

1 **Art in Public Places — Amending Definitions, Duties, and Membership**

2 For the purpose of updating the definitions applicable to the Art in Public Places program;  
3 revising the duties and responsibilities of the Art in Public Places Commission; reducing the size  
4 of the Commission and revising the requirements for Commission membership, appointment,  
5 and terms; updating the allowable uses of the art fund and the procedures for distribution of art  
6 fund monies; establishing criteria and procedures for the selection of art in public places;  
7 updating the standards for the display and performance of works of art in publicly accessible  
8 spaces; and generally relating to the Art in Public Places Commission.

9  
10  
11 **City Council of the**  
12 **City of Annapolis**

13  
14 **Ordinance 14-26**

15  
16 **Introduced by: Mayor Littmann**

17 **Co-sponsored by:**

18  
19 **Referred to:** Rules and City Government Committee

20  
21 **AN ORDINANCE** concerning

22 **Art in Public Places — Amending Definitions, Duties, and Membership**

23  
24 **FOR** the purpose of updating the definitions applicable to the Art in Public Places program;  
25 revising the duties and responsibilities of the Art in Public Places Commission; reducing  
26 the size of the Commission and revising the requirements for Commission membership,  
27 appointment, and terms; updating the allowable uses of the art fund and the procedures  
28 for distribution of art fund monies; establishing criteria and procedures for the selection  
29 of art in public places; updating the standards for the display and performance of works  
30 of art in publicly accessible spaces; and generally relating to the Art in Public Places  
31 Commission.

32  
33 **BY** repealing and reenacting with amendments the following portions of the Code of the City  
34 of Annapolis, 2026 Edition: **Article XVIII.**

- 35 • **Section 2.48.700**  
36 • **Section 2.48.710**  
37 • **Section 2.48.720**  
38 • **Section 2.48.740**  
39 • **Section 2.48.750**  
40 • **Section 2.48.760**  
41 • **Section 2.48.770**

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**Explanation Note:** Strikethrough indicates matter stricken from existing law.  
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1  
2 **BY** repealing the following portions of the Code of the City of Annapolis, 2026 Edition:  
3 **Section 2.48.730**  
4

5 **WHEREAS,** The Art in Public Places Commission was created by the Annapolis City Council  
6 on July 24, 2000, through adoption of O-5-2000, to promote and enhance public  
7 art throughout the City of Annapolis; and  
8

9 **WHEREAS,** Pursuant to Article VI, Section 14 of the Charter of the City of Annapolis, the  
10 City Council has the authority to establish, modify, and dissolve boards,  
11 commissions, and committees as necessary to serve the public interest; and  
12

13 **WHEREAS,** On February 23, 2026, the City Council adopted O-4-26, temporarily dissolving  
14 the Art in Public Places Commission for a period not to exceed six months,  
15 transferring its duties to the Director of Planning and Zoning, and directing the  
16 City Manager to conduct a comprehensive review of that Commission's structure,  
17 policies, and procedures; and  
18

19 **WHEREAS,** Ordinance 4-26 required the City Manager to present proposed amendments to  
20 the City Code establishing a restructured Art in Public Places Commission within  
21 90 days of the effective date of that ordinance; and  
22

23 **WHEREAS,** In the course of that review, the City Manager and Director of Planning and  
24 Zoning identified deficiencies in the existing definitions, membership  
25 composition, and duties and responsibilities set forth in Article XVIII of Chapter  
26 2.48 of the City Code; and  
27

28 **WHEREAS,** The City Council has determined that updating the definitions, duties and  
29 responsibilities, and Commission structure of the Art in Public Places  
30 Commission will better serve the interests of the City, expand access to public art,  
31 and enhance the effectiveness and accountability of the program; and  
32

33 **WHEREAS,** The City Council finds that adoption of this ordinance fulfills the restructuring  
34 framework established by O-4-26 and will enable the reestablishment of a fully  
35 operational Art in Public Places Commission; Now, Therefore,  
36

37 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
38 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:  
39

