

Chapter 18

PUBLIC ART

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Sec. 18-1. Purpose.

It is the purpose of this Ordinance and the policy of the City through the dedication of one percent (1%) of the total cost of all funded Capital Improvement Projects, as defined herein, to facilitate the inclusion of art in public places related to such Capital Improvement Projects when appropriate, in order to beautify public areas, to enhance the quality of life for Moscow citizens, to attract tourism, and to provide incentives to businesses to locate within the City, thus expanding Moscow’s economic base.
(Ord. 2004-30, 06/21/2004)

Sec. 18-2. Capital Improvement Project Defined.

- A. 1. For purposes of this Chapter and except as otherwise provided for in this Section, “Capital Improvement Project” shall mean every capital municipal construction or improvement project or portion thereof, paid for wholly or in part by the City where the total cost of such project is reasonably anticipated to be in excess of twenty five thousand dollars (\$25,000). A Capital Improvement Project shall include construction, renovation or remodel of any public park, public building or structure, street or road, or public parking facility whether developed by the City or developed privately and leased back to the City.
- 2. Where a Capital Improvement Project is funded in whole or in part by State and/or Federal monies, only the portion of the Capital Improvement Project which permits expenditure of

such monies for the arts shall be used to calculate the one percent (1%) dedication for the arts. Where a Capital Improvement Project is funded in whole or in part by State and/or Federal monies and the State or Federal monies do not allow for expenditure of such monies for the arts, only the portion of the City’s required financial contribution to such Capital Improvement Project shall be used to calculate the one percent (1%) dedication for the arts and such one percent (1%) shall be in addition to the City’s minimum required contribution to such Capital Improvement Project.

- B. Capital Improvement Project shall not include:
 - 1. Maintenance of public improvements such as streets, sidewalks, curbs, alleys or right-of-way improvements;
 - 2. Subsurface public utility improvements such as storm and sanitary sewers, waterlines, fire hydrants, and other appurtenances;
 - 3. The portion of a Capital Improvement Project funded by State and/or Federal monies which prohibit expenditure of such monies for the arts;
 - 4. A Capital Improvement Project undertaken before the effective date of this Ordinance; or
 - 5. A Local Improvement District.
- (Ord. 2004-30, 06/21/2004)

Sec. 18-3. General Requirements for Art.

- A. Public art may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it. Public art may also be located on any publicly owned property.
- B. Any public art chosen shall be located in a public place with public visibility and impact, and further shall comply with any addition to any guidelines established by Council upon recommendation of the Moscow Arts Commission.

- C. Nothing contained herein shall preclude funding City public art by matching monies, donations, or other means.
(Ord. 2004-30, 06/21/2004)

- 2. No more than twenty-five percent (25%) shall be used for administrative costs, including, but not limited to, costs of selection, maintenance, repair and conservation.
(Ord. 2004-30, 06/21/2004)

Sec. 18-4. Administrative Responsibilities.

- A. The City designates its Arts Manager or designee, in cooperation with the Moscow Arts Commission, to be responsible for the location and selection of all public art in the City. The Arts Manager shall make recommendations for and shall advise other City departments regarding the maintenance, repair, or other conservation of public art.
- B. Public art selected shall be consistent with the City’s Comprehensive Plan, zoning and subdivision ordinances, and land uses contemplated therein.
- C. The Moscow Arts Commission shall make reports regarding the public art selected for the Capital Improvement Project from time to time as requested by the Mayor and/or the Council.
(Ord. 2004-30, 06/21/2004; 2021/09, 07/19/2021)

Sec. 18-5. Source of Funds.

- A. From each funded Capital Improvement Project, the City shall set aside an amount equal to one percent (1%) of such Capital Improvement Project’s construction budget for purchase and installation of public art regardless of whether the Capital Improvement Project is completed. Calculation of the construction budget of a Capital Improvement Project shall be done in the same manner as is done to determine the costs of building permit fees in a construction project.
- B. Of the one percent (1%) set aside from every Capital Improvement Project allocated to the public art account:
 - 1. No less than seventy-five percent (75%) shall be allocated toward such public art, including purchase, design, fabrication and installation.