

CITY OF CORVALLIS
COUNCIL POLICY MANUAL

POLICY AREA 4 - LEISURE AND CULTURAL ACTIVITIES

CP 94-4.07 **City Owned or Funded Art Objects on City or Private Property**

Adopted May 2, 1994

Revised October 21, 1996

Revised October 5, 1998

Affirmed December 17, 2001

Affirmed May 3, 2004

Revised January 7, 2008

Revised August 3, 2009

Affirmed March 7, 2011

4.07.010 **Purpose**

This policy seeks to improve public access to art and enhance the beauty of the Corvallis community by establishing guidelines for City-owned or funded art on City or private property.

4.07.020 **Policy**

4.07.021 All decisions on whether or not the City should accept ownership or participate in funding of art objects will be made by the Public Art Selection Commission, and affirmed by the City Council, prior to installation. Procedures for decisions are to be consistent with the guidelines outlined in CP 98-4.12.

The City shall also consider the Visual Artist Right Act (VARA) of 1990 in the participation of funding and accepting art objects on city or private property. VARA protects the rights of the artist and their artwork and states that public art may not be distorted, mutilated or modified, without the written permission of the artist. In addition, the City will secure the artist's permission to move the art prior to acceptance of the artist's work, in the event that it may be in the public interest to relocate the artwork.

Council Policy 94-4.07

4.07.022 Art objects owned or funded by the City may be displayed on public or private property under the following conditions:

1. Any private property displaying City-owned art objects must be within the city limits of the City of Corvallis.
2. Any art placed on private property shall require a written agreement between the City and the property owner(s) and lessee(s) if any, establishing the conditions for such display and identifying the respective responsibilities of each party, including insurance and liability.
3. The art object is to be placed in a location where art is accessible for appreciation by the public. At no time will a fee or charge be required for such access.
4. The costs to the City for art placed on any private property (maintenance, insurance, etc.) shall be minimal. Upon acceptance of the artwork, the City shall be responsible for the proper cleaning, maintenance, and protection of the work within reason, after installation, pursuant to the written agreement with the property owner and with the written instructions provided by the Artist and submitted by Artist at the time of completion. Cost control may be achieved through agreement(s) with a recognized and responsible art or civic group(s) or property owner to maintain such art objects. Any such agreement must be approved by all parties prior to the commissioning of the artwork. The art or civic group(s) must have been in existence for a minimum of three years.
5. The selection process for the artwork and conditions for acceptance, and liability by the City for the artwork shall follow the guidelines set forth in Council Policy 98-4.12 *Guidelines for Public Art Selection*.

4.07.030 Review and Update

This Leisure and Cultural Activities Policy shall be reviewed every three years by the City Manager and updated as appropriate.