



Town of Buena Vista **Public Visual Art Policies and Procedures**

1.0 Mission

The Town of Buena Vista desires to adopt policies and procedures that will encourage the display of public visual art and will provide a mechanism for the inclusion of public art throughout the Town in parks, other public spaces, or on non-town owned property that is open to the public.

2.0 Goals

‘Public visual art’ within the community shall be defined as any art that is located on Town property or that is located on non-town property (open to the public) and is installed or financed, either wholly or in part, with Town funds or grants procured by the Town. Public visual art shall further one or more of the goals outlined below:

1. Provide a forum for public art and artistic expression within the community
2. Utilize public art as a vehicle to express the Town’s history and cultural heritage
3. Strengthen the community’s sense of spirit, pride, and unity
4. Generate cultural tourism and create economic impact
5. Use resources efficiently and provide for sustainability

Temporary decorations or displays for holidays, special events, or other similar occasions shall not be considered “Public visual art” for the purposes of this policy.

3.0 Sites

3.1 Downtown Sites

Downtown Buena Vista includes several public open spaces that can accommodate public art. As the historic home of Buena Vista’s earliest days, downtown provides opportunities for traditional and abstract art, focusing on organic and natural traits of the area. Artwork in this location should harmonize with the age, geography, and historical/physical features of the Buena Vista community.

3.2 Parks and other public open spaces

There are a number of other parks and open spaces within the community that could be accommodating and appropriate to a variety of art elements. The Town, through the processes

outlined herein, will review any and all proposals for art in parks and open spaces on a case-by-case basis.

4.0 Types of Projects

4.1 Public Art Commissioned by Town

From time-to-time, the Town may desire to commission public art projects. Any art projects initiated by the Town shall follow the process for review as outlined in these policies and procedures.

4.2 Donations or Loans of Artwork

The Town provides an opportunity for donation or loans of artwork for display on public property. Any individual, group, or organization interested in donating or loaning artwork for display shall follow the policies and procedures outlined in this document. Any donations or loans must occur under the following terms:

- a. All donations and loans shall be reviewed by the Town of Buena Vista and approved.
- b. As part of the approval process, the owner of the project or the owner's representative will be required to enter into an Art Display Agreement. This agreement shall outline the length of the loan or statement of donation, location, maintenance requirements, cost responsibility, insurance, value of artwork, installation and removal responsibility, and other items as needed. If ongoing maintenance requirements, cost responsibility, or other obligations are the burden of the owner or owner's representative, then the resources available to the owner or owner's representative shall be added to Section 5.3 as a condition of review.
- c. All decisions shall be made by the Board of Trustees, with input from advisory groups and/or community members.
- d. All donated works become part of the Town's art collection and, as such, may be relocated or removed from display at any time following the procedures outlined in Section 7.0 of this document.

5.0 Process for Review

5.1 Review/Approval Process

- a. Applications for public review must meet the submission requirements outlined below. Once a completed application is received by the Town, it will be scheduled for initial review at the next Beautification Advisory Board meeting and forwarded to the Town's Public Works Department. These entities shall provide a review of the application and comments on the application's merits. If comments come from one or both entities that raise significant concerns, the applicant will be contacted for revisions/clarification. It is

Adopted by the Board of Trustees March 10, 2020

- anticipated that the entire process should take between 31-60 days.
- b. Acceptance of the application by the Board of Trustees. The Board shall review the application, comments and recommendations of the Beautification Advisory Board and Public Works Department, and direct staff to proceed with the review procedures.
 - c. A 30-day public review period shall also begin on the date of the Beautification Advisory Boards initial application review. Three mechanisms are outlined for publicreview:
 - i. The application shall be available at Town Hall.
 - ii. The application shall be posted on the Town’s website.
 - iii. Property owners (both business and residential) within 300 feet of the installation shall be provided written notice of the application. Such notice shall be mailed no later than 15 days prior to the end of the 30-day public review period, or the public review period shall be extended as necessary to encompass 15 days following the mailing of property owner notices.
 - d. Following the 30-day public review period, the Town Administrator shall provide a recommendation regarding the application to the Board of Trustees. The recommendation shall include all comments received during the review period and a summary of the recommendations from Public Works and Beautification.
 - e. The Board of Trustees shall review the application, the recommendation from the Town Administrator, and public comments received prior to making a final decision on the application. The Board of Trustees’ final review should take place within 30 days following the end of the 30- day review period.

