

RESOLUTION NO. 2521

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX ADOPTING A POLICY ON THE PLACEMENT OF PUBLIC ART ON OR AROUND PUBLIC LAND

- WHEREAS,** the Town Council recognizes that the presence of works of art on or around public land can enhance the beauty of the public land; and
- WHEREAS,** the Town occasionally receives requests from the public, artists or organizations to place or display art on Town-owned land; and
- WHEREAS,** at the same time, the Town Council recognizes that there is a limited amount of space where art can be displayed and that any displays should not compromise public safety; and
- WHEREAS,** in order to fairly allocate use of public space and minimize any public safety threats, the Town Council wishes to adopt a policy on the placement of art on or around public land that is consistent with the requirements of the First Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Fairfax as follows:

1. The Town of Fairfax shall allow placement of art on or around public lands, so long as the display is deemed by the Town to enhance public space or land.
2. Works of art eligible for display include but are not limited to Painting, Sculpture, Crafts, Textiles, Mosaics, Photography, Stained glass, Calligraphy, Graphic arts and Mixed Media.
3. Composition of art shall be of material or materials that are durable against vandalism, theft and weather, and that require a low level of maintenance.
4. The installation of the artwork shall not compromise public safety.
5. Public art display shall consider scale, material, form and content in relation to immediate and adjacent buildings and landscaping.
6. All costs of installation shall be borne by applicant unless other arrangements have been agreed to between the Town and applicant.
7. Each applicant seeking approval for public art display must complete an application and submit it to the Parks and Recreation Commission. The Commission shall request a recommendation regarding the application from the Fairfax Artist In Residence and the Public Works Director, and may request a recommendation from the Design Review Committee as appropriate. Prior to issuance of a final decision regarding the application, the Parks and Recreation Commission shall consult with the Town Manager. The Town Manager shall have the discretion of taking the application to the Town Council for approval or denial.