

**CITY OF NORMAN  
ORDINANCE O-2223-54**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA,  
REPEALING ARTICLE 2-111-2, ART IN PUBLIC PLACES PROGRAM.**

**WHEREAS**, the Norman Arts Council has administered funds and coordinated Public Arts Board efforts since the Art in Public Places Program was created; and

**WHEREAS**, the Norman Arts Council Board requested that the City make modifications to the ordinance such that the Public Arts Board would operate as a subcommittee of the Norman Arts Council Board of Directors to improve efficiency and oversight; and

**WHEREAS**, administration of the Art in Public Places Program funds is better addressed through a contract with the Norman Arts Council than legislative ordinance and it is the intent to ask Council to approve a revised contract with the Norman Arts Council in coordination with the Second and Final Reading of this proposed ordinance.

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:**        **REPEAL** “2-308 General Provisions” of the City of Norman Municipal Code is hereby *repealed* as follows:

R E P E A L

2-308 General Provisions

- (a) ~~*Purpose.* The purpose of this article is to provide a means to fund the acquisition of works of art by the City, which art shall become the City's collection, to create a Public Arts Board, to provide a means to select works of art for the collection, to provide for the display of the collection, and to provide for the maintenance and repair of the works of art in the collection.~~
- (b) ~~*Definitions.* The following words and phrases, when used in this division, shall have the meanings ascribed to them in this subsection, except where the context otherwise requires:~~

~~*Art, artwork, or work of art* means all forms of original creations of visual art, except for blasphemous material, as defined by section 901 of title 21 of the Oklahoma Statutes, or indecent or obscene material as defined by section 1024.1 of title 21 of the Oklahoma Statutes, including, but not limited to:~~

- ~~(1) Sculptures, in any material or combination of materials, whether in the round, bas-relief, high relief, mobile, fountain, kinetic, or electronic;~~
- ~~(2) Painting, including murals and frescoes;~~

- (3) Mosaic;
- (4) Photography;
- (5) Fine crafts made from clay, fiber and textiles, wood, glass, metal, plastics or any other material, or any combination thereof;
- (6) Drawing;
- (7) Calligraphy;
- (8) Mixed media composed of any combination of forms or media;
- (9) Unique architectural stylings or embellishments, including architectural crafts;
- (10) Ornamental gateways; and
- (11) Restoration or renovation of existing works of art of historical significance.

*Art in public places* means any visual work of art displayed for two weeks or more in a public place.

*Artist* means a practitioner in the visual arts committed to producing high quality work, as recognized by peers and critics of the artist, on a regular basis.

*Board* means the Public Arts Board established by this division.

*Fund* means the Art in Public Places Fund established by this division.

*Maintenance* means the ongoing upkeep required for artworks to retain their structural and aesthetic integrity.

*Public places* means a site owned by the City with major public access and visibility that serves a business, social or environmental need. This includes public parks or other areas designated as public space, and the exterior or interior of any City-owned facility. Exceptions may be granted to include other public property not included herein only upon approval of a contract with the owner of said property by the City Council.

*Repair* means those extraordinary activities required to repair or restore a malfunctioning or damaged work of art.

(Code 1976, § 4-201; Ord. No. O-0708-5, § 2)

**SECTION 2:**        **REPEAL** “2-309 Public Arts Board” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

2-309 Public Arts Board

- (a) *Creation.* The Public Arts Board (PAB) shall function as a subcommittee of the City Arts Council (Council).

(b) *Membership:*

- (1) *Number.* ~~The Public Arts Board shall consists of a total of seven members. The PAB shall elect one Chairman and one Vice-Chairman. Members shall be appointed by the following entities:~~
  - a. ~~Three members to be nominated by the Mayor and confirmed by the City Council.~~
  - b. ~~One member to be appointed by the Board of Directors of the City Arts Council.~~
  - c. ~~Two members to be appointed by the City Arts Council Roundtable Advisory Group.~~
  - d. ~~One member to be appointed by the board of the Norman Convention and Visitors Bureau.~~
  - e. ~~The Director of Parks and Recreation or his designee shall serve as an ex-officio member.~~
- (2) *Qualifications.* ~~Members chosen to serve on the PAB shall be selected according to the following criteria:~~
  - a. ~~Knowledge or expertise in the area of public art.~~
  - b. ~~Ability to manage funds responsibly.~~
  - c. ~~Objectivity in selection of art for public display.~~
  - d. ~~Residency in the City for at least one year.~~
- (3) *Term.* ~~Members of the Public Arts Board shall serve staggered three-year terms. Any person who has served:~~
  - a. ~~Two full consecutive terms; or~~
  - b. ~~50 percent or more of a full term and two consecutive full terms on the PAB;~~