40 **City Code Title 2 – Administration**  
41 **Chapter 2.48 – Boards, Commissions and Committees**  
42 **Article XVIII – Art in Public Places Commission**  
43

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1 **Section 2.48.700 Definitions.**

2 For purposes of this article, the following words and phrases shall have the meanings set  
3 forth below:

- 4 1. “Art activation” means a temporary or recurring artistic use of publicly accessible space  
5 for one or more works of art, including performances or programmed activities, intended  
6 to engage the public.  
7  
8 2. “Art fund” means the fund as established by this article.  
9  
10 ~~2. “Art in public places” means any visual work of art displayed in an open City-owned~~  
11 ~~area, on the exterior of any City-owned facility, inside any City-owned facility in areas~~  
12 ~~designated as public areas, or on non-City property if the work of art is installed or~~  
13 ~~financed wholly or in part with City funds or grants procured by the City.~~  
14  
15 3. “Art in public places” means any work of art displayed or performed in: (a) open, City-  
16 owned spaces; (b) on or inside City-owned facilities in publicly accessible spaces; or (c)  
17 on non-City property if the work of art is installed or funded, in whole or in part, by the  
18 City through the art fund and that work of art is located in a publicly accessible space.  
19  
20 4. ~~“Artist” means a person who is schooled in and practices either visual arts or performing~~  
21 ~~arts.~~  
22 “Artist” means a person who practices in the visual arts or the performing arts. The term  
23 may include individuals or groups working across artistic disciplines.  
24  
25 5. “Commission” means the Arts in Public Places Commission, ~~as created in this article.~~  
26  
27 6. “Director” means the Planning and Zoning Director unless otherwise specified ~~stipulated.~~  
28  
29 7. “Department” means the Planning and Zoning Department unless otherwise  
30 specified ~~stipulated.~~  
31  
32 ~~6. “Fund” means the arts fund established by this article.~~  
33  
34 8. “Performing arts” means works of art in which artists use their voices, bodies, or objects  
35 to convey artistic expression, including but not limited to music, dance, theater, and  
36 spoken word. ~~including the following art forms: music, dance, film, video, theater, voice~~  
37 ~~and writing.~~  
38  
39 9. “Permanent work of art” means a work of art intended for display or performance for a  
40 period of time exceeding one year in length.  
41

1 10. "Publicly accessible space" means either (a) a space owned by the City, or (b) a non-City-  
2 owned space that offers reasonable access to the general public for viewing or engaging  
3 with art in locations that have significant public exposure within the City.

4  
5 11. "Temporary work of art" means a work of art intended for display or performance for a  
6 defined period of time equal to one year or less.

7  
8 ~~§12. "Visual arts" include sculpture, monuments, murals, frescoes, relief, painting, fountains,~~  
9 ~~banners, mosaics, ceramics, weaving, carving and stained glass.~~ means works of art in  
10 which artists use their voices, bodies, or objects to create or convey artistic expression,  
11 including, but not limited to, sculpture, monuments, murals, frescos, relief, painting,  
12 fountains, banners, mosaics, ceramics, weaving, carving, and stained glass.

13  
14 ~~913. "Work of art" includes, but is not limited to, visual and performing arts. It does not~~  
15 ~~include paving, architectural ornamentation or signs, except where signs are needed to~~  
16 ~~describe or locate work(s) of art.~~ means any original creation of visual art or performing  
17 art. A work of art may include temporary or permanent installations, performances, or  
18 programmed activities or art activations presented in public space. A work of art may  
19 include temporary works of art, permanent works of art, or art activations, and may  
20 incorporate visual, performing, or digital elements, whether experienced physically or  
21 through technology.  
22

### 23 Section 2.48.710 Art Fund.

24 A. **Fund Established.** ~~There is a fund for the principal purpose of collecting and retaining~~  
25 ~~public and private funding for developing and displaying works of art in public places in~~  
26 ~~the City of Annapolis.~~ There is an art fund for the principal purpose of collecting and  
27 retaining public and private funding to develop, create, perform, and display art in public  
28 places in the City of Annapolis.

