

RESOLUTION NO. _____

A RESOLUTION ADOPTING A PUBLIC ART POLICY FOR THE
CITY OF KINGSPORT

WHEREAS, staff recommends adopting a Public Art Policy to guide the management, selection, maintenance, and deaccession of public art; and

WHEREAS, Section 66-79(g) of the *Kingsport Code of Ordinances*, all public art projects must be reviewed by the Cultural Arts Commission, city management, and the Board of Mayor and Aldermen prior to final approval; and

WHEREAS, this policy will introduce specific criteria for decision-making to ensure consistency, safety, and quality in Kingsport's public art collection, as well as clarifies the responsibilities of the BMA, Cultural Arts Commission, and Departmental Staff in the selection, management, maintenance, and deaccession of Public Art; and

WHEREAS, the Cultural Arts Commission reviewed the Public Art Policy at its August 14th meeting and voted to recommend approval of the Public Art Policy

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the board hereby adopts for the City of Kingsport a Public Art Policy as set forth herein:

City of Kingsport
Public Art Policy

Purpose

The purpose of this Public Art Policy is to guide the management, selection, maintenance and deaccession of public art in Kingsport. It is intended to provide clear guidelines to the Department of Parks and Recreation, the Cultural Arts Commission (CAC) and the Board of Mayor and Aldermen (BMA) for evaluating and approving public art projects.

For the purposes of this policy the following terms shall have these definitions:

- Public art is defined as art commissioned by the Cultural Arts Commission or the city utilizing public funds, or as art located on public property that is intended to be permanent or semi-permanent in nature.
- Permanent art is defined as artwork intended to remain in place indefinitely as part of the city's public art collection. Permanent works are acquired or commissioned with the expectation that the city will maintain, conserve and preserve the artwork for the duration of its useful life.
- Semi-permanent art is defined as artwork installed without a predetermined removal date but is not intended to become a permanently maintained City asset. Semi-permanent works may remain in place for as long as they remain structurally sound, safe and visually appropriate; however, the city does not assume an obligation to undertake significant conservation, restoration or repair to extend the life of the artwork.
- Temporary art is defined as artwork installed for a limited and predetermined period of time. Temporary art, for the purposes of this policy, shall not be considered part of the city's public art collection.
- Public art does not include interpretive exhibits, wayfinding signage, architectural elements, or other informational installations whose primary purpose is education, interpretation, or communication rather than artistic expression.

Roles and Responsibilities

The Board of Mayor and Aldermen (BMA)

The BMA serves as the final decision-making authority for matters relating to public art. Responsibilities include the following:

- Approval or modification of this public art policy.
- Approval of new public art projects.
- Allocation of public art funds through budget ordinances.

The Cultural Arts Commission (CAC)

The Cultural Arts Commission is established to advance cultural arts programs, partnerships and initiatives, and provide guidance and support to the Parks and Recreation Department for matters related to cultural arts. All matters concerning public art shall first be referred to the Cultural Arts Commission for consideration, coordination and recommendation to the Board of Mayor and Aldermen.

Responsibilities include:

- Developing public art policies and guidelines for consideration by the Board of Mayor and Alderman.
- Advising on all matters related to cultural arts.
- Establishing a plan and a priority for public art projects within the city limits.
- Establishing selection committees for public art projects and overseeing the request for proposal process.
- Advising on the operations of the carousel as well as public art, carousel gift shop, an Allandale funds.
- Making recommendations regarding the acquisition, placement, maintenance and deaccession of public art to the Board of Mayor and Aldermen.

At all times, the Cultural Arts Commission serves in an advisory capacity to the Board of Mayor and Aldermen.

Departmental Staff

Departmental staff administer the day-to-day operations of the public art program. Responsibilities include:

- Provide staff support and liaise with the CAC and BMA.
- Implement and administer public art projects.
- Provide support to city departments, individuals and community groups participating in public art projects.

Public Art Selection

Selection Models

Subject to the required procurement procedures of the city, the following methods may be used to acquire public art:

- Open Competition: public call open to all artists
- Limited Competition: public call open to select artists
- Direct Selection: contracting specific artists

Donated

The city may accept donations of public art upon recommendation of the Cultural Art Commission and acceptance of the BMA. Proposed donations shall be evaluated using the applicable selection criteria of this policy. Acceptance of a donated work does not obligate the city to display, maintain, preserve, or retain the artwork indefinitely unless otherwise agreed to in writing.

Works

Selection Criteria

Recommendations for public art projects shall be guided by the following criteria:

1. Artistic Merit – Work should reflect creativity, originality and professional quality.
2. Community Connection – Projects should enhance community identity and reflect Kingsport's culture, history or values.
3. Site Suitability – Art should be appropriate for its physical setting and context.
4. Durability and Safety – Materials and construction should be durable, safe and maintainable within available resources.
5. Accessibility and Visibility – Projects should be publicly accessible.
6. Fiscal Responsibility – Projects should be feasible within available budgets and funding sources.

When funding limitations require selection between projects, priority should be given to those that best demonstrate strong community connection, site suitability, durability and long-term feasibility of maintenance.

Acquisition of Artwork

Public art may be acquired through commission, purchase, loan, gift or partnership. Recommendations regarding acquisition for the city's public art collection shall:

- Be reviewed by the Cultural Arts Commission;
- Be reviewed administratively by the Department of Parks and Recreation and City

Management; and

- Receive final approval from the Board of Mayor and Aldermen.

All new public art projects located within community centers, parks or any other facility maintained or operated by the Department of Parks and Recreation shall also be reviewed by the Parks and Recreation Commission prior to approval by the Board of Mayor and Aldermen.

Public art projects may also require review by other boards, commissions or city departments as appropriate, including but not limited to the Historic Zoning Commission or the Building Department.

Deaccession of Artwork

Deaccession of public art may occur when any of the following conditions are present:

- Restoration is impractical, unfeasible or would seriously alter the work
- Requires excessive maintenance or has poor workmanship
- Work is fraudulent, inauthentic or violates copyright law
- Endangers public safety
- Site is no longer suitable
- Security concerns
- Not regularly on display and no plans for future display
- Significantly incompatible/inferior in context of the collection

The Cultural Arts Commission shall make recommendations regarding deaccession of public art to the Department of Parks and Recreation.

In cases where there is a risk to public safety due to damage or degradation of the work, the Department of Parks and Recreation may authorize the removal of public art.

Deaccessioned public art shall be disposed of in a manner consistent with city surplus policies and applicable statutes.

Maintenance of Public Art

The Department of Parks and Recreation shall be responsible for the routine maintenance and care of permanent or temporary public art in the city's public art collection. The department shall seek to establish maintenance responsibilities in agreements when artwork is acquired. When possible, maintenance responsibility should remain with the artist.

Maintenance activities may include:

- Cleaning
- Minor repairs
- Inspection for safety and structural stability
- Conservation as appropriate for permanent works

The department may decline to undertake restoration or conservation when such work is determined to be impractical, cost-prohibitive or inconsistent with the intended lifespan of the artwork. Generally, the department will decline to undertake maintenance when the cost of repair would exceed 50% of the value of the work or where work has exceeded 75% of its useful life. The Cultural Arts Commission shall be kept informed of significant maintenance actions or when the department suspends maintenance of a piece due to these conditions.

SECTION II That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 1st day of September, 2026.

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY