

## City of Newburyport Public Art Policy

### FAQs for Artists

Thank you for your interest in advancing Public Art in the City of Newburyport. The City recognizes the value of public art to its citizens and visitors. We are committed to fostering a collection of artworks and public art projects that reflect our people, ideas, histories, and futures, engage our communities and directly respond to, enrich, and enliven our environment. We seek public art that is driven by an artistically strong vision, enhances the diversity and equity of the existing collection, and possesses durability appropriate to the lifespan of the work.

In order to help streamline the process for Artists and other proponents of public art, we have created this document to answer frequently asked questions and outline the steps by which public art is approved. Newburyport's Public Art Team (PAT) is a transparent, independent entity who has the exclusive authority to recommend approval and commissioning of public artwork. The PAT also acts as a resource for artists and proponents as they navigate this process, and we encourage you to reach out to them for assistance.

#### A. What does the Public Art Policy apply to?

1. This policy applies to all works of art (both temporary and permanent) that are commissioned, hosted, or displayed on public property and are 1. funded in whole or in part through City funds or maintained by the City; 2. sited on City property, building or right-of-way, or 3. consistently accessible to the public.
2. This policy does not apply to 1. artwork that is on display within City offices/ buildings that have restricted or regulated access, or 2. temporary exhibitions such as gallery displays, booth displays at art festivals, and museum exhibits displayed on City-owned or -managed property.

#### B. What are the PAT's priorities for approving public art?

1. Artistic aims, objectives and goals
  - What has the artist accomplished with the work and does it align with the proposed project goals?
  - Is the work relevant to the City, its values, culture and people and does it contribute to the fabric of the City? Is the work an integral component of the overall project?
  - Is the artwork appropriate for the community it serves?
2. Diversity and accessibility
  - Does the artwork reflect or advance the City's curatorial vision and policy of inclusivity?
  - Does the artwork advance lesser-told or lesser-known stories, non-traditional imagery, diverse perspectives, and/or minority voices?
3. Placement/siting
  - What is the relationship of the work to the site? Is it appropriately scaled?
  - Will the work help to anchor and activate the site and enhance the surrounding area?
  - Will there be convenient public access to the site?
  - What are the utility requirements of the artwork?
4. Fabrication, handling and installation
  - Are the projected costs accurate and realistic?
  - Have written estimates been obtained from qualified contractors?

- Does a certain site present any special obstacles to installation?
  - Can the work easily be removed if necessary?
5. Maintenance requirements
    - Is the work suitable for outdoor display or special indoor environments?
    - Are the materials durable? Does the work have a limited lifespan due to any inherent weakness?
    - What are the existing or projected maintenance requirements of the work? Are they excessive or cost prohibitive? Are any unusual or ongoing costs likely?
    - What are the artist's suggestions for protection of the work from vandalism?
  6. Liability and safety
    - Is any aspect of the work a potential safety hazard?
    - Will fencing or other types of security measures be required?
  7. Affordability
    - Is the artwork priced appropriately for the City?
    - How will the artwork impact the capacity for future acquisitions?

### C. How do I get my public art project approved and installed?

1. **Initial communication:** The proponent must first initiate communication with the City by submitting a signed letter of intent describing the project and its location. In order to install an artwork on City property, the property-owning department (such as Parks or DPS, etc.) must first give permission for the location of the artwork. Once approval is given by the property-owning department, a formal application may be submitted.
2. **Project initiation & site selection:** The proponent shall submit a formal application (see attached) to the PAT to approve the artwork design, at least one month in advance of necessary approvals.

The applicant should review the application and scope of the project with the PAT, who will consult with appropriate City staff and the Mayor in order to provide guidance about approvals and permissions that may be required from other Boards, Offices, and Commissions. If the applicant is not self-funding the project, the PAT can assist in helping to identify funding sources for installation, understanding there is no current City fund specifically for public art projects.

3. **Process for Short-term Public Art:** Short-term artworks are intended to be installed for five years or less. Artists should fully design and plan their project before submitting it for review by the PAT at a public meeting. During the public meeting, the PAT may allow public comment or ask for additional information. This public review ensures transparency in the review process.

The following is the list of information requested for review. Most short-term public art projects won't require everything described, and the PAT will help the applicant determine what they should include.