29 1. Other allowable uses for the art fund include, but are not limited to:

- 30 a. Production of performing arts;
- 31 b. Acquisition of visual arts;
- 32 c. Maintenance and repair of City-owned works of art;
- 33 d. Funding to artists, groups and organizations that promote or practice art in  
34 public places ~~works of art that are open to the public;~~
- 35 e. Support of art in public places ~~works of art;~~ and
- 36 f. Advancement of art in public places in general.

37 2. All monies in the art fund are subject to appropriation by the City Council and  
38 may be used by the Director for expenses related to administering this article.

1       **B. Type of Fund and Oversight.** The art fund is a continuing, non-lapsing fund to be  
2       maintained and administered by the Planning and Zoning Director. The Finance Director  
3       shall hold and account for it.

4       **C. Distribution of Funds.** The Commission shall establish procedures, in consultation with  
5       the Planning and Zoning Director and Finance Director, for how artists and related art  
6       organizations may apply for and receive monies from the art fund. Any such procedures  
7       shall address the following, at a minimum:

- 8           1. Insurance ~~and~~ and liability for works of art;
- 9           2. Damage to City property and indemnification of the City, as well as damage to  
10          non-City property and indemnification of the non-City property owner for works  
11          of art on non-City Property;
- 12          3. Priority for funding of artists and types of works of art;
- 13          4. Evaluation of applications from artists;
- 14          5. Ensuring a balanced mix of visual arts and performing arts, as well as temporary  
15          works of art, permanent works of art, and art activations;
- 16          6. Obtaining approval, support, and a written agreement, as the Director deems  
17          necessary, with the property owner of any involved non-City property; and
- 18          7. Types of works of art prohibited from receiving monies from the art fund,  
19          including as may be required by law.

20       **D. Funding Sources.**

- 21           1. **Cash.** If cash is received as consideration for the disposition of a capital asset  
22           purchased with monies from this art fund, that cash shall be applied to the art fund  
23           by the Director.
- 24           2. **Grants, Donations, and Other Sources.** The City, through the Department, may  
25           apply for and accept any funds or grants from any federal, State, County or other  
26           source for credit to the art fund that might assist with the acquisition, display, ~~of~~  
27           works of art in public places within the City and the production of performing arts  
28           and performance of art in public places within the City.

29  
30       **Section 2.48.720 Duties and Responsibilities**~~Arts Commission established and duties.~~

31       **~~A. Duties.~~**

- 32           1. ~~The Art in Public Places Commission shall make decisions and recommendations~~  
33           ~~related to the provisions of this article, including the acquisition and display of visual~~  
34           ~~arts and the production of performing arts.~~
- 35           2. ~~All recommendations shall be subject to review and approval of the Director.~~

36       **~~B. Composition.~~**

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1 ~~1. Membership, Terms.~~

2 a. ~~The Commission shall consist of nine members, one from each ward and one~~  
3 ~~appointed at large, who shall be appointed by the Mayor and confirmed by the~~  
4 ~~City Council.~~

5 b. ~~Terms shall be three years, commencing on July 1 of the year they are appointed.~~

6 c. ~~The appointment shall designate the term of each Commission member so that the~~  
7 ~~terms of not more than three Commission members shall expire in any year.~~

8 ~~2. Filling Vacant Positions.~~

9 a. ~~If a ward specific position on the Commission is vacant for three months, the~~  
10 ~~Mayor and Council shall no longer be required to adhere to the ward requirement.~~

11 b. ~~The position may then be filled by a City resident living in any ward considered~~  
12 ~~an at-large member.~~

13 c. ~~The new at large member shall serve for the term.~~

14 d. ~~When the position is vacated, it shall be returned to being ward specific.~~

15 ~~3. Officers; Bylaws.~~

16 a. ~~The Commission shall select its officers in accordance with § 2.04.080.~~

17 b. ~~The authority of any officers shall either be prescribed in the current edition of~~  
18 ~~Robert's Rules of Order, Newly Revised, or specified in any bylaws or rules that~~  
19 ~~the Commission may adopt in accordance with § 2.04.080.~~

