

Hollie Berry
Mayor

City of Red Bank
Municipal Planning Commission

John Alexander
Interim City Manager

SPECIAL CALLED MEETING
August 30, 2021
11:00 am

I. CALL TO ORDER

II. ROLL CALL – Secretary

☐ Commissioner Browder

☐ Commissioner Smith

☐ Commissioner Luther

☐ Commissioner Skonberg

☐ Commissioner Millard

III. INVOCATION – Commissioner Millard

IV. PLEDGE OF ALLEGIANCE – Commissioner Browder

VI. NEW BUSINESS

1. Any properly presented new business

VII. UNFINISHED BUSINESS

1. Steep slope ordinance discussion
2. Design Review Standards - Street Tree Requirements
3. Public Art Ordinance discussion
4. Any properly presented unfinished business

VIII. OTHER BUSINESS

IX. ADJOURNMENT

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Gregory Tate, Interim Director of Public Works

From: Ashley Gates, Regional Planner

Date: August 19, 2021

Subject: Steep Slope Ordinance

Steep Slope Ordinance Draft, August 19, 2021

01 Applicability

- A. This section shall apply to all proposed land disturbing activity on all land areas considered moderate risk and high risk based on:
 - 1) Properties that contain slopes of 15 percent or more
 - 2) Hilltops and ridgetops; and
 - 3) Slippage soils
- B. Land disturbance means any activity on property that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling and excavation.
- C. Properties shall be categorized as either “moderate risk” or “high risk” based on the slope and slippage soil profile.

02 Slope Measurement, Hilltop Identification and Soil Classification

- A. Measurement of Slopes
 - 1) Restrictions on development shall refer to pre-development site conditions.
 - 2) Slopes shall be determined by dividing the vertical rise in elevation by the horizontal run of the same slope and converting the result to a percentage value.
- B. Identification of Slippage Soils

The applicant shall hire a qualified soil scientist or geotechnical engineer to identify all areas of slippage soils present on the subject property, whenever the K factor exceeds 0.4 as determined by the U.S. Department of Agriculture. The K factor is a calculation of soil erodibility with soils greater than 0.4 being considered highly erodible.
- C. Identification of Hilltop Areas
 - a) Hilltops and ridgetops are areas of land with a slope of less than 15%, located directly above moderately steep and/or very steep slope areas and that are completely surrounded by such steep slope areas.

b) Hilltops and ridgetops may be exempted from the requirements of this Section where the applicant can demonstrate to Planning Commission that the hilltop or ridgetop is less predominate than surrounding features and/or that proposed development activities will achieve better aesthetic and structural results than the protection standards established in this Section.

D. Identification of Specimen and Heritage Trees

- 1) Trees shall be measured by the "Diameter at Breast Height," (DBH) which means the diameter of the tree at 4.5 feet above the ground.
- 2) **Specimen Trees** shall be trees that have a DBH of 6 inches or larger
- 3) **Heritage Trees** shall be trees that have a DBH of 19 inches or larger

E. Identification of Low, Moderate, and High-Risk Properties

Soil data and slope measurements shall be used to determine the soil erodibility risk level of a property as follows:

	K-factor Less than 0.4 or slippage soils not present as indicated by soil test	K-factor greater than 0.4 or slippage soils indicated by soil tests
Slope Less 15%, not a hilltop	Low Risk	Low Risk
Slope Less 15%, hilltop	Moderate Risk	High Risk
Slope 15% to 25%	Moderate Risk	High Risk
Slope greater than 25%	High Risk	High Risk

F. Minimum size of steep slope areas

The steep slopes standards of this Section do not apply to isolated steep slope areas that are less than 5,000 square feet in area. For purposes of this provision, the entire contiguous area of the steep slopes shall be included in the minimum size calculation, regardless of the number of individual lots or property lines involved.

03 High Risk Land Area Protection Standards

- A. Where open space is required as part of a development, all high-risk areas shall be preserved as open space
- B. Where open space is not required as part of a development, very steep slope areas may be located on a lot, provided that the area(s) are not located within a building envelope or areas subject to land disturbing activities.
- C. Land disturbance of high-risk areas are generally prohibited except for the following:
 - 1) Passive recreation uses, including trails for non-motorized use only;
 - 2) Minor utilities and driveways, subject to standards in the Red Bank Subdivision Regulations and this Subsection;
 - 3) No driveways or minor utilities shall cross very steep slopes greater than 50%;
 - 4) Where driveways and/or minor utilities cross very steep slopes between 25 and 50 percent, the applicant must submit a geotechnical study with findings that:
 - (a) Such driveway and/or minor utility will not have significant adverse visual, environmental or safety impacts, or appropriate engineering or other measures

will be taken by the developer to substantially mitigate any such adverse impact;
and

(b) No alternative location for access or minor utilities is feasible or available.

- 5) Single-family residences that are on a lot of record that was recorded prior to 2010, and that will result in less than one (1) acre of land disturbance, will not remove any heritage trees, and will not remove more than 10% of specimen trees. **All homes built on high-risk land areas are subject to the same requirements as any land disturbance on Moderate Risk land, as listed in Section 04.**

04 Moderate Risk Land Area Protection Standards

A. Site Plan requirements

Where moderate risk land is located within a building envelope, an engineered site plan shall be required. The site plan shall contain:

- 1) The exact size, shape, and location of the lot, and the existing drainage pattern
- 2) Contours at vertical intervals of now more than two feet 25') taken from aerial photography or field survey
- 3) The extent of natural tree cover and vegetation
- 4) A tree survey identifying the size, species and location of all trees having a diameter at breast height (DBH) of six inches or greater.
- 5) The exact area where any natural vegetation is proposed to be removed
- 6) The location and extent of colluvial soil areas as determined by soil test borings
- 7) The size, type and height of all buildings and structures proposed to be constructed
- 8) The location, slope, cut, fill, and finish elevation of the surfaces to be graded
- 9) Vertical profiles of all proposed roads, driveways, and utilities
- 10) Engineered plans for all retaining walls over 48 inches
- 11) Location of any on-sight sewage disposal
- 12) If requested by the Planning Commission, a jurisdictional waters report from a licensed Qualified Hydrological Professional and Hydrologic Determination from the Tennessee Department of Environment and Conservation
- 13) Certification as to the stability of the structures and slope and compliance with sound construction methods for areas with steep slopes and landslide problems by a registered geotechnical engineer. Said engineer shall also certify such features after construction prior to issuance of the certificate of occupancy.
- 14) When the Planning Commission determines that additional information is required, an additional soils or geotechnical engineer may be employed to be funded by the developer. The Planning Commission may then require additional standards for development of the lot or tract if substantiated by the facts.

