

# PUBLIC ARTS COMMISSION ORDINANCE

*Adopted by City Council* 9/16/2014

*Immediate*

*Reconsideration*

*Notice of Reconsideration*

Offered by Councillor CRIGHTON  
In City Council  
Date: SEPTEMBER 2, 2014

Date Adopted: SEPTEMBER 16, 2014

Councilor	YES	NO
Barton	X	
Cahill	X	
Capano	X	
Chakoutis	X	
Colucci	X	
Crighton	X	
Cyr	X	
Ford	X	
Lozzi	X	
Net	X	
Trahant	X	
<b>TOTAL</b>	<b>11</b>	

Councillor	YES	NO
Barton	X	<input type="checkbox"/>
Cahill	X	<input type="checkbox"/>
Capano	X	<input type="checkbox"/>
Chakoutis	X	<input type="checkbox"/>
Colucci	X	<input type="checkbox"/>
Crighton	ABSENT	<input type="checkbox"/>
Cyr	X	<input type="checkbox"/>
Ford	X	<input type="checkbox"/>
Lozzi	X	<input type="checkbox"/>
Net	X	<input type="checkbox"/>
Trahant	X	<input type="checkbox"/>
	<b>10</b>	

Assistant City Clerk

Mayor

Date Approved

*Referred to* Law Dept, Mayor, Police Dept

*Date:* SEPTEMBER 17, 2014

Voted in Council: September 2, 2014  
 Adopted: September 16, 2014  
 Signed by Mayor: September 22, 2014  
 Effective: October 17, 2014



# CITY OF LYNN

*In City Council* September 2, 2014 page 1 of 4

## **IN THE YEAR TWO THOUSAND FOURTEEN AN ORDINANCE CREATING A PUBLIC ARTS COMMISSION IN THE CITY OF LYNN**

### **SECTION 1:00 - ESTABLISHED**

The City of Lynn hereby establishes a board to be known as the Public Arts Commission for the purpose of articulating and implement a strategic vision for public art in Lynn, MA., implementing public art projects, release requests for proposals (RFPs), commission and coordinate public art projects in collaboration with city departments and residents' input and educating and promoting public art's value in the City of Lynn. The Public Art Commission shall be a part of the Division of Community Development.

### **SECTION 2:00 - DEFINITIONS**

For the purposes of this ordinance public art will be defined as: publicly accessible original art that enriches the city and evokes meaning. It may include permanent and temporary visual art, light and sound installations, and other work. Public art may possess functional as well as aesthetic qualities; it may be integrated into an existing site or a discrete work.

### **SECTION 3:00 – STATEMENT OF PURPOSE**

The Lynn City Council hereby affirms that public art has value to the city in the following ways:

- (a) Stimulate Excellence in Urban Design and Public Arts:
  - (i) Enhance the aesthetic environment of public places within the City through engaging, unique and high quality public artworks.
  - (ii) Engage qualified and experienced artists residing within and outside of Lynn, MA.
  
- (b) Enhance Community Identity and Place:
  - (i) Build awareness of community history, identity, cultures and geography.
  - (ii) Develop artworks that are integrated into City building projects and are compatible with their settings.
  - (iii) Encourage and support place-making efforts (including increased walkability efforts, etc.)
  - (iv) Help solve urban planning and community challenges (including public work projects, etc.)
  
- (c) Contribute to Community Vitality:
  - (i) Position Lynn as a nationally and internationally recognized arts city and tourist destination.
  - (ii) Build the capacity of and cooperation between the private and public sectors, artists, arts and community members.
  - (iii) Develop and maintain safe artworks.

- (d)    Involve a Broad Range of People and Communities:
  - (i)     Enhance opportunities for all citizens of all ages, neighborhoods and organizations to participate in the planning, creation, and enjoyment of artworks.
  - (ii)    Celebrate the City's cultural communities.
  - (iii)   Provide opportunities for the community to come together inter-generationally and cross-culturally.
  
- (e)    Value Artists and Artistic Processes:
  - (i)     Provide a range of creative opportunities for artists with a range of experiences and skill sets.
  - (ii)    Ensure the ongoing integrity of artworks and respect the creative rights of artists.
  - (iii)   Involve artists directly in the concept, design and creation of artworks.
  - (iv)    Ensure budgets adequately support artists and the creative process.
  