20 c. ~~The chair shall preside at all meetings of the Board, and in the chair's absence, the~~  
21 ~~vice chair shall preside, and, in the absence of the chair and vice chair, the senior~~  
22 ~~most member of the Board shall preside with all powers of the chair.~~

23 ~~4. Ex Officio Members.~~

24 a. ~~The Director, or their designee, shall be an ex officio, nonvoting Commission~~  
25 ~~member.~~

26 b. ~~The Mayor may designate additional City officials or individuals to participate in~~  
27 ~~an ex officio, nonvoting capacity.~~

28 ~~C. Report Required.~~

29 1. ~~The Commission shall, in accordance with § 2.04.080, submit, not later than January~~  
30 ~~15 of each year, a report of its activities for the prior calendar year.~~

31 2. ~~The Finance Director shall submit a report on the fund's financial status during the~~  
32 ~~preceding year no later than January 15 of each year.~~

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

- 1 1. **City Property.** Provide recommendations to the Director concerning the  
2 acquisition, commissioning, placement, relocation, maintenance, removal, and  
3 disposition of art in public spaces on City-owned property. Additionally,  
4 collaborate with the Director and the City to establish a method for the  
5 competitive selection of art to be displayed in these public spaces.
- 6 2. **Procedure Development.** Recommend procedures as specified in Section  
7 2.48.710 for the art fund.
- 8 3. **Funding Recommendations.** Make recommendations regarding the use of the art  
9 fund, including work of art funding, artist selection processes, and related  
10 expenditures, in accordance with applicable law and adopted procedures of the  
11 Commission, including those procedures adopted pursuant to § 2.48.740.
- 12 4. **Coordination with Other Bodies.** Coordinate, as appropriate, and directly in  
13 coordination with the Director, with other City boards, commissions, and  
14 agencies, including but not limited to the Historic Preservation Commission, to  
15 ensure consistency with applicable City laws, regulations, and review processes.
- 16 5. **Public Engagement.** Support public awareness of the Commission and  
17 Commission-supported art in public places, and encourage opportunities for  
18 public participation with the Commission, consistent with adopted Commission  
19 procedures and available resources.
- 20 6. **Advisory Role.** Serve in an advisory capacity, in coordination with the Director,  
21 to the Mayor, City Council, and Department on matters related to art in public  
22 places.

## 23 **B. Membership, Appointment, Terms (Residency).**

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

## 28 **C. Officers; Bylaws.**

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

1 **D. Ex Officio Members.**

2 1. The Director, or their designee, shall be an ex officio, nonvoting Commission  
3 member.

4 2. The Mayor may designate additional City officials or individuals to participate in  
5 an ex officio, nonvoting capacity.

6 **E. Report Required.**

7 1. The Commission shall, in accordance with § 2.04.080, submit, not later than  
8 January 15 of each year, a report of its activities for the prior calendar year.

9 2. The Finance Director shall submit a report on the art fund's financial status during  
10 the preceding year no later than January 15 of each year.

11 **F. Guidelines and procedures.**

12 1. The Commission shall adopt guidelines and procedures that:

13 a. Identify works of art suitable for display or performance in publicly  
14 accessible spaces on City property;

15 b. Facilitate the preservation and maintenance of works of art displayed in  
16 public places;

17 c. Prescribe a method for the competitive selection of art in public places;

18 d. Prescribe procedures for the selection, acquisition, display, and  
19 performance of art in public places, including temporary works of art,  
20 permanent works of art, and art activations;

21 e. Prescribe procedures for awarding monies from the art fund to artists,  
22 groups, and organizations that promote or practice art in public places, to  
23 support the direct costs of works of art that are open to the public; and

24 f. Establish other matters appropriate to the administration of this article.

25 2. Each guideline and procedure shall become effective in accordance with §  
26 2.04.090.