B. Development Standards

- 1) Natural vegetation shall be preserved to the maximum extent possible. Existing vegetation of slopes 15% or greater shall not be removed except as approved by the Planning Commission. No more than 10% of all trees identified by the tree survey as being greater than 6 inches in diameter at 4.5 feet high (DBH) may be removed.
- 2) Natural drainage and water ways and systems shall be maintained, except that surface water may be diverted around a house or slope area to a natural drain using acceptable construction techniques.

- 3) Where sanitary sewer is not available, on-site sewage disposal must be located to avoid slide-prone areas. Review by the Hamilton County Department of Groundwater Protection is required prior to Planning Commission Review.
- 4) Soil from excavation on the site shall not be deposited as fill on a potential slide area.
- 5) All aspects of the Hamilton County Stormwater Program shall apply.
- 6) No construction, including roads which would cut the toe of the slope, shall be permitted, except as approved a part of a soil stabilization plan submitted by a licensed geotechnical engineer.
- 7) Stepped retaining walls shall be at least 10 feet apart
- 8) The alignment of roads and driveways shall follow the natural topography, minimize regrading, and comply with design standards set forth in the Red Bank Subdivision regulations

C. Grading and Fill Standards

- 1) All grading and fill must be properly compacted to at least at least 85 percent of the maximum unit weight (based on the modified AASHTO compaction test)
- 2) Terraces or diversions should be provided whenever the height of the cut or fill exceeds 20 feet. The "benches" should divide the slope face as equally as possible and should convey the water into stable outlets. Benches should be kept free of sediment during all phases of development.
- 3) Excavations should not be made so close to property lines as to endanger adjoining property without supporting and protecting such property from erosion, sliding, settling, or cracking.
- 4) No fill should be placed where it will slide or wash onto off site properties or be placed adjacent to the bank of a channel so as to create bank failure or reduce the natural capacity of the stream. Fills should consist of material from cut areas, borrow pits, or other approved sources.
- 5) Protective slopes around buildings should be planned to slope away from foundations and water supply wells to lower areas, drainage channels, or waterways. The minimum horizontal length should be 10 feet, except where restricted by property lines. The minimum vertical fall of protective slopes should be 6 inches, except that the vertical fall at the high point at the upper end of a swale may be reduced to 3 inches, if a long slope toward a building or from a nearby high bank will not exist.
- 6) Minimum gradients should be 1/16 inch per foot (1/2 percent) for concrete or other impervious surfaces and 1/4 inch per foot (2 percent) for pervious surfaces.
- 7) Maximum gradient of protective slopes should be 2 1/2 inches per foot (21 percent) for a minimum of 4 feet away from all building walls, except where restricted by property lines.
- 8) Maximum thickness of fill layers prior to compaction should not exceed 9 inches or as specified by the design engineer.
- 9) All graded areas should be permanently stabilized immediately following final grading.
- 10) All disturbed areas should be free draining, left with a neat and finished appearance, and should be protected from erosion.

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Gregory Tate, Interim Director of Public Works

From: Ashley Gates, Regional Planner

Date: August 19, 2021

Subject: Design Review Standards – Street Trees

Background

Previously, the Planning Commission approved changes to the Zoning Ordinance to require native species be planted for screening purposes. This ordinance is currently under review by the City Attorney. This ordinance is for screening trees, typically between commercial uses and residential uses, or between high and low density residential uses. The ordinance does the following:

- Changes the pre-approved tree list to only native species
- Allows for non-native fruit trees
- Requires Planning Commission approval for non-native species
- Expands the prohibited plants list to include additional invasive species
- Allows native plant to be installed at a smaller size when approved by the City Manager or his/her designee
- Adjusts the heights of the shade tree classifications to avoid an inadvertent gap
- Refers to the TVA tree list for trees located within a TVA easement

The Design Review Standards requires Yoshino Cherry trees, which are not part of the native tree list. Review has been requested by Mayor Berry to look at other potential species to use street trees. Planning Commissioners expressed concern about the consistency look trees along Dayton Boulevard.

Design Review Standards

B. Street Trees

1. The applicant or contractor will be responsible for installation of Street Trees. Street Trees will be installed in front of all new development, if applicable, on Dayton Boulevard, Ashland Terrace and Morrison Springs Drive to the maximum extent practicable.
2. Street trees **shall** be planted along the right-of-way and Pedestrian Zone between the property lines at least every thirty- five (35) linear feet to the maximum extent practicable.
3. Street trees within the Pedestrian Zone **may** be located in tree pits with grates or in a continuous planting strip with other plant material.
4. Tree pits, where permitted, **shall** be five (5) feet in width and five (5) feet in length, if applicable.
5. Street tree locations **shall** be coordinated with the street lighting and utility plans to minimize interference.
6. Street trees planted along Dayton Boulevard, Ashland Terrace, and Morrison Springs should be ~~Yoshino Cherry~~ **of the same species as the street trees planted within 150 feet of the property, or a compatible species as determined by the City Manager or Planning Commission. If no trees are planted within 150 feet, the street trees** ~~All others~~ shall be of a type and size prescribed in Chapter IX of the Red Bank Zoning Ordinance or approved by the Planning Commission or City Manager based on compatibility with the urban street system.

Additional Recommendations

Staff proposes the above change to keep the street trees consistent with existing trees, while allowing the use of native species for areas that are not already planted with Yoshino Cherry trees.

If the Board of Commissioners and/or Planning Commission wishes to have stricter review of street trees and general landscaping, a separate tree board is recommended.



MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Gregory Tate, Interim Director of Public Works

From: Ashley Gates, Regional Planner

Date: August 19, 2021

Subject: Public Art Ordinance

BACKGROUND

Public art such as murals and sculptures are regulated by the city's sign ordinance and building codes. In an effort to promote more public art, the Mayor has requested that the Planning Commission review a public art ordinance. Attached are sample ordinances.

RECOMMENDATION

Murals

Murals on privately-owned businesses currently fall under the sign ordinance and are limited in size. Staff recommends the following:

- Allow murals of any size, up to the size of the wall
- Require a permit for all murals
- Require design review for murals on commercial buildings
- Consider establishing a public art commission with actual artists to review mural proposals

Sculptures and Other Art

Staff has found no sample ordinances treating the safety requirements of sculptures and other artwork differently than what is required in the building code, but further research is needed. Many cities have public art commissions that review the design of sculptures on publicly owned property and in commercial districts.

