



TOWN OF MOUNTAIN VILLAGE

455 Mountain Village Blvd. Mountain Village, CO 81435
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Public Art Commission (PAC)

Adopted May 19, 2022

**POLICY AND REVIEW CRITERIA FOR THE DISPLAY OF ART ON
TOWN-OWNED PROPERTY**

Section 1: Introduction

The Mountain Village Public Art Commission was formed to review art and proposals located in a plaza area, right-of-way, or other public space where the art is intended to be enjoyed by the residents and visitors of Mountain Village.

Public art is considered to be a temporary non-commercial expression of creative skill or imagination in a visual form, in any media, which has been planned and executed with the intention of being staged on public property.

The artwork may be designed to be exhibited for as little as one day or up to three years, with the possibility of an extension. The artist/applicant is solely responsible for the cost involved with the creation, installation, maintenance, de-installation, and transportation of the artwork, and the restoration of the site following the display; therefore, the artist/applicant is encouraged to be certain of funding and financial capacity prior to installation.

The Mountain Village Public Art Commission (PAC) strives to create a diverse representation of subject matter in the public display of artwork, and encourages artists/applicants to connect with the Mountain Village community in a meaningful way through education and/or outreach with each proposal. Lectures, workshops, demonstrations, or other types of outreach may be accomplished through partnerships or cooperation with local organizations. Assistance connecting with a local organization can be provided upon request.

The PAC shall consist of five regular members who are appointed by the Town Council. At least three members shall be qualified electors of the town, and at time of appointment, shall have been a resident of the Town for at least six months. Two seats shall be filled by a Town Council member and staff member, two members shall be an artist or arts professional, and one member shall be from the public at large.

Members will review and approve/deny all public art applications on a rolling basis.

Revised 8/26/22

The Town Council, or any two (2) Council Members, may call up a Public Art application for review by Town Council upon written notice thereof at any time after the application has been submitted to the Public Art Commission. Upon callup, the Town Council shall be vested with the jurisdiction of the application and shall conduct its review of the application. Such review shall be conducted within thirty (30) days from the date of the call-up, or as soon thereafter as can be reasonably accommodated.

Section II: Application Contents

An Application for a public art shall be submitted online at <https://townofmountainvillage.com/explore/public-art/>, and shall include:

1. The name and contact information of the artist/applicant.
2. The property address/lot number where the proposed artwork will be located.
3. A photograph or detailed graphic of the proposed public art project.
4. A site plan depicting the location of the public art on the property
5. Overall dimensions
6. Materials to be used
7. Rendering(s) and dimensions of plaque identifying the artist or artist's statement and the location of any plaque identifying the artist and artist's statement.
8. A narrative or artist's statement describing the proposed public art, including any impacts of the proposed artwork on the community, neighborhood, and adjoining property owners.
9. A proposed timeline of the public art exhibit, including dates for installation and de-installation, and a maintenance schedule.
10. Description of installation plan and utility requirements (if any)
11. Proposal for how the artist/applicant will engage with the Mountain Village community through outreach or education as part of the art project.

Section III: Review Process

The Public Art Commission shall schedule a meeting within 30 days of the receipt of a complete application. The Application shall be reviewed for compliance with the Public Art Review Criteria listed below.

The Public Art Commission, based on Public Art Review Criteria as listed below shall make a decision to: request more information from the applicant; approve the Application as submitted; approve the Application with conditions; or deny the application.

Section IV: Criteria for Review of Public Art

When considering an application for public art, the reviewing bodies should take into consideration, among other pertinent factors, the following criteria:

Artistic Merit

1. Artistic merit and technical competence of the artwork, including consideration of its artistic,

- social, geographical and/or historical significance (which may include a written description, drawings and/or maquette of the proposed artwork)
2. Qualifications of the artist (which may include images of past work, resume, references, and published reviews)
 3. Soundness of condition and/or structure, as well as reasonably immune to deterioration
 4. Warranty of originality and authenticity of the work of art (only original works or limited editions shall be considered)
 5. Provenance (origin) of existing artwork
 6. Diversity of subject matter, styles, and media among public art projects

Site Selection

1. The artwork is suitable to the proposed site with respect to its general social audience, physical environment, and relation to other works of art.
2. Scale, form, color and design of the artwork in relation to the site
3. Ecological impact
4. Accessibility to the public, including persons with disabilities
5. Text components (i.e. signage and/or plaques)
6. The artwork does not compromise any buildings, materials, or architectural features
7. The location encourages distribution of art throughout all areas of the Town
8. The location, including the surface or structure upon which the art is to be placed is sound and in good repair, or there is a binding commitment to ensure that it is made so
9. Reasonable security from vandalism and theft can be provided
10. Reasonable protection from the elements is available at the site, or the selection will be limited to materials appropriate for the site