5.2 Submission Requirements

Applications will not be deemed complete unless they include the following information:

- a. A photo, drawing, or sketch of the art piece.
- b. Estimated cost of design and construction and proposed funding sources.
- c. Description of the materials used to create the artwork, including materials needed to display/secure the structure.
- d. Dimensions of the artwork, including appropriate base materials (if needed).
- e. Proposed construction methods.
- f. Projected cost of installation and proposed funding sources, along with a description of who will be responsible for the labor.
- g. If the artwork is to be erected in CDOT right-of-way, a timeline for completion of permitting requirements.
- h. If the artwork is to be erected in CDOT right-of-way, approval from CDOT that the artwork meets CDOT location and size requirements.
- i. Description, including materials, dimensions, wording and location, of interpretive signage for the artwork.
- j. Statement regarding relationship to proposed site including aesthetic, cultural, or historic ties.

Adopted by the Board of Trustees March 10, 2020

- k. An estimate of design lifespan of the artwork and potential annual maintenance needed to maintain structural integrity.
- l. Statement as to whether the work is unique or duplicates otherwork.

5.3 Guidelines for Review

The Board of Trustees will consider the following criteria in its review of all art in public parks and open spaces:

- a. The Town’s overall collection shall strive for diversity in style, scale, media, and artists.
- b. If the artwork is to be placed outdoors, the physical composition of the artwork should be considered in terms of durability in an outdoor setting. Any requirements for immediate or future conservation should be noted.
- c. The artwork must add interest and meaning to the environment in which it is placed. It must be compatible in scale, material, form, and content with its surroundings. Artwork must conform to any existing Master Plan for the site.
- d. The artwork must have social, cultural, historical, or physical context appropriate to the site and/or community, either existing or planned.
- e. Artwork conveying exclusively religious messages will not be accepted.
- f. Artwork conveying exclusively political messages will only be considered if the political message is historical in nature.
- g. Artwork conveying a commercial message will not be accepted.
- h. Artwork anticipated to impose burdensome maintenance costs on the Town, according to its discretion, will not be accepted.
- i. Artwork shall exhibit overall artistic merit, creativity, and vision (originality, ambition, connection with people and region, technical competence and craftsmanship).
- j. Message and content shall be judged by generally accepted community standards.
- k. Preference given to work created by local and regional artists.
- l. Artist’s background and ability.
- m. Pertinence to local people, history, events, and cultural & ethnic heritage or related to location.
- n. Support and collaboration for the project.
- o. No conflict of interest with funding sources.
- p. Clear title of ownership.
- q. Must meet Town Codes and Ordinances.
- r. Avoid over-representation by any one artist.
- s. Prioritized list of sites and localities.
- t. Public safety.
- u. Artwork should not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building, on a sidewalk or path.
- v. Artwork should not be placed at a given site if the landscaping and maintenance requirements of that site cannot be met on a long-term basis.

6.0 Maintenance

Costs of ongoing maintenance and repair anticipated throughout the lifespan of any artwork will be important considerations during the acceptance process. Costs for such activities must fall within the Town's budgeted funding sources and the Town must have labor availability to meet the maintenance needs. In the event any proposed artwork exceeds the Town's capacity for maintenance or repair, the donating person or entity shall be responsible for such maintenance and repair. This requirement will be included as part of the Art Display Agreement.