Sample Ordinance: Lebanon, TN

(ss) “Murals:” Original works of visual art produced by hand that are tiled, painted directly on, or affixed directly to a wall or building. Murals cannot contain text, or symbols that advertise or promote a business, product, or service; or promote a political candidate or party, these items shall be regulated as signs, elsewhere in this Title. Murals shall not include the use of digitally printed vinyl. Such murals shall not contain electrical or mechanical components or feature a changing image.

20-131. Murals.

(a) Standards for Murals. Murals shall comply with the following standards:

(1) Murals shall not contain a commercial or non-commercial message. (i.e. contain text, symbols that advertise or promote a business, product, or service; or promote a political candidate or party

(2) No part of any mural shall extend beyond the building wall on which it is tiled, painted, or affixed. City of Lebanon Sign Regulations Title 20 Page 56 of 57

(3) No part of the mural shall extend more than six inches from the plane of the wall upon which it is tiled, painted, or affixed.

(4) Murals shall not include the use of digitally printed vinyl.

(5) Murals shall be affixed directly to the building façade. (6) Mural may not be placed on the façade of the structure with the primary entry.

(7) A Mural may contain a sign that is clearly distinguishable from the mural by being bound by a six (6) inch wide border. Signs are subject to other regulations in Title 20, Lebanon Sign Regulations.

(8) All applications for murals shall include written consent from the property owner giving permission to place the mural on the building.

(b) Prohibited Murals. The following forms of Murals shall be prohibited:

(1) Any mural that contains an element that moves, rotates, or otherwise creates a changing image or message.

(2) Any mural that uses flashing or scrolling lights, an internal light source, or other light feature.

(3) Any mural containing electrical or mechanical components.

(4) Any mural that is applied to a surface as a vinyl or other non-permanent material.

Sample Ordinance – Gallatin, TN

ARTICLE XV. - MURALS AND IMAGES

Sec. 5-300. - Purpose and intent.

The purpose and intent of a mural image is to provide opportunities to add variety and interest in the community by applying non-text based commercial or noncommercial images of unique redeeming artistic and/or historic images on qualified surfaces to enhance the character of the community and to promote community pride and reinforce a sense of place. Mural images may be painted or tiled when applied to a qualified surface and shall be maintained to preserve the visual quality of the image.

([Ord. No. O1807-34](#), § 1(Exh. A), 8-7-18)

Sec. 5-301. - Definitions.

Graffiti means non-approved artistic work or random markings applied to buildings, walls, accessory structures or uses as an act of vandalism on public or private property. (This excludes temporary soluble chalk markings or paint marking used for marking utility locations made by a utility company or surveyor.)

Mural image means a professionally prepared artwork design or representation, comprised of two (2) or more colors or hues, applied to a building wall, free-standing wall or fixed accessory structure or use, expressed in a form and manner as to garner viewer interest and which contains no registered trademark logos or advertising. (A mural is not considered a sign.)

([Ord. No. O1807-34](#), § 1(Exh. A), 8-7-18)

Sec. 5-302. - Administration of murals.

(a) *Standards for murals.*

- (1) Murals shall comply with the following standards:
- (2) Any mural proposed in a designated historic district must be reviewed and approved by the Historic District Commission and obtain a certificate of appropriateness.
- (3) No graffiti shall be permitted within or on a mural.
- (4) Murals shall be placed only on walls of buildings in commercial, industrial or on walls of buildings of institutional uses in residential districts.
- (5) Murals may be placed/painted on any façade of a building but shall not cover windows or doorways unless included on the door.
- (6) Murals may contain text within the image.
- (7) No owner or lessor of a building containing a mural may declare damages from the use or viewing of a mural should an adjacent or area property owner erect a building, fence, wall or landscaping that obstructs the vision of a mural from a public street or area private properties.
- (8) The mural shall be painted with limited paint types (oil, acrylic, or other typical wall paint and may include airbrushing or spray paint applications) treated with a sealed-coating and remain at least one (1) year on the painted surface. The mural may be repainted with the same image without obtaining approval or re-approval by the authority.
- (9) Murals may contain images of items/products sold within the building(s) without being considered a commercial message.

(b) *Prohibited murals images.*

- (1) No murals shall contain any devices that includes flashing colors, glitter panels, internal light sources, movement of parts from hand, electric, wind or other similar power sources.
- (2) Murals shall not be composed of vinyl wrappings but shall be limited to tiled or painted surfaces.
- (3) Graffiti is not a permitted form of a mural.

(c) *Mural image permitting process.*

- (1) *Application.* All applications for a mural shall be made with the mayor's office and contain the following information.
 - a. Written consent from the property owner.
 - b. Draft or scaled rendering of the art work (mural) on the proposed surface and a photograph or rendering of the existing surface.
 - c. Dimensions of the artwork (mural).
 - d. Maintenance plan for the mural.
 - e. Any letters of support from surrounding property owners.
- (2) *Review and Approvals.*
 - a. All mural applications shall be reviewed by the Gallatin Arts Council and referred to the city council for approval. If approved by the city council the building department shall issue a permit for the mural.
 - b. Any murals proposed within the Historic Overlay areas of the city shall be reviewed by the Historic District Commission.

([Ord. No. O1807-34](#), § 1(Exh. A), 8-7-18)

APPENDIX G

PROPOSED REVISIONS TO MUNI CODE 13276, CHAPTER 9, PUBLIC ART COMMISSION

Chapter 9 - BEAUTIFICATION[1]

Footnotes:

--- (1) ---

Cross reference— Housing, Ch. 21; parks and playgrounds, Ch. 26.

ARTICLE I. - IN GENERAL

DIVISION 1. - PUBLIC ART COMMISSION

Sec. 9-1. - Established.

There is created and established a Commission to be legally known as the “Chattanooga Public Art Commission,” referred to in this chapter as “Commission.”

(Ord. No. 13276, § 1, 2-6-18)

Sec. 9-2. - Membership and term of office.

The Commission shall be composed of no fewer than nine (9) members (“Members”) to be appointed by the Mayor and to serve without compensation. All members of the Commission shall be confirmed by Chattanooga City Council. The term of the members shall be as follows:

~~Except for practicing visual art members whose terms shall be limited to one (1) year,~~
Members shall serve a three-year term (initially staggered one (1), two (2) and three (3) years) and can be reappointed for one (1) consecutive three-year term with each member serving no more than six (6) consecutive years. Members should have considerable knowledge and experience in public art, the visual arts, architecture and/or urban design and must live or work in Chattanooga.