~~will not be eligible for consecutive reappointment to the PAB, unless appointing entity finds that such reappointment is in the best interests of the City based upon unusual circumstances or special conditions, or unless the term limits for the PAB are specifically set forth in the state statutes or in the bylaws of the PAB. Any person who has served less than 50 percent of a full term will be eligible for consecutive reappointment for a full term.~~
- (4) *Vacancy.* ~~Whenever a vacancy shall occur, either by death, resignation, removal, change of residency, impending expiration of term or for any other cause, such vacancy shall be filled by the appointing entity.~~
- (5) *Attendance at meetings.* ~~The effective operation of a board depends upon regular attendance of the members at the meetings. The Board shall meet no less frequently than quarterly to evaluate and propose works of art for public places. If members miss 25 percent of the meetings held by the Board in a given year, such member shall be subject to dismissal upon a two-thirds vote of the remaining members of the Board.~~
- (6) *Quorum.* ~~The quorum for the conduct of business at any meeting shall be the majority of all the members of the PAB. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.~~
- (7) *Manner of acting.* ~~In all matters coming before the PAB, the affirmative vote of a majority of those present shall be the action of the PAB, provided that a~~

quorum is present, except that amendments of the operating procedures shall require the affirmative vote of five members of the PAB. Ex officio members shall not be entitled to vote.

- (8) ~~*Conflict of interest.*~~ In the event any members shall have a personal interest of any kind in a matter, then before the PAB, they shall disclose their interest to the PAB. The PAB shall consider the interest and determine, by a vote, whether said member is qualified to participate in action on the matter before the PAB. The City Attorney shall advise on any conflict of interest, and the City Attorney's opinion shall be final.
  - (9) ~~*Rules of order.*~~ Generally, meetings can be held in any manner that ensures orderly and focused discussion and facilitates the input of all members of the PAB. When necessary, in order to effectively conduct business, as determined by majority of those present, Robert's Rules of Order shall be in effect.
  - (10) ~~*Residency requirements.*~~ Members of the PAB must reside within the corporate limits of the City.
  - (11) ~~*Appointment of committees.*~~ The Chairman of the PAB, with the concurrence of a majority of the Board members, may establish such committees as may be necessary for the conduct of the business of the PAB. The Chairman shall appoint the members of such committees.
  - (12) ~~*Amendments.*~~ The operating procedures of the PAB may be amended at any regular meeting of the PAB, provided that the proposed amendment has been introduced at a prior regular meeting of the PAB.
- (c) ~~*Mission.*~~ The mission of the Public Arts Board is as follows:
- (1) To create exciting, appealing, and harmonious public spaces by integrating art into public places in the City.
  - (2) To celebrate the multicultural and diverse character of the City with place-specific art.
  - (3) To enhance the City's image locally, regionally, and nationally by ensuring the creation of the highest quality art for display in public places.
  - (4) To promote artists to live and to work in the City and to participate in public presentations of their art in the City.
  - (5) To encourage federal, State, and private support for the City's public art program.
  - (6) To enhance and enrich the lives of the City's residents and visitors by incorporating visual arts into public spaces.
  - (7) To contribute to the City's civic pride and sense of identity through the selection and display of public art.
  - (8) To increase access to works of art for residents and visitors to the area.
  - (9) To enhance the City's reputation as a City that celebrates the arts.
- (d) ~~*Duties and powers of the Public Arts Board.*~~
- (1) Adopt operating procedures for the operation of the PAB.
  - (2) Prescribe methods for competitive selection of art for display, including a method for appealing the decisions of the Public Arts Board.
  - (3) Prescribe procedures for the acquisition and display of art in public places.
  - (4) Solicit submissions for works of art to be displayed in public places.
  - (5) Maintain a detailed record of all art in public places, including site drawings,

