and deaccessioning of art by the City shall be governed by Sections 2-266 and 2-269 of the Code of the City of Roanoke (1979), as amended.

Approved by the Roanoke City Council  
December 4, 2006  
Revised by the Roanoke City Council  
February 6, 2023