

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington



AMENDED ORDINANCE NO. 92-106

PUBLIC ART IN COUNTY CONSTRUCTION PROJECTS;  
AMENDING THE SNOHOMISH COUNTY CODE CHAPTER 2.96

BE IT ORDAINED:

Section 1. Snohomish County Code section 2.96.010, adopted by Ordinance 90-166 on December 5, 1990, is amended to read:

2.96.010 Purpose. Snohomish County recognizes the need and community benefit of public art. The purpose of this chapter is to expand the opportunities of all county residents to experience art in public places, thereby creating more aesthetically pleasing environments, improving the quality of life and instilling a unique sense of community identity. A policy is therefore established to direct the inclusion of works of art in construction projects of Snohomish County and to enable a permanent program for administering cultural resources owned by Snohomish County. This public art program shall also strive to incorporate physical improvements in certain public works which provide places and settings for the display and exhibition of the visual, literary and performing arts.

Section 2. Snohomish County Code section 2.96.020, adopted by Ordinance 90-166 on December 5, 1990, is amended to read:

2.96.020 Definitions.

(1) "Arts Commission" means the Snohomish County Arts Commission.

(2) "County construction project" means any project paid for by funds appropriated by Snohomish County to construct or remodel any building, decorative or commemorative structure, park or any portion thereof within the jurisdiction of Snohomish County.

(3) "Demolition" means any work required for the removal of buildings or other existing structures from real property.

(4) "Equipment" means any equipment or furnishings that are portable and of standard manufacture. Equipment shall not mean items that are custom designed or items, whether portable or affixed, which adapt a facility to a new use.

(5) "

(a) Program administration" means staff responsibilities incidental to aiding the Arts Commission in implementing this chapter and its mandated comprehensive plan. Program administration shall include but be not limited to: staffing of the Arts Commission; promotion of and public education about the County's arts program; preparation and recommendation of an annual 1% for the arts projects plan; establishing program guidelines; designating sites for placing works of art; determining project budgets; establishing juries; selecting and commissioning of artists; reviewing the design, execution and placement of works of art; supervision of installation of art and provision of security for projects funded by this chapter; removal of works from the county collection; and exercising professional curatorial care over the County's collection of cultural resources.

(b) Administrative costs are limited to 15% of funds expended.

~~(5)~~ (6) "Real property acquisition" means the purchase of one or more parcels of land, existing buildings or structure, and includes appraisals or negotiations in connections with such purchase.

Section 3. Snohomish County Code section 2.96.030, adopted by Ordinance 90-166 on December 5, 1990, is amended to read:

2.96.030 Appropriations for construction projects to include funds for art.

(1) All appropriations for county construction projects, except as provided in section 2.96.040, shall include an amount, determined as provided in subsection (2) of this section, to be used for the costs of selection, acquisition, ((and)) display and maintenance of works of art, which may be integral parts of the projects, or which are placed in on or about such projects or other county facilities and for program administration.

(2) The amount to be appropriated for art for each project shall be not less than 1/100th of the total county-funded portion of the appropriation for the project, except that the total county-funded portion shall not include any county-funded appropriation for real property acquisition, demolition or equipment.

(3) If a project is funded wholly or in part by a grant to the county, and if the granting authority has approved use of a portion of the grant amount for art, then this amount shall be appropriated for art in addition to any amount appropriated from county funding sources. If the granting authority has prohibited use of grant funds for art, county funds in excess of 1/100th of the total county-funded portion of the appropriation for the project as defined in subsection (2) may be appropriated for art if such is recommended by the arts commission.

(4) All amounts designated for art as provided for in this section shall be appropriated to the "1% for Art" project in an operating transfer out object within the fund to which the appropriation is made. An operating transfer shall then move the "1% for Art" contribution into a "1% for Art" fund. (~~All appropriations shall not be transferred from a "1% for Art" project to another project unless such transfer is authorized by ordinance by the council.~~)

Section 4. Snohomish County Code section 2.96.060, adopted by Ordinance 90-166 on December 5, 1990, is amended to read:

2.96.060 Prior art appropriations. Appropriations Contributions authorized for art made prior to the effective date of this chapter for county construction projects shall be transferred by the county executive or his/her representative to the "1% for Art" fund. (~~project within the fund to which the appropriation was made.~~)

Section 5. Snohomish County Code section 2.96.080, adopted by Ordinance 90-166 on December 5, 1990, is amended to read:

2.96.080 Arts commission established.

(1) The Snohomish County Arts Commission is hereby established to serve in an advisory capacity to the executive and the council in the administration of the program of funding public art set forth in this chapter.

The arts commission shall consist of seven members who shall be nominated and appointed as provided in chapter 2.03 SCC. Five nominees recommended for appointment shall be selected so as to provide representation of colleges, art schools, galleries and museums throughout the county; the remaining two members shall represent citizen-at-large interests. Arts commission members shall serve terms of 3 years and shall serve without compensation.

Meetings of the arts commission shall be governed by the open public meetings act, Chapter 43.30 RCW. Five members shall constitute a quorum and all actions of the arts commission shall require an affirmative vote of a majority of the full commission.

The arts commission shall organize itself by the annual election of a chairperson and a vice-chairperson. The arts commission shall develop and submit to the council for its approval, bylaws for the operation of the commission.

(2) The arts commission shall have the following duties:

(a) Develop and propose for adoption by the council comprehensive guidelines and policies for the administration of the program for funding public art which shall be designated the comprehensive plan. The initial comprehensive plan shall be submitted to the council on or before January 1, 1992; periodic updates may be proposed as needed at the discretion of the commission. Before approving all or any part of the comprehensive plan or any amendment, extension or addition thereto, the commission shall hold at least one public hearing and may hold additional hearings at the discretion of the commission. Notice of the time, place and purpose of any public hearing shall be given by one publication in a newspaper of general circulation in the county at least ten days before the hearing.

(b) Provide annual recommendations to the executive and council - as proposed amendments to the comprehensive plan - concerning the designation of art sites, the determination of budgets for public art, and selection and commissioning of artists, the designing, executive and placement of works of art funded pursuant to this chapter, and the addition to and removal of artworks from the county collection. Annual recommendations shall be submitted to the executive and council on or before October 1 each year.

(c) The arts commission shall also provide recommendations for the development and placement of works of art which provide places and settings for the display and exhibition of the performing arts.

(3) The arts commission shall not recommend the acquisition or placement of any proposed work of art requiring extraordinary operation and maintenance expenses without the prior approval of the director of the department for which such work of art is proposed. Prior to performing any repairs or maintenance on artworks, a county department shall obtain the recommendation of the arts commission and such repair or maintenance shall comply with any contractual obligations of the county incurred in the acquisition of the artworks.

(4) The County Executive shall assign staff to serve the arts commission.

PASSED this 16<sup>th</sup> day of September, 1992.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

*Li McLaughlin*  
Chairperson

Approved as to Form:

*[Signature]*  
Deputy Prosecuting Attorney

DATE: 9/22/92  
*[Signature]*  
County Executive

ATTEST:

*Shula McCallister*  
Clerk of the Council

- (  ) APPROVED
- (  ) VETOED
- (  ) EMERGENCY

PUBLISHED \_\_\_\_\_ AND \_\_\_\_\_.

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