

O-14-26**Art in Public Places — Amending Definitions, Duties, and Membership****AMENDMENT 2 – ALDERMAN SAVIDGE**

Amendment Summary:

Amendment 2 requires the Commission to maintain a recurring citywide inventory of art in public places and assess geographic gaps, to notify the Alderman of the affected ward before site-specific recommendations, to weigh equitable geographic distribution in its published selection findings, and to file the annual hotel-tax-revenue report required by State law. These provisions strengthen transparency and equitable access across the City regardless of the Commission's size.

MOTION:

- 1) On page 7, in subsection 2.48.720(A), after paragraph 6, add the following paragraph:

“7. **Public Art Inventory.** Within 12 months of the effective date of this ordinance, and not less than once every three years thereafter, the Commission, in consultation with the Director, shall prepare and publish an inventory of art in public places throughout the City. The inventory shall identify existing permanent works of art by ward and assess geographic distribution gaps to inform funding and selection priorities.

8. **Ward Notification.** Before recommending to the Director the placement, relocation, or removal of a permanent work of art at a specific site, the Commission shall provide notice to, and invite comment from, the Alderman representing the ward in which the site is located.”

- 2) On page 8, in subsection 2.48.720(E), after paragraph 2, add:

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- "3. Hotel Tax Revenue Report. On or before November 1 of each year, the Commission shall report on its use of hotel tax revenue during the preceding fiscal year, as required by Md. Code Ann., Local Government Article § 20-603, to the Mayor and City Council and, in accordance with § 2-1257 of the State Government Article, to the Senate Budget and Taxation Committee, the House Committee on Ways and Means, and the members of the General Assembly representing the City of Annapolis.
4. If the Commission fails to submit the report required under paragraph 3, the City may withhold from appropriation the special funds dedicated to the Commission under Local Government Article § 20-603."
- 3) On page 9, in subsection 2.48.740(A), after paragraph 8, add the following paragraph:
9. Equitable geographic distribution of art in public places throughout the City, including consideration of wards or areas underserved by existing works as identified in the inventory prepared under § 2.48.720(A)(7).

As the Change Would Look in the Legislation

This is solely for showing changes & is *not* part of the Amendment Motion.

Section 2.48.720 Duties and Responsibilities ~~Arts Commission established and duties.~~

A. The Commission shall have the following duties and responsibilities:

1. **City Property.** Provide recommendations to the Director concerning the acquisition, commissioning, placement, relocation, maintenance, removal, and disposition of art in public spaces on City-owned property. Additionally, collaborate with the Director and the City to establish a method for the competitive selection of art to be displayed in these public spaces.
2. **Procedure Development.** Recommend procedures as specified in Section 2.48.710 for the art fund.
3. **Funding Recommendations.** Make recommendations regarding the use of the art fund, including work of art funding, artist selection processes, and related expenditures, in accordance with applicable law and adopted procedures of the Commission, including those procedures adopted pursuant to § 2.48.740.
4. **Coordination with Other Bodies.** Coordinate, as appropriate, and directly in coordination with the Director, with other City boards, commissions, and agencies, including but not limited to the Historic Preservation Commission, to ensure consistency with applicable City laws, regulations, and review processes.
5. **Public Engagement.** Support public awareness of the Commission and Commission-supported art in public places, and encourage opportunities for public participation with the Commission, consistent with adopted Commission procedures and available resources.
6. **Advisory Role.** Serve in an advisory capacity, in coordination with the Director, to the Mayor, City Council, and Department on matters related to art in public places.
7. **Public Art Inventory.** Within 12 months of the effective date of this ordinance, and not less than once every three years thereafter, the Commission, in consultation with the Director, shall prepare and publish an inventory of art in public places throughout the City. The inventory shall identify existing works by ward and assess geographic gaps in distribution to inform funding and selection priorities.
8. **Ward Notification.** Before recommending to the Director the placement, relocation, or removal of a permanent work of art at a specific site, the

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Commission shall provide notice to, and invite comment from, the Alderman representing the ward in which the site is located.