The Commission shall be comprised of the following:

1. At least two (2) practicing visual artists;
2. At least two (2) design professionals such as architects, landscape architects, or urban planners;
3. At least one (1) representative from a local arts and culture organization; and
4. Individuals with either a specific professional expertise or significant advocacy or leadership experience in public art, the visual arts or urban design such as contemporary arts curator, museum professional, or professor of art or art history and design professionals such as architects, landscape architects, or urban planners.

(Ord. No. 13276, § 1, 2-6-18)

Sec. 9-3. - Purpose of the commission.

The purpose of the Commission shall be as follows:

1. To promote and advocate for the inclusion of art in public spaces;
2. To cooperate with and assist public, private and governmental entities in realizing public spaces as a place where the visual arts are an essential component of enhancing community identity and connection;
3. To provide information and recommendations to the Public Art Division, the Chattanooga City Council and the Mayor of Chattanooga with respect to art, architectural design and the aesthetics of public places and property;
4. To advise on the selection, placement, maintenance, relocation, and deaccessioning of artwork acquired by the City of Chattanooga through the public art program; and
5. To support the efforts of the City Public Art Division and its staff whose responsibilities are outlined in Sec. 9-6.

(Ord. No. 13276, § 1, 2-6-18)

Sec. 9-4. - Duties of the commission.

The Commission shall:

1. Adopt public art guidelines, which shall include criteria for accepting donations or gifts of art, both cash and tangible art, **deaccession of artwork, proposals for memorials and murals on city-owned property**, a method or methods for the selection of artists or public art projects and for placement of public art projects;
2. **Establish and approve the Public Art Program mission and curatorial and programmatic goals, policies, and guidelines.**
3. **Develop an annual Public Art Work Plan that charts current and future public art projects and determines resources and funding priorities.**
4. Acting through the Public Art Division staff and Departments of Finance and Purchasing and in accordance with City procurement guidelines, provide guidance regarding purchasing **of existing art** for public art projects or commissioning of the design, execution and/or placement of **public art** for public art projects;
5. ~~Consult with the appropriate City department (i.e. Public Works, CDOT) regarding the design and construction components of any public art project;~~
6. ~~Ensure the existence of an appropriate amount of funds to cover the maintenance of commissioned and donated public art projects;~~
5. **Serve as the key advocacy body for the Public Art Program and participate in community outreach activities and events.**
6. Promulgate rules and regulations consistent with this ordinance to facilitate the implementation of the Commission's responsibilities hereunder;

- 7.** In order to carry out and facilitate the Commission's general purposes, it shall have authority to:
- a.** Elect a chairman and such other officers as it may deem necessary to carry out the functions and duties of the Commission;
 - b.** Promulgate and maintain its own regulations and bylaws;
 - c.** ~~Select~~ Approve advisory committees or panels of experts as necessary to assist in the discharge of its duties;
 - d.** ~~Receive and spend~~ Recommend expenditure of any money allocated to the Public Art Fund by the City for public art projects;
 - e.** Review and accept any donations to the City of public artworks or funds for public art projects;
 - f.** Review and accept the deaccession of artwork;
 - g.** Review and accept proposals for memorials and murals on city-owned property;
 - h.** Recognize individuals, institutions and organizations who exemplify excellence in public art endeavors by bestowing upon such individuals, institutions and organizations such awards and commendations as the Commission from time to time deems appropriate; and
 - i.** Expend funds for the acquisition of public art in accordance with public art guidelines and City procurement policies.

(Ord. No. 13276, § 1, 2-6-18)

Sec. 9-5. - Financing.

- 1.** City funds designated for public art projects may only be used for the planning, design and/or implementation ~~and administration~~ of a public art project ~~including the acquisition, commission, design, installation, production, presentation, performance, maintenance, and insurance of Public Art.~~ ~~and must be expended~~ in conformance with state and federal law ~~on the building, erection, reconstruction, replacement, extension, repairing, betterment, or improvement of public art projects prescribed by the public art guidelines.~~ If designated funds are insufficient to fund a public art project, proceeds so deposited may, in conformance with state and federal law, accumulate until they are sufficient to fund a public art project.
- 2.** In addition to City capital funds, donations from private persons, ~~foundations~~, or ~~other~~ entities and state or federal monies may be expended on public art projects in accordance with the Public Art Guidelines and City procurement policies.
- 3.** The percentage of the funds for any commissioned or donated public art project set aside for maintenance, as determined by Public Art Guidelines, shall be maintained in a separate public art maintenance fund for the sole purpose of ongoing care and maintenance of the City public art collection.

(Ord. No. 13276, § 1, 2-6-18)

Sec. 9-6. - Public art program staff.

The Commission shall support the efforts of the City Public Art Division and its staff. Public Art Division Staff shall be employees of the City of Chattanooga and funded through the City's operational budget or approved use of public art capital project funds.

The Staff's responsibilities include the following:

1. Manage the City's public art program and facilitate communication among the Commission, selection panels and other City departments, City Council and various panels, private developers, peer professionals, community members, and others;
2. Oversee the percent for art budget, including regular meetings with the Capital Planner to assess project eligibility for current and projected Capital Improvement Program projects.
3. Administer the City's artist and artwork selection and approval processes;
4. Manage the design, fabrication, and installation of public artwork only on City-owned or leased property that is funded by the Public Art Fund, including Percent for Art in new Capital Improvement Program projects. Identify public art project opportunities consistent with City procurement guidelines;
5. Oversee the documentation, care, and maintenance of the City of Chattanooga's public art collection.
6. Administer the donation program for artwork gifts and memorials to the City of Chattanooga from foundations, private individuals, collectors, artists, foreign cities, or countries.
7. Officially accept artwork from artist or donor and ensure artwork is included under City of Chattanooga's insurance coverage;
8. Administer the public art funds and accounts based in large part upon the recommendations from the Commission;; and
9. Direct the public relations, community outreach, and general education of the public art program.

