

# PUBLIC ART ORDINANCE

**WHEREAS**, Wake County seeks to harness the strengths of our diverse community and develop policies that reflect positive values, enhance our cultural activities, support artistic expression and improve quality of life; and

**WHEREAS**, Wake County desires to expand the opportunities for its citizens to experience public art and other projects resulting from the creative expression of its artists in public places throughout the County,

**WHEREAS**, Wake County seeks to commission public art works and artists' services in the construction of certain county capital projects works, and

**WHEREAS**, Wake County seeks to establish a method for calculating public art appropriations of capital projects, and

**WHEREAS**, Wake County seeks to establish guidelines for administering the inclusion of public art in county facilities, **NOW THEREFORE**

**BE IT ORDAINED** by the Board of Commissioners of Wake County, North Carolina that a Public Art Ordinance is hereby established.

## Section 1: **INTENT.**

The intent of this ordinance is to establish a policy to enhance the aesthetic environment, expand public experience and exposure to culture through various art forms, enhance the appearance of public facilities and improve the environment of the county on behalf of its citizens, by the incorporation of art in the design and construction of public facilities within the county.

## Section 2: **PUBLIC ART DEFINITION.**

Public art is defined as an original work of art that is designed and created by artists and that is accessible to public. In addition to the traditional forms of art such as sculpture, painting, fresco, glass, mosaic and others, the public art requirement may also be met by incorporating artistic elements into the overall architectural design if created by an artist. Any art installed pursuant to this ordinance shall become and remain the property of Wake County.

## Section 3: **ELIGIBLE PROJECTS.**

County capital improvement projects estimated to cost \$1 million or more that provide significant general public access such as libraries, parks, greenways and certain other facilities to be authorized by the Board of Commissioners shall be eligible for funding. This ordinance shall not apply to capital improvement projects of the Wake County Public School System or the Wake Technical Community College.

## Section 4: **FUNDING BASIS.**

The amount of art funding for a project shall be based on the estimated construction costs of a capital project. Land acquisition, professional services (architectural, engineering, surveying, etc.), furnishings and equipment and all other soft costs are not to be included in the amount subject to the art allocation.

## Section 5: **ART ALLOCATION AMOUNT.**

The amount of funding to be allocated to art shall be one percent (1%) of the funding basis. The funding is to be dedicated to the selection, purchase, and installation of works of public art.

**Section 6: EFFECTIVE DATE.**

This ordinance will become effective July 1, 2017 to coincide with the commencement of the fiscal year 2018 capital improvement budget.

**Section 7: ADMINISTRATIVE ACTION.**

Within one hundred eighty (180) days after the passage of this ordinance the County Manager shall cause to be created an administrative policy to guide the implementation of this ordinance.