Installation

1. Site-specific requirements for installation (i.e. electricity, lighting, water and sewer easements, or other services)
2. Desired method/process/system
3. Storage requirements, if any
4. Maintenance requirements (both immediate and long term), continued integrity, and regular upkeep.
5. Safety standards
6. Proposed timeline for the project

Liability

1. Susceptibility of the artwork to normal wear and to vandalism
2. Potential risk to public safety
3. Public access, if necessary, as well as compliance with Americans with Disabilities Act requirements
4. Special insurance requirements

Timeliness

1. Allowance of sufficient time for a complete review process to be conducted by Town staff and the Public Art Commission

Revised 8/26/22

2. Timely and appropriate response from the artist/applicant to the Public Art Commission and staff requests for additional materials or information is required
3. Length of time the artwork is proposed to be exhibited. Public art exhibits shall be temporary and for a specified period of time up to 3 years, with the possibility of an extension

Special Conditions

1. Any conditions of the artwork imposed by the applicant
2. Artwork that contains advertising, a commercial message, or corporate logos will be considered a sign and reviewed in accordance with a sign application through the Town's Planning Department
3. The Public Art Commission may recommend a shorter duration of the public art exhibit, or renewal of a Public Art Exhibit Agreement on a specific date
4. The artist/applicant may be required to post a bond or other financial security in an amount deemed necessary by the Town, such bond or security to warrant the timely removal of the artwork, restoration of the site, or other repairs required as a result of the public art exhibit
5. Artwork that could be deemed offensive to contemporary community standards may not be considered

Section V: Criteria for Public Art Exhibit Agreement

When requesting an exhibit of public art on Town property, the artist/applicant must agree in writing to the following:

1. Unless otherwise agreed to in writing by the Town, the artist/applicant shall be responsible for all costs associated with the transportation, installation, de- installation, regular maintenance, and insurance of the artwork;
2. Upon removal of the artwork, the artist/applicant must return the site to its original condition and remove any debris caused by or resulting from the exhibition of the artwork;
3. Unless otherwise agreed to in writing by the Town, the artist/applicant must agree in writing to exhibit the artwork at his/her own risk and to bear the expenses of any losses or damages to the artwork. The artist/applicant must agree in writing to hold the Town harmless from any and all liabilities and for any damages or losses to the artwork;
4. The artist/applicant may produce and display a descriptive label for display next to or near the loaned artwork;
5. If the artwork becomes damaged, destroyed, or becomes a danger to the public, the artist/applicant shall repair or remove the artwork within three days after notice from the Town;
6. The Town reserves the right to remove the artwork, for any reason, without prior notice to the artist/applicant.

Section VI: Duration and Expiration of Public Art Exhibit Agreement

When requesting an exhibit of public art on Town property, the artist/applicant must agree in writing to the following:

Public art shall be allowed on a non-permanent and temporary basis upon individual review of its proposed nature, location, duration, and impact. A Public Art Exhibit Agreement shall be granted for a specific duration, and the dates of installation and de-installation made explicit in the Public Art Exhibit Agreement.

An approved Public Art Exhibit Agreement may be extended and shall be reviewed pursuant to the Application procedure that is provided in Section III "Review Process" above. Requests for an extension must be submitted in writing to the Zoe Dohnal at zdohnal@mtnvillage.org no less than thirty (30) days prior to the expiration of the initial Agreement period for the subject public artwork. All proposed extensions of a Public Art Exhibit Agreement shall be evaluated under the same criteria as set forth in Section IV "Criteria" above. A timely and properly filed request for an extension shall allow the continuation of an existing public artwork until such time as a determination has been made on the extension request.

Section VII: Donation of Public Art

The Public Art Commission discourages the donation of artwork to the Town. In certain cases, donations of artwork to the Town may be considered by the Public Art Commission if the donation meets the criteria in Section IV above. When donating a work of art to the Town, the donor must agree in writing to the following:

1. Artwork accepted as a donation shall become the property of the Town of Mountain Village.
2. The Town may remove the artwork from display at any time, and for any reason.
3. The Town retains the right to transfer the work from one Town-owned site to another, as it deems necessary, to place the work in storage, in another facility, or make a temporary loan to another agency or organization.
4. The Town retains the right to deaccession works of art for any reason.
5. The Town retains the right to refuse an offer of donation of public art for any reason.