(Ord. No. 13276, § 1, 2-6-18)

APPENDIX H

PROPOSED ARTIST AND ARTWORK SELECTION GUIDELINES

The overarching goal of artist selection is to acquire artwork of the highest quality. Success depends on selecting an artist whose skill, experience, style, commitment to collaboration and community facilitation skills match the project's needs. The specific goals of the selection process are to:

- Encourage the highest level of creative engagement and vibrant thinking in creating free-standing or site-integrated artworks;
- Select an artist (or artists) whose existing public artworks or past collaborative efforts have maintained a high level of quality and integrity;
- Further the mission and goals of the Public Art Chattanooga and the City;
- Identify the optimal approach to public art that is suitable to the demands of the particular project;
- Select an artist (or artists) who shall best respond to the distinctive characteristics of the site and the community it serves;
- Select an artist (or artists) who can work successfully as members of an overall project design team; and
- Ensure that the selection process represents and considers the interests of all parties concerned, including the public, the arts community and the City.

ARTIST SELECTION PANELS

The Artist Selection Panel is responsible to review artist submittals for publicly funded art projects and make recommendations of finalists to the Public Art Commission. The Artist Selection Panel should be comprised of no fewer than three arts professionals selected on the basis of expertise in public art, artists with public art experience and arts management professionals, a representative of the project design team, the client City department, and at least one panel member representing the community in which the artwork shall be located. Public Art Commission members may serve on the panel in the capacity of community members or arts professionals, if appropriate, or may participate on the Artist selection panel as observers. Panel recommendations shall be based upon consensus.

Methods of Artist Selection: Options

The Public Art Commission, in consultation with Public Art Chattanooga staff, defines the method for artist selection for each project that best reflects the project goals and offers the best chance of finding the most qualified artist for the project, taking into account the nature and needs of the specific project, including:

- Size of the budget available for artwork;

- Interest in working with emerging and/or established artists;
- Geographic restrictions on artists' eligibility;
- Preferences concerning the nature of the artwork (i.e. medium, form); and
- Potential locations for the work and limitations or opportunities presented by the site.

TYPES OF ARTIST SOLICITATION

There are several standard methods of artist selection that may be used for either public or private percent for art projects. Typically, public projects, as reflective of standard government bid processes, require an openly advertised bid. Privately-funded projects tend to use more direct methods of selection.

Request for Qualifications (RFQ)

Request for Qualifications (RFQ) can be an effective and efficient method to issue a Call for Artists. RFQs require minimal expenditures of time and money from artists. RFQs primarily rely upon examples of an artist's previous work and typically include an artist's vita, selected references, and a statement of interest about the project. When RFQs are written thoughtfully and applicants' materials are subsequently reviewed, considered, and evaluated by arts professionals and the commissioning organization, a short-list of qualified artists to interview for a proposed project may be easily accomplished.

The outcome of this process creates opportunities for in-person interviews or offering a reasonable fee to compensate development of conceptual ideas for the project. The RFQ process does not anticipate that artists prepare or present specific ideas based on limited information provided in the Call. Instead, conceptual artwork proposals for the project are developed only after learning more about the project through site visits and interactions with project personnel and constituent interests. It is expected that short-listed artists be compensated for travel expenses when invited to interview.

Request for Proposals (RFP)

If the design process is sufficiently advanced and a context has been established to which the Artists can respond, each of the finalists may be asked to develop a preliminary artwork proposal. Request for Proposals (RFP) can be an effective way to consider and evaluate the appropriateness of an artist when a limited number of artists are invited to participate in a selection process, the criteria for selection is explicit and uniform, and there is an honorarium paid to the Artist for each submission. Commissioning bodies recognize that artists shall not have sufficient time and information to develop site specific proposals that are informed by substantial client interaction unless the proposals and competition affords at least four to six weeks of preparation time. Proposals are requested only when the commissioning agency is prepared to consider the proposal as a conceptual approach to the project and not the final design. The commissioning body must pay for the proposals, all proposal materials are returned to those artists not selected for the project, and the commissioning agency recognizes that all ideas presented for the project, including copyright, belong to each artist.

Open Competition

In an open competition, any artist may submit her/his credentials, subject to requirements established by Public Art Chattanooga. The Call for Artists must be sufficiently detailed to permit artists to determine whether their work is appropriate for consideration. An open competition allows for the broadest range of possibilities for a site and can bring in new, otherwise unknown, and emerging artists. This method sometimes discourages established artists who prefer to respond to limited competitions and to be directly selected for projects.

Limited Competition

In a limited competition, several artists are pre-selected and invited to submit qualifications. Limited competitions are more appropriate for projects with extremely aggressive schedules, where there is consensus around an artist or list of artists to be considered, and where a high-level or specific type of expertise is required for the project.

The list of pre-selected artists can be developed by the Public Art Commission with input from the Public Art Director; local, national and international arts professionals; project partners; and a curator or consultant advising on the projects.

Direct Selection

Direct selection is a method that is most often used in private development projects although developers may choose to select an artist through other methods described here. On occasion, an artist for a municipal public art project may be chosen directly by the Public Art Commission. Direct selection may be appropriate on projects where an urgent timeline, limited budget or specific project requirements exist.

Direct Purchase

The Public Art Commission may elect to recommend a direct purchase in which it contracts with a specific artist for a particular project. This may occur for any reason, but generally is used when circumstances surrounding the project make either an open or limited competition unfeasible (i.e. project timeline, community or social considerations, client demand) or a specific artwork is needed due to the exacting nature of the project.

EVALUATION CRITERIA

General Questions to Consider When Commissioning Public Art

- Is the artwork of a high quality?
- Does the Artist have experience or demonstrate a level of excellence?
- Does the artwork celebrate some aspect of the uniqueness of Chattanooga?
- If appropriate, have potential safety issues been assessed by the City of Chattanooga's risk management division?
- Has the design of the artwork taken ongoing maintenance considerations into account?

- Has there been a consultation to ensure that design of the project meets requirements of the Americans with Disabilities Act?
- How does the work relate to the overall collection?

Artist Qualifications

The Public Art Commission shall use the following criteria to review the selection of artists for the acquisition of artwork:

- Meets the definition of artist, as defined in the Public Art Guidelines.
- Demonstrates artistic excellence, innovation and originality as represented in past work and supporting materials.
- Demonstrates capacity for working in media and with concepts that are appropriate to the project goals and site.
- Demonstrates interest and capability in creating public artwork in collaboration with the City, Public Art Chattanooga, the design team (if applicable) and other project partners.
- Demonstrates experience in successfully completing works of similar scope, scale, budget and complexity, or ability to articulate how he or she would be able to bring the necessary artistic and technical skills to this project.
- Demonstrates interest in and understanding of the project.
- Is available to perform the scope of the work in a timely and professional manner.
- Builds the diversity of the City's public art collection.
- If applicable, demonstrates a cohesive team.