- *Fabrication:* The applicant should provide details of all materials and methods used in the creation, installation, and de-installation of the artwork, understanding that any significant changes may require amended approvals from the PAT to be voted on at a public meeting.
- *Community Engagement:* The applicant should provide evidence of effort to get community feedback (i.e. images from community meetings, social media postings, or letters of support)
- *Installation:* The applicant is required to coordinate the installation of the artwork with the site owner and update the Public Art Team. The applicant is responsible for securing any permits or approvals that are required by other City agencies. This may include approval from the Parks

Commission or DPS, depending on the project site, how the project affects access to the public right of way, or if the installation of the project requires temporary street closures.

- *Maintenance*: Depending on the length and needs of the project, the applicant should submit a narrative describing how they will maintain or repair the artwork if it is damaged.
- *Deinstallation*: The applicant should include details of the deinstallation of the artwork, including any equipment and/or permitting required. The applicant is responsible for returning the project site to its original condition after deinstallation.

4. **Process for Long-term Public Art**: Long-term artworks are intended to be installed for five years or more. We encourage applicants considering long-term commissions to think about how the artwork will be experienced in the present moment, as well as the future.

The applicant will work with the PAT to develop a schedule that reflects any capital construction timelines associated with the project, contract milestones, other Board or Commission approvals, PAT reviews, a working budget, and Artist deliverables for each project phase. The PAT reviews and votes on the applicant's design at a public meeting and may allow public comment or ask for additional information, ensuring transparency in the commissioning process. During the presentation of the design at a public meeting, the applicant should provide the following:

- *Visualizations*: Drawings, maquettes, renderings, or other plans and renditions of the artwork as it will appear when installed, appropriately scaled and accurately depicting materials, colors, lighting effects, interpretive text, plaque, and/or signage text.
- *Public Engagement*: Describe or summarize community engagement, showing effort to connect with and involve Newburyport's residents, and being sensitive to accessibility.
- *Fabrication Plans*: Detail all materials and methods used in the creation of the artwork. The applicant will work with the PAT and City partner agencies to determine design deliverables requirements. Fabrication must substantially conform to the Fabrication Plan, and any significant changes may require amended approvals from the PAT.
- *Schedule*: Present a schedule detailing the artwork process, proposed installation date and budget.
- *Maintenance Recommendations*: Provide a written document of the Artist's maintenance recommendations for all proposed materials, and an estimated schedule for routine maintenance and preservation of the artwork.
- *Installation Plans*: When the artwork is associated with a capital project, installation should be incorporated into the capital construction timeline to avoid additional costs and disruptions to the finished site. Detailed installation plans may include site preparation, equipment requirements, site restoration, etc. The applicant must coordinate the installation of the artwork with the site owner, and update the PAT and any pertinent City agencies and their contractors. The applicant is responsible for securing any permits or approvals that are required by other City agencies. This may include approval from the Parks Commission or DPS, depending on the project site, how the project affects access to the public right of way, or if the installation of the project requires temporary street closures. If the artwork installation diverges significantly from the Installation Plan, the PAT may require amended approvals.
- *Plaques and Signage*: Include images showing how the Artist's name, title of the artwork, year it was installed, and medium used will be included or displayed.
- *Description of Artwork*: Provide a narrative description of the Artwork for the City to use as a source for descriptions of the project on the City's website, public-facing arts database, and other approved uses, including a final summary of the artwork materials, dimensions, and any collaborations or subcontractors who worked on the project.

5. **Final Acceptance**: The applicant will submit the following within 30 calendar days of installation:

- Documentation that the artwork was installed in conformance with the Installation Plan.
- A minimum of five (5) high resolution digital files in JPG format of the installed, finished

artwork.

6. **Review and Vote:** The PAT will review and vote to accept the artwork into the collection.

#### **D. When do I need an RFP?**

Calls to Artists are required for Public Art projects with budgets over \$50,000 that are not initiated by an applicant who is currently working with an Artist. If a Call to Artists is required, the PAT will assist the applicant in developing and executing one. Applicants should not initiate RFP's for projects on City property without prior discussions with the City.

#### **E. What kind of legal contract do I need?**

Legal agreements for public artworks may be executed in several ways. The City may contract with the Artist or applicant directly. If the applicant is already working with a funder and has a contract for the artwork, the City may request an MOU with the applicant, the funder, or both. Each project is unique and the legal agreements will be specific to that project.

