

**D-R-A-F-T ORDINANCE
GLOUCESTER COMMITTEE FOR THE ARTS**

Section 1. Committee for the Arts Created. There is hereby created and established a committee to be known as the Gloucester committee for the arts.

Section 2. Composition of the committee.

- a. The committee shall consist of seven members who shall be residents of the City. Six members shall be appointed by the mayor to serve staggered terms of four years. The seventh member shall be the mayor or a person designated by the mayor as the mayor's representative, who shall serve at the pleasure of the mayor.
- b. At least four of the term members shall have experience in the arts by reason of vocation, avocation, or membership in a private or public entity devoted to the arts.
- c. Other than the mayor, none of the members shall hold any elected office, and except for the mayor's representative, none of the members may be a city employee.
- d. The committee, by majority vote of all the members then in office, shall annually elect, from among its members, a chair and such other officers the committee deems appropriate. The mayor's representative shall not be eligible to serve as chair.

Section 3. Assistance of city officials, boards, and employees.

The committee shall receive regular support and assistance from the community development department. Such department may undertake planning, implementation, and review responsibilities on behalf of the committee. Further, the committee may request the services and assistance of any of the officials, boards, and through the mayor, employees of the city at all reasonable times when the committee determines that it requires such assistance and advice in the performance of its duties.

Section 4. Definitions. For the purpose of this ordinance:

- a. "Art" is defined as all forms of artistic expression in all media, including monuments, memorials, and ornaments of art, and this definition shall be interpreted broadly.

- b. "Public Art" is defined as any art situated on property owned by or under the control of the City of Gloucester, or owned by, or on loan to, the City, or funded primarily by the City. However, except as provided in division c. below, none of the following shall be deemed to be public art under this ordinance:
 - i. Art in any public cemetery, public school, the Gloucester Lyceum and Sawyer Free Library, the Rose Baker Senior Center, or the Captain Lester S. Wass American Legion Post No. 3, or on the grounds of any of these City facilities.
 - ii. Temporary installations of art work of school age children in a public facility or on public land.
 - iii. Any parade or public performance of dance, theater, or music or other performing arts, on public land or in a public facility for which approval by a City office is required.
- c. Notwithstanding anything else in this ordinance to the contrary, Public Art shall include all art contained in the City of Gloucester Public Art Collection inventory, as maintained by the committee.

Section 5. Duties. It shall be the duty of the committee for the arts:

- a. To promote the arts and local artists, past and present;
- b. To foster within the community a knowledge and appreciation of artistic endeavors and encourage the continuation and strengthening of artistic endeavors within the city;
- c. To administer the City of Gloucester's public art program
- d. To administer the City of Gloucester's poet laureate program;
- e. To establish premises and offices;
- f. To seek out private and public assistance for all these efforts.

Section 6. Administration of the Public Art Program.

All art to be acquired by the City of Gloucester or performed on City property, on either a permanent or temporary basis, as public art shall be subject to review and recommendation by the committee for the arts and approval by the mayor.

- a. All proposals for, or involving, public art, however received by the city, shall be forwarded for the committee's review.
- b. The committee's approval and recommendation shall be made by majority vote of the committee.
- c. Maintenance, upkeep, and conservation of public art shall be under the purview and authority of the committee, subject only to funding limitations.

- d. No public art shall be removed, relocated, altered, disposed of by sale or gift, or abandoned without review and recommendation by the committee and approval by the mayor.

Section 7. Public Involvement. The city hereby declares that public input and involvement in the review and decision-making process with respect to the acquisition of public art is of paramount importance.

Section 8. Criteria for Review of Public Art Proposals. In undertaking review of any proposal for public art, the committee shall consider the following criteria:

- a. Whether the art possesses artistic merit that will enhance the quality of life for residents and visitors to the city.
- b. Whether the art will help create a sense of place, and be suitable in scale, materials, and form for a select location.
- c. Whether there is present and expected continuing funding for design, construction, display, proper care and maintenance, and security.

Art meeting these criteria may be functional or non-functional, conceptual or tangible, portable or site-specific, temporarily or permanently installed or performed.

Section 9. Public Art Selection Panels. The committee shall convene a public art panel for review of any proposal for the temporary or permanent acquisition (whether by gift, purchase, or loan) or performance of any public art work that is deemed by the committee as being significant, as defined by the committee with respect to scope, funding, location, or impact). The committee shall consider the panel's recommendation before making the committee's recommendation to the mayor.

- a. Each panel shall consist of eight members, all of whom shall be residents of Gloucester, consisting of:
 - (1) Two members, selected on the basis of artistic and aesthetic expertise, appointed by the committee;
 - (2) One city official selected by the mayor;
 - (3) Three members representing the community at large, selected by the committee;
 - (4) One member representing the community at large chosen by lot from names of volunteers solicited through an open call;
 - (5) A member of the committee, selected by the chair of the committee, who shall chair the panel but who shall vote only to break a tie vote.
- b. In addition to the members of the panel as provided above, the chair of the committee may appoint up to two non-voting advisors to the panel to represent professional or technical fields relevant to the art form under review.

- c. Each panel shall review and evaluate the proposal, including the credentials of the artist and/or fabricator, and adopt a written recommendation to the committee by majority vote of the members of the panel. In reviewing and evaluating the proposal, the panel shall consult as appropriate with City offices and other boards and commissions.

Section 10. Administration of the poet laureate program.

- a. The city shall designate a poet as the official poet laureate of the city. The poet laureate shall be designated by the mayor and confirmed by the city council. The committee for the arts shall administer the process for selection of the poet laureate.
- b. The committee shall convene a poet laureate selection panel to review applications and make a recommendation to the committee.
- c. The panel shall be comprised of the following, all of whom shall be residents of the city:
 - (1) A member of the committee appointed by the chair of the committee;
 - (2) A member appointed by the mayor;
 - (3) A member of city council or one representative appointed by the city council;
 - (4) Two members chosen by the committee for the arts who have a demonstrated substantial expertise and knowledge of poetry.
- d. The committee shall consider the panel's recommendation before making the committee's recommendation to the mayor.
- e. The responsibilities of the poet laureate shall be established by the committee for the arts and may include, but not be limited to, providing public poetry readings, encouraging poetry appreciation within the city, and composing and publishing poems. The poet laureate shall be an honorary title and shall not receive any monetary compensation from the city.
- f. The committee shall assist and support the poet laureate in carrying out the poet laureate's duties.
- g. The poet laureate shall be a domiciled resident of the city and shall serve a four-year term and be eligible for reappointment.

Section 11. Policies to be adopted by the committee for the arts.

The committee for the arts shall adopt policies governing the administration of the public art program (including the process for acceptance and deaccession of public art, the poet laureate program, the inventory, maintenance, and security of public art, and other policies which it deems necessary. All such policies adopted by the committee shall be made available to the public and published on the committee's website.