Criteria for Evaluating Artist Concept and Schematic Proposals

The Public Art Commission shall use the following criteria to review Artist Concept Proposals:

- Clearly responds to the project goals.
- Meets the definition of artwork as defined by the Public Art Guidelines.
- Demonstrates excellence in aesthetic quality, workmanship, innovation, and creativity.
- Demonstrates appropriateness in scale, form and is of materials/media suitable for the site.
- Demonstrates feasibility in terms of budget, timeline, safety, durability, operation, maintenance, conservation, legal and ethical issues related to possession and use of proposed artwork, security, and/or storage and siting.
- Builds the diversity of the City's public art collection.

APPENDIX K

PROPOSED MEMORIALS POLICY AND GUIDELINES

INTRODUCTION

The City of Chattanooga may occasionally decide to install permanent memorials on City of Chattanooga property to commemorate persons or events of note, or to otherwise convey the City of Chattanooga's position on various topics (referred to as government speech). The City of Chattanooga seeks to establish a standard measure for review of prospective donated memorials by the appropriate City of Chattanooga board or commission to ensure that only objects of the highest standard of excellence are accepted.

The following policy for the acceptance of memorials defines the types of donations that the City of Chattanooga shall accept and establishes criteria for review and acceptance of these objects. The following types of projects are considered in this policy:

- The gift of a newly commissioned memorial to be located permanently upon City of Chattanooga property or public right of way; and
- The offer by a donor to organize a public competition that shall result in the gift or loan of a memorial to be located permanently or temporarily upon City of Chattanooga property.

POLICY

This policy provides a framework for review and approval of prospective memorials. The City of Chattanooga shall only accept memorials that are of the highest quality. Memorials must meet the subject criteria outlined below. In order for the City of Chattanooga to accept donations of memorials, it must first determine that there is an identified space for exhibition on City of Chattanooga property or within City of Chattanooga facilities.

The City of Chattanooga shall not accept memorial objects that are unlimited reproductions or are mass-produced. Memorials may be created in media, such as paintings, mosaics, sculpture, and other site-specific installations. These memorial donations differ from public artworks developed under the City of Chattanooga's Capital Improvement Program.

DEFINITIONS

Memorials

Markers, statues, and other similar permanent installations to express government speech, as further described in this policy, and which are installed by the City of Chattanooga on City of Chattanooga property, or which are accepted by the City of Chattanooga and installed on City of Chattanooga property with City of Chattanooga permission. Memorials may be in various forms including:

- Plaques
- Sculpture

- Fountains
- Other forms of memorials as determined by the City of Chattanooga

Artwork Memorials

Memorials that are designed by an artist. Memorials may be designed by artists or by members of allied fields such as architecture, engineering, landscape architecture, or graphic design.

MEMORIALS AND GOVERNMENT SPEECH

The City of Chattanooga has established the following considerations for the topic of memorials:

1. The placement of memorials shall be limited to circumstances of the highest community-wide importance, both to maintain the significance of such memorials and to minimize conflicts with the active and variable use of public spaces.
2. Memorials should convey a powerful connection between Chattanooga, its natural setting, and its history.
3. Memorials should recognize significant circumstance, events or people or provide information on topics approved by the Planning Commission, as set forth below:
 - a. The contributions of individuals or groups who made a substantial impact upon the City of Chattanooga;
 - b. The history of Chattanooga or of the United States;
 - c. Historical, natural, or cultural influences on Chattanooga; or
 - d. Local innovation or creativity that has contributed to Chattanooga's growth and prosperity.

The City of Chattanooga does not permit the installation of memorials to living persons, and usually a minimum of five years between an event and its commemoration is recommended, to allow for sufficient historical perspective.

The City of Chattanooga may decide, in its sole discretion, to reject a proposal for a memorial and/or may determine the appropriate site for any and all City of Chattanooga memorials.

PROCEDURES FOR ACCEPTANCE OF MEMORIALS

Application Process

Potential gifts of memorials must be submitted to Public Art Chattanooga staff for initial review. If the memorial is determined to be an artwork memorial, the Public Art Chattanooga shall initiate a review and approval process. Public Art Chattanooga staff shall respond to all donor inquiries and advise donors of the process for review and approval based on this determination.

Gifts of memorials may not be offered for a specific site. Before offering a permanently sited memorial, the donor must submit an initial request for placement consideration to Public Art

Chattanooga. Once a potential site has been identified, the donor must submit a site plan demonstrating the relationship of the work to the proposed location and include color photographs of the site.

For gifts of memorials, the completed application must be accompanied by:

1. A letter from the donor stating the purpose of the memorial and its responsiveness to the criteria stated above
2. A model, color photographs, or a color rendering of the proposed memorial. If the work is three-dimensional, multiple views are required
3. If the memorial is an artwork
 - a. A professional assessment of the artwork's condition created by a conservator and accompanied by maintenance requirements;
 - b. The Artist's resume;
 - c. Information of the artwork's context, provenance, and history (e.g., where it has been shown, who owned it, etc.); and
4. A letter of authentication from the Artist or the Artist's estate
5. Evidence that there are sufficient funds available for the fabrication, installation, and ongoing care of the memorial.

REVIEW AND EVALUATION

The review and approval process involve five steps.

Step 1. Department Review

The Director of the Department with jurisdiction of the location where the artwork is proposed shall review the proposed memorial to determine whether there is an appropriate location for its permanent placement, and to determine whether the memorial meets the topic criteria identified in this policy. If the memorial is not determined to be an art component, Department of Public Works staff shall proceed according to Step 4 below.

Step 2. Public Art Chattanooga Review

Public Art Chattanooga staff shall review applications for donations of artwork memorials for completeness to evaluate the prospective donation, and make written recommendations for review and approval by the Public Art Commission. If staff determines that the donation is not feasible, the donor shall be notified in writing.

If the Department of Public Works has approved a site for the memorial, then Public Art Chattanooga staff shall consult with the City of Chattanooga division responsible for that site to develop a community outreach plan.

If necessary, PAC staff may appoint an arts advisory panel of three to five arts professionals to review the work and make recommendations to the Public Art Commission based on the following criteria:

1. Artistic Excellence

Donated artwork memorials should reflect the highest standards of excellence and represent diversity of art forms and Artists, while excluding reproductions that are unlimited editions and art objects that are mass-produced.

2. Professional Credentials of the Artist

Artist's resume should demonstrate the breadth of professional work through solo and group exhibitions, collections, publications; and if applicable, education.

