

CHAPTER 2.07

ONE PERCENT FOR ART PROGRAM

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2.07.010 Short Title

This ordinance shall be known as the "One Percent for Art Program" and may be so cited and pleaded and shall be referred to herein as "this program."

(Ordinance No. 87-215, Sec. 1. Amended by Ordinance No. 02-967, Sec. 1.)

2.07.020 Definitions

(a) "Construction cost" means budgeted construction cost, excluding design, engineering and administrative costs, cost for fees and permits, and indirect costs, such as interest during construction, land acquisition, relocation, demolition, street and utility, construction appurtenant to the main project, advertising and legal fees.

(b) "Council" means the Council of Metro.

(c) "Metro facility" means those facilities constructed at the direction of Metro.

(d) "Major construction project" ("Project") means projects for construction, reconstruction or major renovation of a Metro facility with an estimated construction cost of \$100,000 or more. "Major construction project" does not include emergency work, minor alteration, ordinance repair or maintenance necessary to preserve a facility.

(Ordinance No. 87-215, Sec. 2. Amended by Ordinance No. 02-967, Sec. 1.)

2.07.030 Policy

The Council finds that it is appropriate in major construction projects that one percent of the construction cost of such projects be devoted to the acquisition and display of art to be integral to, displayed in, upon, or in proximity to the project, or capable of display in other Metro facilities which the Council deems appropriate.

These funds shall be expended on art which is of redeeming quality, advances public understanding of art, and enhances the aesthetic quality of the location which will be the site of works of art funded by these funds. The goal is to select and display art which represents the best in artistic skills and to encourage public dialogue and understanding of works of art.

(Ordinance No. 87-215, Sec. 3. Amended by Ordinance No. 02-967, Sec. 1.)

2.07.040 Dedication

One percent of the construction cost of major construction projects shall be set aside for the acquisition of art, unless the Council, following a public hearing, by resolution exempts the project from the One Percent Program. Such an exemption must be approved prior to or at the time a contract for an architect has been entered into, or prior to or at the time a contract to participate financially in a project is entered into by the Council, whichever is earlier.

Works of art may be integral to, or displayed in, upon or adjacent to the project, or capable of display in other Metro facilities.

The Council may order works of art removed or relocated if it finds that doing so is in keeping with the purposes of this ordinance.

The Council may determine to use contributed funds in addition to or in lieu of the monies raised for the construction costs.

(Ordinance No. 87-215, Sec. 1. Amended by Ordinance No. 02-967, Sec. 1.)

2.07.050 Ownership

All art acquired pursuant to this ordinance shall be acquired in the name of Metro, and title shall vest in Metro.

(Ordinance No. 87-215, Sec. 5. Amended by Ordinance No. 02-967, Sec. 1.)

2.07.060 Approvals

Contracts brought forward under this program shall be approved in accordance with the Metro Code.

(Ordinance No. 87-215, Sec. 6.)

2.07.070 Implementation

The Council shall adopt by resolution guidelines for implementing this program. The guidelines shall be interpreted in such a manner to fully carry out the purposes of this ordinance.

(Ordinance No. 87-215, Sec. 7.)