7.0 Removal of Public Art

The Town shall remove and dispose of works of art when it finds such action to be in the public interest based upon the following:

- a. The artwork has no relevance to the collection or serves no exhibition function.
- b. The artwork has been vandalized and cannot be repaired for any reason, including physical, structural, or financial reasons.
- c. The artwork no longer meets the current standards for public art.
- d. The artwork is no longer repairable or is in a seriously deteriorated condition.
- e. The artwork is deemed to have become a public safety hazard or a public liability.
- f. Removal should not be based on current fashion or taste.

Recommendations for removal of public art shall be directed to the Board of Trustees. If the Board of Trustees determines a review is appropriate, it shall follow the same guidelines as outlined in Section 5.3 of this document and a public hearing shall be held at a regularly scheduled Board meeting to solicit public comment on the removal. However, if a public safety hazard is deemed to exist by the Town Administrator, the artwork can be removed immediately without need for approval from the Board of Trustees or a public hearing.

Once approval for removal is granted, the structure shall be disposed of by Public Works staff.

Submission Requirements Checklist

Before submitting your application, please make sure you have included all of the following:

- _____ A photo, drawing, or sketch of the art piece
- _____ Estimated cost of design and construction, and proposed funding sources
- _____ Description of all materials used to create the artwork, including materials needed to display/secure the structure
- _____ Dimensions of the artwork, including appropriate base materials (if needed)
- _____ Proposed construction methods
- _____ Projected cost of installation and proposed funding sources, along with a description of who will be responsible for the labor
- _____ A timeline for completion of permitting requirements, if artwork is to be erected in CDOT right-of-way
- _____ Approval from CDOT the artwork meets location and size requirements if the artwork is to be erected in CDOT right-of-way
- _____ Description, including materials, dimensions, wording and location, of interpretive signage for the artwork
- _____ Statement regarding relationship to proposed site including aesthetic, cultural, or historic ties
- _____ An estimate of design lifespan of the artwork and potential annual maintenance needed to maintain structural integrity
- _____ Statement as to whether the work is unique or duplicates otherwork

Town Evaluation Checklist

- Does this artwork convey an exclusively religious message?
- Does this artwork convey an exclusively political message that is not historical in nature?

If the answer to either of these questions is 'yes,' the artwork cannot be approved per town policy. If this is not the case, please continue below.

On a scale from 1 to 5, with 1 being 'not at all true' and 5 being 'completely true,' please rate the proposed artwork according to the following criteria.

This artwork:

- 1 2 3 4 5 Will contribute to diversity in our public art pieces
- 1 2 3 4 5 Will be suitably durable, given its intended environment
- 1 2 3 4 5 Will add interest/meaning to its environment
- 1 2 3 4 5 Will be compatible in scale, material, form, and content with its surroundings
- 1 2 3 4 5 Will conform to any existing Master Plan for the site
- 1 2 3 4 5 Has social, cultural, historical, or physical context appropriate to the site and/or community
- 1 2 3 4 5 Will not impose burdensome installation costs/labor requirements on the Town
- 1 2 3 4 5 Will not impose burdensome maintenance costs on the Town, including any related to landscaping around the artwork
- 1 2 3 4 5 Exhibits artistic merit, creativity, and vision
- 1 2 3 4 5 Conforms in message and content to generally accepted community standards
- 1 2 3 4 5 Has been created by a local or regional artist
- 1 2 3 4 5 Is pertinent to local people, history, events, and cultural/ethnic heritage, or is related to its proposed location
- 1 2 3 4 5 Has community support and involves community collaboration
- 1 2 3 4 5 Has funding sources that do not represent a conflict of interest for the Town
- 1 2 3 4 5 Has clear title of ownership
- 1 2 3 4 5 Meets all applicable Town Code requirements
- 1 2 3 4 5 Will not contribute to over-representation by a single artist
- 1 2 3 4 5 Will be located in a site that has been prioritized for public artwork by the community
- 1 2 3 4 5 Will not impair public safety in any way
- 1 2 3 4 5 Will not block windows or entranceways, or obstruct pedestrian circulation

Score of 20 – 49: Not recommended for approval

Score of 50 – 79: Merits consideration

Score of 80 – 100: Recommended for approval

Adopted by the Board of Trustees March 10, 2020