

ATTACHMENT #3

Chapter 62.65 ART WORKS IN PUBLIC PLACES*

***State law references:** Art works in public buildings and facilities, AS 35.27.010 et seq.

62.65.010 Purpose.

The assembly recognizes a responsibility to foster the development of culture and the arts through the purchase or commissioning of works of art for municipal facilities that are subject to substantial public use. It is therefore declared to be a municipal policy that a portion of appropriations for capital expenditures for these facilities be devoted to the acquisition of works of art to be permanently placed in or as a part of such facilities.

(Serial No. 85-50, § 2, 1985)

62.65.020 Art requirements for public facilities.

(a) A facility constructed, remodeled or renovated with funds appropriated by the assembly after August 1, 1985, shall include within public view works of visual art, such as sculptures, paintings, murals, drawings, mosaics, photographs, calligraphy, works of graphic art (including an etching, lithograph, offset print, silk screen), crafts (including crafts in clay, textiles, fiber, wood, metal, plastic, glass and like materials), or mixed media including a collage, assemblage or any combination of the foregoing art media, or objects relating to native art, as provided in this chapter.

(b) The manager, before preparing plans and specifications for facilities, shall advise the assembly regarding the inclusion of works of art and shall include works of art in such buildings and facilities unless otherwise directed by the assembly.

(c) At least one percent of the construction cost of a facility approved by appropriation by the assembly after August 1, 1985, shall be reserved for the design, construction, mounting and display of art associated with the facility.

(d) The manager shall encourage the use of City and Borough resources in these art works.

(e) The City and Borough shall receive sole ownership of each work of art acquired pursuant to this chapter. No work of art produced, in whole or in part, pursuant to this chapter shall be subject to copyright in the United States or in any other country. The City and Borough shall have unrestricted authority over any work of art acquired pursuant to this chapter.

(Serial No. 85-50, § 2, 1985)

62.65.030 Art in public places account.

(a) The art in public places account is established. This account shall be a separate account within the capital projects fund. The manager shall administer the account.

(b) The manager shall deposit into the art in public places account one percent of the construction cost of a building or facility if the building or facility is exempt from the requirements of section 62.65.020 and the exemption is because:

- (1) The estimated construction cost of the building or facility is less than \$250,000.00; or
- (2) The building or facility is not designed for substantial public use and access.

(c) The manager may use the money in the art in public places account to:

(1) Commission or purchase a work of art which is to be placed on public lands integral to or attached to a facility detached within or outside a facility, part of a portable public exhibition or collection, part of a temporary public exhibition, or loaned to or exhibited in other public facilities owned, leased or designated by the City and Borough which have substantial public use and access; and

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(2) Meet expenses for a commissioned work of art for a building or facility which has substantial public use and access if the cost of the work of art exceeds the amount reserved under subsection 62.65.020(c).

(Serial No. 85-50, § 2, 1985)

62.65.040 Selection process.

For each project for the construction, remodeling or renovation of a building, school or facility falling within the provisions of this section, a selection panel shall be appointed to select works of art for inclusion in the project. The panel shall consist of two public members appointed by the Juneau Arts and Humanities Council, two members appointed by the assembly, one member appointed by the manager and one member representing the department which will be the primary user of the building, school or facility. The panel shall consult with the project architect or designer to ensure compatibility of the works of art with the design of the building, school or facility. All selections shall be subject to final approval by the assembly. The selection panel shall not have any authority to enter into any contract on behalf of the city.

(Serial No. 85-50, § 2, 1985)

62.65.050 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Construction cost means that cost expended for the actual construction, remodeling or renovation of the facility, exclusive of the costs of land acquisition, site investigation, design services, administrative costs, equipment purchases and any other cost not specifically incurred within the construction contract awarded for the construction of the facility.

Facility means a permanent improvement owned or leased by the municipality and devoted to substantial public use having an estimated construction cost of at least \$250,000.00; the term includes, but is not limited to, schools, office buildings, public libraries and public parks. The term "facility" does not mean:

- (1) Streets;
- (2) Utility facilities and liens;
- (3) Fire stations; and
- (4) Buildings for institutional, hospital, penal or corrective purposes.

Manager means and includes the manager or the manager's designee.

(Serial No. 85-50, § 2, 1985)

Cross references: Definitions generally, CBJ Code § 01.15.010.