

BROWARD CULTURAL AFFAIRS COUNCIL POLICY ON ARTIST RIGHTS

I. PURPOSE

The Broward Cultural Affairs Council has a goal to create a climate wherein artists will thrive and receive the economic benefits of, and recognition for their work. For that reason, it is important that the artist retain control over the integrity of their artwork and receive equitable compensation for their creative endeavors.

II. POLICY

The Broward Cultural Affairs Council strives to ensure the following rights to artists, which will be embodied in County contracts for the commissioning or purchase of works of art:

- A. Recognizing that successful public art is generally inseparable from the site for which it is created, the County will not move or remove an artwork unless its site is destroyed or the use of the space has changed. Should it become necessary to move or remove an artwork, the County will make reasonable efforts to consult with the artist before effecting any removal or relocation. However, the County reserves the right to move or remove the artwork without notification in emergency situations where an immediate threat to property or public safety is present.
- B. Recognizing the importance of preserving the integrity of an artwork, the County will not intentionally alter, modify or destroy an artwork. Nevertheless, if an artwork owned by the County is significantly altered, modified or destroyed, whether intentionally or unintentionally, the artist shall have the right to disclaim paternity or authorship of the artwork. Should an artist choose to exercise this disclaimer, the County shall, upon written request by the artist, remove any plaques, labels or other identifying materials that associate the work with the artist.
- C. The integrity of an artwork also depends upon regular conservation and maintenance. The County commits to the periodic inspection of the artworks in the County Art Collection and to make reasonable efforts to ensure that each artwork is properly and professionally maintained.
- D. The County agrees to make its best effort to accomplish repairs in accordance with any maintenance and repair instructions the artist has provided to the County at the time of acquisition. The County shall make reasonable efforts to notify the artist before undertaking repairs or restorations to the artwork, during the lifetime of the artist. Where practical the artist will be consulted and given an opportunity to accomplish the repairs or restorations at a reasonable fee. The County reserves the right to make minor and/or emergency repairs without prior notification.

- E. The artist retains all copyrights associated with artworks acquired by the County. The County agrees that it will not copy or reproduce the artwork in any way, or permit third parties to do so, without the prior written permission of the artist. Notwithstanding this policy, the County reserves the right to make photographs or other two-dimensional representations **of** the artwork for public, non-commercial purposes, such as catalogues, brochures and guides. Any commercial uses, such as images of the artist's work on T-shirts, coffee mugs, souvenirs or other items intended for sale, shall require the prior written permission **of** the artist.
- F. Recognizing that many contemporary public artworks are manufactured by skilled craftsmen or other third party contractors, the County will make every effort to permit the artist to exercise quality control and supervision **of** the actual construction or fabrication of the artwork, if the artwork is being fabricated or manufactured under contract to the County.

**BROWARD CULTURAL AFFAIRS COUNCIL
POLICY ON COMMUNITY OUTREACH**

I. PURPOSE

The Broward Cultural Affairs Council recognizes that public art often takes forms that challenge public awareness. The long term success or failure of the public art and design program may depend upon significant efforts on the part of the Cultural Affairs Division to reach out to the public in the form of community outreach and public education programs. These efforts can create a context in which the citizens can better understand and appreciate the artworks.

II. POLICY

The Broward Cultural Affairs Council will commit to making meaningful community outreach and public education a part **of** every public art and design project. This will ensure that the citizens of Broward County have full access to the artworks created under this program. Possible activities might be:

- A. Efforts to raise the level of general awareness about public art, such as slide lectures or presentations to various community groups and service organizations; a regular program of media coverage; and periodic "townhall" meetings in Commission districts.
- B. Community involvement in the artist selection process, including appropriate community meetings before the project is defined; community representation on the artist selection panels; community co-sponsorship **of** public art and design projects; and public "unveilings" or dedications.
- C. More formal public education programs, including design competitions and design awards: sponsorship of public art lectures by local museums and galleries; guided tours **of** public art in the County; and periodic symposia on public art and urban design.

- D. A concentrated program for school children that includes the development of curricula guides for public art and design; sponsorship of artist residencies in the public schools; and a speakers' bureau on public art for the school system.
- E. A systematic media relations effort that targets the local print and broadcast arts reporters; participation by Council members on local media talk shows; and regular press development activities in the form of press releases and media packages.
- F. A publication program that includes catalogs and guides to the County Art Collection; a newsletter to interested citizens; and the creation of posters to accompany the unveiling of new artworks.

**BROWARD CULTURAL AFFAIRS COUNCIL
POLICY ON LOCAL VS. NON-LOCAL ARTISTS**

I. PURPOSE

The Broward Cultural Affairs Council recognizes that public art programs can serve more than one purpose. While the primary objective of a program is the enhancement of public spaces in Broward County for the general benefit of its citizens, a public art and design program can also be an important tool in developing the community of artists who reside in Broward County and the South Florida region.

II. POLICY

The Broward Cultural Affairs Council will seek a balance over time in the awarding of contracts for public art and design projects among Broward-based, Florida and national artists. Factors such as the size of the public art and design project, the level of visibility of the public site and the availability of outside funding all may influence the decision on the part of the Cultural Affairs Council to seek artists from a local , regional or national pool of artists.

Recognizing that it is difficult for Broward-based artists to participate in public art projects unless they have previous experience, the Broward Cultural Affairs Council will seek special opportunities, such as the Duane Hanson Allied Artist Award, to develop a growing pool of Broward-based artists with experience in public art.