B. Membership, Appointment, Terms (Residency).

1. The Commission shall consist of five members.
2. Efforts shall be made to have the commission comprise residents from throughout the City.
3. Members may reside outside the City to allow for regional arts expertise.

C. Officers; Bylaws.

1. The Commission shall select its officers in accordance with § 2.04.080.
2. The responsibilities of any officers shall either be prescribed in the current edition of Robert's Rules of Order, Newly Revised, or specified in any bylaws or rules that the Commission may adopt in accordance with § 2.04.080.
3. The chair shall preside at all meetings of the Commission, and in the chair's absence, the vice chair shall preside, and, in the absence of the chair and vice chair, the senior-most member of the Commission shall preside with all powers of the chair.

D. Ex Officio Members.

1. The Director, or their designee, shall be an ex officio, nonvoting Commission member.
2. The Mayor may designate additional City officials or individuals to participate in an ex officio, nonvoting capacity.

E. Report Required.

1. The Commission shall, in accordance with § 2.04.080, submit, not later than January 15 of each year, a report of its activities for the prior calendar year.
2. The Finance Director shall submit a report on the art fund's financial status during the preceding year no later than January 15 of each year.
3. Hotel Tax Revenue Report. On or before November 1 of each year, the Commission shall report on its use of hotel tax revenue during the preceding fiscal year, as required by Md. Code Ann., Local Government Article § 20-603, to the Mayor and City Council and, in accordance with § 2-1257 of the State Government Article, to the Senate Budget and Taxation Committee, the House Committee on Ways and Means, and the members of the General Assembly representing the City of Annapolis.

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4. If the Commission fails to submit the report required under paragraph 3, the City may withhold from appropriation the special funds dedicated to the Commission under Local Government Article § 20-603.

F. Guidelines and procedures.

1. The Commission shall adopt guidelines and procedures that:
 - a. Identify works of art suitable for display or performance in publicly accessible spaces on City property;
 - b. Facilitate the preservation and maintenance of works of art displayed in public places;
 - c. Prescribe a method for the competitive selection of art in public places;
 - d. Prescribe procedures for the selection, acquisition, display, and performance of art in public places, including temporary works of art, permanent works of art, and art activations;
 - e. Prescribe procedures for awarding monies from the art fund to artists, groups, and organizations that promote or practice art in public places, to support the direct costs of works of art that are open to the public; and
 - f. Establish other matters appropriate to the administration of this article.
2. Each guideline and procedure shall become effective in accordance with § 2.04.090.

Section 2.48.740 Art Selection. and display standards.

- A. **Selection Process.** The Commission shall establish procedures, in consultation with the Director, for how art in public places is selected, and the Commission shall publish written findings in support of all art in public places selection, and related funding decisions, addressing at a minimum each of the following factors:
1. Conceptual compatibility of the design and/or performance with the immediate environment of the site;
 2. Appropriateness of the design and/or performance to the function of the site;
 3. Compatibility of the design and/or performance and physical location with a unified design character or historical character of the site;
 4. Creation of an internal sense of order and a desirable environment for the general community by the design and/or performance, and physical location, of the work of art;
 5. Preservation and integration of natural features for the work of art;

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6. Appropriateness of the materials, textures, colors and design to the expression of the design concept;
 7. Approval and support from the applicable site's property owners, whether the City, private owners, or other governmental owners, for the work of art; and
 8. Representation of a broad variety of tastes within the community and a balanced inventory of art in public places to ensure a variety of styles, designs, media, and/or performances throughout the community.
 9. Equitable geographic distribution of art in public places throughout the City, including consideration of wards or areas underserved by existing works as identified in the inventory prepared under § 2.48.720(A)(7).
- B. **Selection.** The Commission shall recommend to the Director the selection of art to be displayed in the City.

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