27  
28 **~~2.48.730 Guidelines and procedures.~~**

29 ~~A. The Commission shall adopt guidelines and procedures which:~~

30 ~~1. Identify suitable art objects for City property;~~

31 ~~2. Facilitate the preservation of art objects and artifacts that may be displayed in public~~  
32 ~~places;~~

33 ~~3. Prescribe a method for competitive selection of art objects for display;~~

34 ~~4. Prescribe procedures for the selection, acquisition and display of art in public places;~~

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1 5.—Prescribe procedures for awarding monies from the fund to groups and organizations  
2 that promote or practice the performing arts to support the direct costs of performances  
3 that are open to the public;

4 6.—Establish other matters appropriate to the administration of this article.

5 B.—Each guideline and procedure shall become effective in accordance with § 2.04.090.

6  
7 **Section 2.48.740 Art Selection. and display standards.**

8 A. **Selection Process.** The Commission shall establish procedures, in consultation with the  
9 Director, for how art in public places is selected, and the Commission shall publish  
10 written findings in support of all art in public places selection, and related funding  
11 decisions, addressing at a minimum each of the following factors:

12 1. Conceptual compatibility of the design and/or performance with the immediate  
13 environment of the site;

14 2. Appropriateness of the design and/or performance to the function of the site;

15 3. Compatibility of the design and/or performance and physical location with a  
16 unified design character or historical character of the site;

17 4. Creation of an internal sense of order and a desirable environment for the general  
18 community by the design and/or performance, and physical location, of the work  
19 of art;

20 5. Preservation and integration of natural features for the work of art;

21 6. Appropriateness of the materials, textures, colors and design to the expression of  
22 the design concept;

23 7. Approval and support from the applicable site's property owners, whether the  
24 City, private owners, or other governmental owners, for the work of art; and

25 8. Representation of a broad variety of tastes within the community and a balanced  
26 inventory of art in public places to ensure a variety of styles, designs, media,  
27 and/or performances throughout the community.

28 B. **Selection.** The Commission shall recommend to the Director the selection of art to be  
29 displayed in the City.

30 A.—~~Art Acquisition; Art Proceeds; Art Maintenance.~~

31 1.—The Commission may recommend to the Director the acquisition of any works of  
32 art. The City may contract for, purchase, lease, rent, and borrow, by any method, any  
33 item related to the display or production of works of art in public places, as reviewed  
34 and approved by the Director.

35 2.—The Commission may recommend to the Director any art displayed as a part of  
36 this article that may need maintenance or repair. The City may undertake, with its own

1 ~~forces or contract for the maintenance or repair, from the arts fund, of any artwork~~  
2 ~~displayed as part of this article, as reviewed and approved by the Director.~~

3 ~~3. The Commission may form subcommittees to make recommendations on~~  
4 ~~individual projects.~~

5 ~~a. Members of any subcommittee shall be nominated by the members of the~~  
6 ~~Commission and confirmed by a majority vote of the Commission.~~

7 ~~b. Members of subcommittees do not need to be members of the AIPPC and~~  
8 ~~can be nominated by Committee members, Council members or by~~  
9 ~~recommendation of the Director.~~

10 ~~c. Subcommittee will select their chair from amongst themselves.~~

11 ~~d. The Director or their designee shall be an ex officio member of any~~  
12 ~~subcommittee formed.~~

13 ~~B. Art Selection Process. The Commission shall consider such recommendations as~~  
14 ~~may be made by the Director before making art selection and/or funding decisions and the~~  
15 ~~Commission shall establish and publish written findings in support of all art selection and~~  
16 ~~funding decisions addressing each of the following factors:~~

17 ~~a. Conceptual compatibility of the design and/or performance with the immediate~~  
18 ~~environment of the site;~~

19 ~~b. Appropriateness of the design and/or performance to the function of the site;~~

20 ~~c. Compatibility of the design and/or performance and physical location with a~~  
21 ~~unified design character or historical character of the site;~~

22 ~~d. Creation of an internal sense of order and a desirable environment for the general~~  
23 ~~community by the design and/or performance, and physical location, of the work of art;~~

24 ~~e. Preservation and integration of natural features for the project;~~

25 ~~f. Appropriateness of the materials, textures, colors and design to the expression of~~  
26 ~~the design concept; and~~