3. Appropriateness to the Site

Donated memorials should be compatible with the proposed site's architecture, landscape, and/or surrounding area.

4. Maintenance Requirements

The memorial should be in good condition with a recent conservation report detailing routine maintenance instructions. The materials used in the creation of the artwork must last in a public, non-archival setting suitable for both indoor and outdoor exhibition, resistant to vandalism.

5. Maintenance Endowment

The donor demonstrates the ability to provide a maintenance endowment sufficient for the ongoing care of the memorial.

If the memorial requires siting but no suggested site is specified by the applicant, PAC staff, after determining the work to be appropriate for placement on City of Chattanooga property, may consult with other City of Chattanooga departments and then suggest locations to the Public Art Commission for review.

Step 3. Public Art Commission Review of Artwork Memorials

Upon PAC staff recommendation, the Public Art Commission shall review applications and decide whether to approve or disapprove. The Commission may review artworks in two ways:

1. Approve/disapprove donations of artwork memorials submitted to the City of Chattanooga.
2. Approve/disapprove placement of artwork memorials on property belonging to, or under the control of the City of Chattanooga, submitted for acceptance to other City of Chattanooga departments or officials as donations to the City of Chattanooga.

Criteria for Evaluation of all Memorials

1. The donor can demonstrate that the person, group or event being memorialized is deemed by the City of Chattanooga to have made a significant enough contribution to merit a memorial of the scale, cost, and visibility proposed.
2. The memorial does not duplicate existing memorial themes.
3. The proposal has been through community outreach conducted by the group or person suggesting that the City of Chattanooga install the memorial, and the installation and maintenance of the memorial is within the priorities of the work plan of the responsible department.

4. The community outreach should be consistent with the outreach conducted for similar City of Chattanooga projects.
5. The proposed memorial is not objectionable to the relatives of the persons or community that it is intended to honor.
6. The proposed site for the memorial is related to its underlying purpose as designated in a master plan or other approval of the City Council or City Manager as a particularly appropriate site.
7. The memorial was designed by qualified professionals who may include registered architects, engineers, landscape architects, and artists who can demonstrate professional recognition in the form of public commissions or permanent public installations.
8. There is a committed and verifiable funding source for the review, design, fabrication, installation, and maintenance of the memorial before proceeding to incur City of Chattanooga costs and staff time and labor.

STEP 4: PLANNING COMMISSION REVIEW OF ARTWORK MEMORIALS

Upon Public Art Commission recommendation, the Planning Commission shall review the application and decide whether to approve or disapprove.

STEP 5: ACCEPTANCE

If the memorial is accepted by the appropriate City Commission/s, the following requirements shall apply:

1. The Artist, donor, or sponsor of a memorial shall be required to pay for all installation costs and commemorative plaques associated with its placement on property belonging to, or under the control of the City of Chattanooga.
2. The donor shall grant the City of Chattanooga the right to convey the work to another site, to storage, or for conservation.
3. The donor shall grant the City of Chattanooga the right to deaccession any accepted memorials under this policy with Public Art Commission review.
4. The donor shall be required to establish a maintenance fund for the memorial. Donor must provide documentation of adequate maintenance for the life of the memorial and establish a maintenance fund at the City of Chattanooga.
5. The City of Chattanooga shall inform the donor that acceptance of a donation is not determinative of the value of the donation.
6. Upon acceptance of donation, the donor shall receive an acknowledgment letter. The commemorative plaque identifying the memorial, artist, and donor shall be installed near the memorial.

If the prospective donation of an artwork memorial is not accepted, Public Art Chattanooga staff shall provide written notification and explanation to the donor. If the prospective donation of a non-art related memorial is not accepted, written notification and explanation to the donor shall be provided by Public Art Chattanooga staff.

APPENDIX L

PROPOSED TEMPORARY ARTWORK POLICY

PURPOSE

The Temporary Artwork Policy is intended to activate publicly-owned spaces in parks, plazas, streetscapes, and other City-owned property. Temporary artworks enliven communities, provoke conversations and refresh the public realm. The City of Chattanooga commissions temporary artworks through its Public Art Chattanooga and also acts as a conduit for temporary projects initiated by artists and non-profit organizations.

Temporary artworks must be approved by the City of Chattanooga and are considered to be government speech. In permitting temporary artworks the City does not intend to open a public forum for free speech activity.

The Temporary Artwork Placement Policy establishes criteria and guidelines for the consideration and installation of temporary artworks in parks, plazas, streetscapes and similar City property. The policy and procedures are intended to complement Municipal Code Section 2.26, Visual Art in Public Spaces and Municipal Code Section 16.61, Public Art for Private Developments in order to insure a consistent approach to placing art in the public realm.

GOALS

- To encourage the temporary placement of thought-provoking, innovative works of high artistic merit that connect people to place;
- To contribute to Chattanooga's sense of identity and pride;
- To build on Chattanooga's identity as a diverse community and a global center for innovation;
- To engage Artists in projects that stimulate and encourage community interaction;
- To create pilot projects in potential locations for permanent artworks; and
- To provide opportunities for emerging and established artists;

SCOPE

The focus of this policy is on temporary artworks located in the City of Chattanooga. Temporary public art may include visual artworks, performances, projections, digital media, virtual reality, and other artistic media that are displayed twelve months or less; and community-based art that builds upon the diverse cultural traditions of Chattanooga residents and provides a space for reflection. Temporary projects may be artist-initiated, commissioned by the City of Chattanooga, or commissioned by a Chattanooga-based non-profit community or cultural organization. This policy should be employed whenever the City, through Public Art Chattanooga, commissions temporary art and when the City facilitates temporary artwork proposed by others.

PUBLIC ART PROJECT TYPES AND ARTWORK CONSIDERATIONS

Temporary artworks are allowed on any City-owned property provided that the City Department responsible for that site is willing to allow the temporary placement of art. Temporary art may include display of existing works of art as well as artworks and art experiences that are created specifically for the site.

Physical artworks must be constructed to withstand outdoor placement during the City-designated display period. All approaches and media for public art shall be considered. These include but are not limited to artworks that consist of or include sculpture, light, social practice/community art, performance, sound, projection art and other artistic media.

Temporary artworks and experiences must not create a nuisance in the community where the artwork is proposed, especially when employing light or sound. Artwork must not present any public safety hazards or violate City laws or codes. Physical artwork selected for temporary placement may require stamped engineering drawings. All temporary artworks must be removed by the Artist, who must restore the site to its original condition upon completion of the display.

