

Chapter 15

PUBLIC ART¹

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15.01 PURPOSE

The purpose and intent of this Chapter is to encourage the placement of artwork throughout the Village consistent with the goals and implementation guidelines of the Algonquin Public Art Master Plan, which was approved by the Village Board on April 5, 2005, and incorporated into this Chapter by reference. Furthermore, it is the intent of this Chapter to:

1. Enhance the Village's sense of place in the region by providing unique artwork throughout the community in a manner unlike any other place in the area.
2. Strengthen community identity, spirit, and collective cultural experience through the placement of public art throughout the Village.
3. Generate a positive image that attracts visitors and potential investors, including new home buyers, business owners, and developers.
4. Create a public art collection primarily with temporary artwork loans, developer donations, and gifts.
5. Identify and develop stable funding mechanisms, including the creation of a public art reserve fund, to ensure that resources are available to create, preserve, and inventory public art works.
6. Define the role of the Algonquin Public Arts Commission.

15.02 AREA OF APPLICABILITY

The placement of public art shall occur throughout the corporate limits of the Village. All property to be annexed or approved for a planned development shall conform to the standards of this Chapter.

15.03 PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENTS

¹ Established by Ordinance 2005-O-16

As part of its review of a petition for annexation or planned development, the Village Board shall require that a private property owner and/or developer shall contribute to the public art program in one of the following ways:

1. **Provide and Maintain Their Own Artwork:** A developer may identify a clearly visible and accessible public space within the development and erect and maintain a work of art that is consistent with the artwork selection criteria identified in the Algonquin Public Art Master Plan. The scale of the art elements in the private development shall be commensurate with the scale of the development and its location. The owner of the project shall retain responsibility for maintenance and regular upkeep of any public art enhancements. If, for any reason, the required public art in a project is removed, destroyed, or has deteriorated, the owner is responsible for removal and replacement with comparable artwork, which shall be reviewed and approved by Village staff, the Algonquin Public Arts Commission, and the Village Board.
2. **Reserve a Display Site and Pay a Fee:** A second option is for the developer to identify a clearly visible and accessible public space within the development and dedicate the space to the Village as a formal reserved public art display location. The developer shall also be required to pay a fee in lieu of installing and maintaining the artwork. The developer shall, however, receive an amount identified in Appendix B as credit against the fee required herein for providing and reserving the space. The Village shall then be responsible for finding an appropriate piece of artwork for the reserved space.
3. **Contribution to Public Art Reserve Fund:** In private development projects where public art elements would normally be required but where Village staff finds that location, siting, or scale makes provision of public art enhancements inappropriate or impossible, or staff agrees to the applicant's preference to not integrate a public art element into the project, the equivalent public art funds shall be placed into a Public Art Reserve Fund maintained by the Village. Such funds shall enable art enhancements to be sited elsewhere within the Village at a location identified in the Algonquin Public Art Master Plan and as close to the development as possible. The fee schedule for the required payment is listed in Appendix B. For mixed use projects, the developer/owner shall pay fees as noted in Appendix B on both the commercial square footage and the number of residential units.
4. **Compliance Time Frame:** If a private development sets aside a display area for public art, said site shall be reviewed and approved by Village staff prior to the issuance of a site development permit. If a private development sets aside a display area for public art and erects a piece of artwork, said artwork must be in place prior to the issuance of the first certificate of occupancy on the subject property. Any payments into the public art master plan reserve fund shall be made prior to the issuance of a building permit.

15.04 ALGONQUIN PUBLIC ARTS COMMISSION CREATION

There is hereby created the Algonquin Public Arts Commission ("Commission" for purposes of this Chapter), an ad hoc organization of the Village for at least a 2-year period from the appointment date of the initial Commission members. The Village Board may extend the term of the ad hoc commission if it decides additional time is needed for the Ad-Hoc Commission to carry out its duties.

15.05 COMMISSION PURPOSE

The Commission is charged with the purpose and goal of fostering the placement of public art throughout the community consistent with the Algonquin Public Art Master Plan.

15.06 COMMISSION APPOINTMENT, COMPOSITION

A. Appointment: The Commission shall consist of 7 members, appointed by the President with the advice and consent of the Village Board.

B. Qualifications of Commissioners: It is the primary consideration that qualified persons have demonstrated an interest in visual art. At no time shall more than 2 members be nonresidents of the Village.

C. Terms of Office, Vacancies: The term of the Commissioners shall be 3 years, staggered over 3 years, beginning May 1.

D. Officers: The President, with the advice and consent of the Village Board, shall annually appoint a chairperson from among the Commissioners. The Commission may appoint or elect from their members a vice-chairperson.

E. Compensation: Members of the Commission shall not be compensated for serving on the Commission.

15.07 MEETINGS, REPORTING AND RECORD KEEPING

The Commission shall comply with the Open Meetings Act. Minutes shall be submitted to the Village Board on a timely basis. The Commission shall meet on an as-needed basis. Village staff shall schedule Commission meetings.

15.08 COMMISSION FUNDING

The Village Board may appropriate funds to carry out the duties of the Commission consistent with the approved budget and with all expenses approved by the Village Manager. Other than those funds appropriated and approved by the Village Board, the Commission shall not be authorized to expend municipal funds.

15.09 COMMISSION DUTIES

The Commission shall:

1. Function as an advisory commission to the Village Board.
2. Recommend public art program policies and procedures to the Village Board.
3. Formulate Public Art Display Plans on an as-needed basis with Village staff which shall be submitted to the Village Board for approval.
4. Provide recommendations to Village staff and the Village Board regarding municipal art projects, as needed.

5. Identify local artists who are willing to display their work under the guideline outlined in the approved Algonquin Public Art Master Plan.
6. Recommend utilization of monies in the Public Art Reserve Fund to the Village Manager and the Village Board.
7. Provide status reports on current public art projects to the Village Board.
8. Coordinate public art loans and artwork submittals with Village staff.
9. Recommend and help coordinate with Village staff art education and appreciation programs in order to help stimulate community-wide interest in the implementation of the Public Art Master Plan.
10. Serve as community liaisons, resources and advocates for implementation of the Public Art Master Plan.
11. Create specific criteria that helps identify appropriate pieces of art for public display and establish standards for their secure placement and display in the community.
12. Commissioners who are artists shall be eligible to participate in Village-sponsored art related programs and activities; however, Commissioners shall be required to follow all of the regulations and application requirements of each program, will not be eligible for any awards or monetary compensation, and may not evaluate or form recommendations to the Village Board or another similar jury/review panel regarding their submittals.

15.10 PUBLIC ART RESERVE FUND

The Village Board shall establish and maintain a Public Art Reserve Fund. All developer payments and donations to the public art program shall be deposited in the Public Art Reserve Fund. The Public Art Reserve Fund shall be used for the acquisition, maintenance and publicity of artwork displayed as part of the Algonquin Public Art Master Plan implementation.