27 ~~g. Represent a broad variety of tastes within the community and provide a balanced~~  
28 ~~inventory of art in public places to ensure a variety of styles, designs, media, and/or~~  
29 ~~performances throughout the community.~~

## 31 **Section 2.48.750 Display and/or performance of works of art in public places.**

### 32 **A. Art Placement or Performance.**

- 33 1. Works of art selected, displayed and/or performed, pursuant to this article, may be  
34 placed or performed in, on or about any City-owned publicly accessible space or,  
35 by written agreement with the non-City owner thereof, on a publicly accessible  
36 space of any private property or other non-City government property agreement

1 with the owner thereof, any private property with substantial public exposure in  
2 the City.

3 2. Visual art owned by the City may also be loaned for exhibition on a publicly  
4 accessible space of non-City property upon such terms and conditions as  
5 recommended by the Commission and approved by the Director, and with written  
6 agreement with the owner of that property~~elsewhere upon such terms and~~  
7 ~~conditions as recommended by the Commission and approved by the Director.~~

8 3. City officials and employees responsible for the design and construction of public  
9 improvements in the City may make appropriate space available for art in public  
10 places in consultation with the Director and the Commission.

11 4. For any proposed work of art requiring an extraordinary operation or maintenance  
12 expense, the Commission shall include details of such extraordinary expense with  
13 its recommendation to the Director.

14 ~~The Commission shall advise the Director of the Commission's recommendation~~  
15 ~~regarding the design, execution, placement, and/or performance of a work of art~~  
16 ~~in connection with this article.~~

17 ~~5. For any proposed work of art requiring an extraordinary operation or maintenance~~  
18 ~~expense, the Commission shall include details of such extraordinary expense with~~  
19 ~~its recommendation to the Director.~~

20 **~~B. Commission Review of Visual Art Installation and Removal.~~**

21 ~~1. All visual art in public places shall receive the prior review of the Commission.~~

22 ~~2. No visual art shall be removed, altered or changed without the prior review of the~~  
23 ~~Commission.~~

24 ~~3. Prior to the installation and/or removal of any visual art object, the Director shall~~  
25 ~~certify in writing that the standards of this article were properly adhered to and~~  
26 ~~procedures followed correctly.~~

27 **~~C. Visual Art Placement Approval.~~**

28 ~~1. No visual art financed or installed either wholly or in part with City funds or with~~  
29 ~~grants procured by the City shall be installed on privately owned property without~~  
30 ~~a written agreement between the City and the private property owner specifying~~  
31 ~~the proprietary interests in the work of art and specifying other provisions deemed~~  
32 ~~necessary or desirable by the City Attorney.~~

33 ~~2. Such written agreements shall specify that the private property owner shall assure~~  
34 ~~that:~~

35 ~~a. The installation of the work of art will be done in a manner that will~~  
36 ~~protect the work of art and the public;~~

37 ~~b. The work of art will be maintained in good condition; and~~

1 ~~e. Insurance and indemnification will be provided as appropriate.~~

2 DB. **Records.** The Director shall maintain a detailed record of all visual arts in public places,  
3 including site drawings, photographs, designs, and the names of artists and architects.

4 EC. **Recognition.** In coordination with the Commission, the Director shall attempt to  
5 recognize the artists appropriately in any City publicity and promotion regarding art in  
6 public places.

7 FD. **Visual Art Removal.** The City shall install, maintain, alter, refinish and move visual art  
8 in public places in consultation with the artist whenever feasible.

9  
10 **Section 2.48.760 Ownership.**

11 All works of art acquired pursuant to this article shall be acquired in the name of the City of  
12 Annapolis, and the City shall hold the title.

13  
14 **Section 2.48.770 Exemptions.**

15 All works of art on display in private City offices or other areas of City-owned facilities that  
16 are not generally frequented by the public are exempt from the provisions of this article.

17  
18 **SECTION II: AND BE IT FINALLY ESTABLISHED AND ORDAINED BY THE**  
19 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect upon passage.