PROCEDURES AND PROGRAM MANAGEMENT: CITY FUNDED PROJECTS

Public Art Chattanooga shall include the commission of City-funded temporary artwork projects in its Annual Public Art Work Plan. The project description should include the proposed location(s) and goal of the commission and artist selection methods. Public Art Chattanooga shall issue an RFP to solicit Artists to develop proposals or submit artworks to be placed on loan. The Artist's commission contract shall include the Artist's cost for design, installation, maintenance and de-installation of the temporary artwork created for the Program; or a fee for the loan and maintenance of pre-existing artworks.

Temporary artwork projects that are funded by the City of Chattanooga may be commissioned by the Public Art Chattanooga or commissioned by a nonprofit arts organization or curator contracted by the City. When a contracted arts organization or curator is chosen by the City to implement the temporary artworks, the City must be represented in the Artist selection process, as well as on the project team that reviews design development and implementation. Projects implemented by Public Art Chattanooga or by a partner organization may be selected through an open Request for Proposal (RFP) process, limited invitation or by a curatorial process that invites artist proposals. The City shall secure a list of available sites prior to soliciting proposals. The RFP or invitation shall indicate the available sites for art placement, the duration of the display, and the City's requirements for insurance, liability, safety, etc.

City-funded projects shall be selected by a panel, usually comprised of three arts professionals, two community representatives, one Public Art Commissioner and one representative of the appropriate City Department(s). The exact makeup of the selection panels may shift depending on the location, scale and purpose of the artwork. If possible, community representatives shall be knowledgeable about the arts.

Artists or commissioning organizations submitting artwork for consideration shall submit the following information:

- Artist's resumé.
- A minimum of two photographs of the work.
- A written narrative describing the artwork.
- In the case of physical artworks, a description of the construction materials and methods of fabrication.

Selection criteria shall be defined in advance by Public Art Chattanooga based on the goals articulated in the annual Public Art Work Plan. In general, selection criteria shall include:

- Artistic merit.
- Appropriateness to site and goals articulated for the project.
- Community engagement.
- Feasibility and durability.
- Compliance with City codes.

The Public Art Commission shall review and approve, deny, or suggest revisions to temporary artwork proposals. City Council must approve any City-funded project agreements over \$25,000. Performance based projects of less than 24-hour duration may be reviewed and approved at staff level.

PROCESS FOR PLACEMENT OF SELF-FUNDED ARTIST OR ARTS ORGANIZATION INITIATED TEMPORARY ART PROJECTS

The point of contact for review and approval of self-funded artist or community initiated projects is the Public Art Chattanooga Director who shall insure that appropriate City staff approves the proposed location of the work and addresses public safety concerns. A City employee or elected official who is contacted regarding temporary placement of an artwork must direct the donor to the Public Art Director who shall consult with the relevant City Department(s) regarding appropriateness of location before initiating the artwork review process.

Applications for placement of temporary art must include a detailed narrative describing the project and the Artist creating it and drawings or other graphic representation of the artwork being proposed and a notional budget. A structural description of the proposed temporary artwork should include, but not be limited to the medium, dimensions (H x W x D and weight), required power sources, detailed information regarding installation method, anchoring procedure, and any necessary maintenance required.

The Public Art Director shall convene a Temporary Artwork Review panel consisting of arts professionals, City Department representatives, and community stakeholders to evaluate the viability, appropriateness, durability and safety of the proposal.

In general, selection criteria shall include:

- Artistic merit.
- Appropriateness to site and goals articulated for the project.
- Community engagement.
- Feasibility and durability.
- Compliance with City codes.

Recommendations from the Temporary Artwork Review Panel shall be forwarded to the Public Art Commission for final review and approval.

Once the proposed project has received final approval, the Public Art Director shall issue contract between the City of Chattanooga and the applicant regarding placement, duration, maintenance and installation of the work or project. The applicant shall be required to sign, submit proof of insurance to the City of Chattanooga and meet all other obligations as outlined in the agreement including date and method of removal of the artwork. The City Department(s) must receive and provide written notification of approval of deliverables to the applicant before the applicant can install artwork on City property.

ACCEPTANCE CONDITIONS

1. The City reserves the right to manage its own property including the removal of the artwork when it poses a public safety risk, has been left on City property beyond the agreed terms, or is damaged beyond repair.
2. If an artwork is not completed within the timeline originally approved by the Public Art Commission; or if changes in content, materials, form, presentation, or financing of the artwork occur, the artwork must be reviewed again by the Public Art Director and Public Art Commission.
3. In accepting a temporary artwork, the City of Chattanooga requires that the responsible parties enter into an agreement for the duration of the display that outlines the maintenance responsibilities and agree to remove the work at the agreed upon conclusion of the display, leaving the site in its original condition or better.

Neither the Public Art Commission, the City of Chattanooga, nor any of its agents shall be held liable for any damage or state of disrepair of a temporary artwork.

ROLES AND RESPONSIBILITIES

City of Chattanooga: The City shall demonstrate leadership by providing the skills and resources to administer the Temporary Artwork Program.

Public Art Director: Lead department for managing Temporary Artwork Program

Temporary Artwork Panel: Panel of 3 – 7 members assembled by Public Art Director to select and/or review and approve temporary artworks proposed for City placement and initiated by an artist or a cultural organization.

LEGAL CONSIDERATIONS

Copyright: The Artist retains the copyright for the artwork and must grant the City the right to use images of the temporary artworks for municipal purposes.

Ownership and Maintenance: Temporary artworks commissioned by the City of a contracted arts organization remain the property of the Artist who shall be responsible for maintaining the work during the duration of its display. The City or the sponsoring agency shall be responsible for maintaining artworks that are displayed through a loan agreement. The Artist or contracted arts organization is responsible for removing the artwork and restoring the site to its original condition.

Removal: The City of Chattanooga reserves the right to remove or relocate temporary artwork that deteriorates beyond repair, poses a public safety challenge or meets with substantial community objections, as determined by the Public Art Commission. All attempts shall be made to coordinate relocation of the work with the Artist, but if the City must remove the art, it may bill the Artist for the removal and storage costs.

DOCUMENTATION

Upon completion of the project, Public Art Chattanooga staff shall create documentation includes the following information:

- Artist's resumé.
- A minimum of two photographs of the work.
- A written narrative describing the artwork.
- In the case of physical artworks, a description of the construction materials and methods of fabrication.
- Mention and/or reviews of the artwork in local press.