- (f)    Use Resources Wisely:
  - (i)     Develop and sustain projects in a cost-effective manner.
  - (ii)    Use City funds to leverage private investment in public art and use public art to leverage private investments in other city ventures.

**SECTION 4:00 - MEMBER**

- (a)    The Public Art Commission shall be composed of 11 members, five (5) of whom shall be appointed by the Mayor and five (5) of whom shall be appointed by the Lynn City Council, and the Director of the Downtown Lynn Cultural District. The Mayoral appointments shall consist of one artist (earning at least fifty (50%) of his/her income from sale or production of art), one representative of a Lynn based nonprofit organization, one City of Lynn business owner, one member of the Lynn Cultural Council and one representative of DPW/ISD. The City Council appointments shall consist of one artist (earning at least fifty (50%) of his/her income from sale or production of art), one representative of a Lynn based nonprofit organization, one community member, one representative of the City of Lynn Park Commission and one representative of the Lynn Public School Fine Arts Department.
  
- (b)    Individuals are encouraged to apply through existing City of Lynn Commission appointment processes.
  
- (c)    All members of the Public Art Commission shall serve without compensation. The Commissioners shall initially serve for the following terms: two (2) members (one Mayoral and one Council appointments) shall serve for a one (1) year term; four (4) members (two Mayoral and two Council appointments) shall serve for a two (2) year term; and four (4) members (two Mayoral and two Council appointments) shall serve for a three (3) year term; the Director of the Downtown Lynn Cultural District shall serve the length of their employment.
  
- (d)    Any incumbent member of the Public Art Commission shall be eligible for reappointment after one calendar year after the end of his/her term of office. A member appointed to fill a vacancy shall serve the remainder of the unexpired term. Any member of the Public Art

Commission may be removed from office for neglect of duty or malfeasance. Removal shall be effected by a majority vote of the Council.

(e) The Public Art Commission shall select one of its members as chairman, another as vice-chairman and another as secretary. The chairman, vice-chairman and secretary shall receive no salary for their services.

(f) Specific neighborhoods and areas within Lynn will require additional planning and support for public art projects. To that end, the Public Art Commission will deputize a neighborhood / area- specific Ad Hoc public planning committees based on the desires and needs of the community. These Ad Hoc Committees will exist only for the length of the project's conception and execution.

### **SECTION 5:00 - FUNCTIONS**

The duties of the Public Art Commission shall be to:

(a) Make regular assessments of the conditions and needs of the City concerning public arts;

(b) Advise the Mayor and Lynn City Council concerning works of art to be placed on municipal property;

(c) Make recommendations to the Mayor and Lynn City Council concerning grants from Federal and State agencies, private groups and individuals, and oversee public arts and cultural projects and programs;

(d) Increase public awareness of the value of our arts and cultural resources by developing and participating in public information programs;

(e) Keep minutes and records of all meetings and proceedings, including voting records, attendance records, resolutions, findings of fact and decisions;

(f) Advise Mayor and Lynn City Council concerning the promotion of coordination among units of government in their projects and programs which involve public art;

(g) Coordinate with city departments related to the preparation, installation and maintenance of public art in Lynn;

(h) Solicit businesses to sponsor public art projects;

(i) Have ultimate authority related to selecting and approving public art projects, and taking under advisement feedback from city agencies and departments, and the community.

(j) Pursue grants and public funds to support the commission's efforts and projects.

(k) Design and conduct a public community feedback process related to site selection.

**SECTION 6:00 – INDEMNIFICATION**

The City of Lynn shall indemnify and defend all members of the Public Arts Commission for act and omission arising out of the proper scope of their duties as provided by Massachusetts General Laws Chapter 258.

**SECTION 7:00 – INSURANCE**

The Chief Financial Officer and City Treasurer shall ensure that any art project commissioned by the Public Arts Commission shall be insured under the City of Lynn property insurance policy.

**SECTION 8:00 – TIME OF TAKING EFFECT**

This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.