#### **F. Can I make a donation of public art?**

All proposals to donate works of art to the City must be submitted to the Public Art Team for review. Donation requests to the PAT should contain the following:

- Provenance: includes artwork information, conservation history, and transfer of ownership.
- Maintenance recommendations: outlines how the artwork is to be maintained, and what materials and maintenance procedures are needed to conduct routine maintenance of the artwork (cleaning schedules and minor repairs).
- Proposed site, if any.
- Feedback from abutters to the proposed site or stakeholders of the site, or effort shown to connect with and involve neighbors and stakeholders, including feedback and approvals from jurisdictional Boards or Commissions.
- How the art complies with the criteria listed in section B.

#### **G. Will a plaque be allowed or required for public artworks?**

Knowing who created an artwork and when can help provide the context needed to experience an artwork fully. Plaques help the public identify artworks and artists, and enable further explorations of artwork in our collection.

The PAT will work with Artists and proponents to plan for the inclusion of plaques and other educational and interpretive materials as part of the design proposal. Plaques should be incidental to the artwork and not a competing focus for the viewer. Logos, trademarks and symbols designed for recognition and advertising or endorsement are not allowed. Plaque information should include the following:

- Artist name
- Artwork title and year
- Brief interpretive text (optional)

#### **H. Can I paint a mural?**

Murals are public art works that are directly painted on walls or other existing surfaces and can be short-term or long-term commissions. For City-owned properties, the PAT will help the Artist determine which City department owns the site and obtain their permission to use it. All mural proposals will follow a modified review process, at the discretion of the PAT, to meet the guidelines of the City's Public Art Policy. The PAT will assist the applicant in the process.

Mural projects on private property require Artists to obtain approval from the landowner. The PAT should be notified about the project and may offer support. The PAT may be able to assist or offer guidance on

approvals from other City departments, like reviews by the Historic Commission for projects in historic districts, or street occupancy permits from DPS. Murals proposed for privately owned surfaces usually don't require City review, unless they fall within special overlay districts as identified in the City's Zoning ordinance. The PAT won't review or vote on these artworks.

Street murals are painted directly on a roadway. Because the wear and tear on these artworks is intense, they are usually not considered long-term projects, and should follow the procedures for short-term public art approvals. The applicant should work closely with DPS to review these projects.

## I. Can I propose a memorial?

A memorial is a public expression designed to shape and honor a shared memory of a particular person, group, or event, and may be long- or short-term. The City of Newburyport has an expansive collection of public art memorials and is unable to accept most new long-term memorial design proposals unless they strongly align with the City's curatorial vision, in particular those that add to the diversity of the City's public art collection. Memorials must also meet these additional criteria:

- **Historical Significance to Newburyport:** The memorial subject must have a direct connection to the City of Newburyport.
- **Public Interest:** Proposals should be considerate of the broader community's interests and needs, particularly the community at the proposed project site.
- **Timing and Timelessness:** Proposed long-term memorials should retain significance and relevance in the future and be meaningful to future generations. The PAT requires a minimum of five years and recommends a minimum of ten years between an event or the passing of an individual and their commemoration to allow for sufficient historical perspective.
- **Subjects Not Previously Memorialized:** The memorial should not honor living individuals or duplicate any existing memorials. We inventory all public memorials and strongly recommend applicants review our Public Art Collections database prior to submitting a memorial proposal. We give preference to proposals that memorialize subjects not currently represented or subjects that are under-represented in the City's collection.
- **Appropriate Location:** The memorial should have a historical or thematic relationship with its proposed location. We prefer proposals for locations where memorials or other artworks do not already exist.
- **Longevity:** Applicants should consider the long-term impact of the memorial and its ability to withstand conditions such as weather or vandalism, as well as changing times and attitudes about its importance, impact on the community, and relevance to the Curatorial Vision.

Applicants can submit their memorial proposals to the PAT at least 3 months in advance of the requested installation date and follow the process for approval listed in C above. Memorial proposals must also include:

- Identification of the person, group, or event to be memorialized;
- A brief narrative explaining the importance of the person, group, or event and its direct, proven relationship to the City;
- A brief explanation of the visitor experience of the proposed memorial; and
- A rationale for the proposed memorial location.