~~photographs, designs, names of artists, and names of architects, where feasible, and said records shall be housed by and maintained by the City Arts Council. The PAB shall attempt to give appropriate recognition to the artists and provide publicity and promotional materials regarding art in public places on the City website and with annual inserts provided in the City utility bill.~~

- ~~(6) Contract with artist (after approval by the City Arts Council) for the donation, commission, or purchase of art, and providing for the ownership in the name and title of said art to be held by the City.~~
  - ~~(7) Review all art submissions and make recommendations to the City Arts Council regarding which pieces should be displayed by the City in a public place, as well as the location of the display of said art. Such determinations are to be made in accordance with the mission stated herein and according to the operating procedures as adopted by the PAB.~~
  - ~~(8) Seek community input whenever possible from those potentially affected by the placement of public art.~~
  - ~~(9) Develop a master plan for the placement of public art in the City and present said plan to the City Council for approval within nine months from the effective date of the ordinance from which this division is derived.~~
  - ~~(10) Employ outside consultants as necessary to assist in the mission of the PAB.~~
  - ~~(11) Make recommendations to the City Arts Council regarding the acquisition, commission, and display of public art.~~
  - ~~(12) Submit to the City Council, not later than March of each year, a report of its activities for the prior year.~~
- ~~(e) *Receipt of monies from the Art in Public Places Fund.* Upon receipt of monies from the Fund, the City Arts Council shall deposit such monies into an account used solely for the actions of the PAB in furtherance of the purposes set forth in this division.~~

~~(Code 1976, § 4-202; Ord. No. O-0708-5, § 3; Ord. No. O-1718-37, § 1)~~

**SECTION 3:            REPEAL “2-310 Art In Public Places Fund” of the City of Norman Municipal Code is hereby *repealed* as follows:**

## REPEAL

### 2-310 Art In Public Places Fund

~~The Art in Public Places Fund is hereby established.~~

- ~~(a) *Source.* The Art in Public Places Fund shall be credited with donations from individuals, corporations, civic clubs, City funds, grants or other charitable contributions, investment earnings, voluntary contributions from utility customers, as provided for in NCC 34-208, and such other funds as may be appropriate.~~
- ~~(b) *Release of funds.* The finance Director for the City shall authorize the release of monies in the Art in Public Places Fund to the City Arts Council on at least a quarterly~~

basis:

- (c) ~~Authorized expenditures.~~ Monies from the Art in Public Places Fund shall be expended only in connection with acquisitions of works of art, maintenance and repair of works of art as set forth herein and direct and indirect expenses of administration of this article and NCC 34-208. The City Arts Council shall have a duty to expend the monies in accordance with the guidelines set forth herein.
- (d) ~~Projects.~~ All project commission contracts entered into by PAB shall require the artist to design, produce, deliver, and install a work of art for a guaranteed maximum cost. The cost may include the cost of the work itself and any associated cost which may be required or are inherently related to the implementation of the project. The following costs are eligible for fund monies included in the total commission contract:

~~The work of art itself, including, but not limited to, artist's design fee, artist's operating expenses related to the project, travel expenses related to the project, transportation of the work of art to the site, design, preparation and construction of the site, and installation of work of art, identification plaques and labels, mountings, anchorages, containments, pedestals, lighting, materials necessary for installation, location or security of artwork, photographs of slides of the completed work for the purpose of routine documentation of the project, permits or fees necessary for installation, and legal costs related to the project.~~

- (e) ~~Selection, acquisition and maintenance.~~ Fund monies are to be used for the selection, acquisition, maintenance of commission, purchase, or produced works of art or art spaces. The following are eligible expenses:

~~Administrative fees directly associated with the selection and acquisition of artwork, selection panel, honoraria, and travel expenses, payment of proposal stipends to artists invited to submit maquettes for a project, and substantial structural repair, ongoing maintenance, and insurance for works of art.~~

~~(Code 1976, § 4-203; Ord. No. O-0708-5, § 4)~~

**SECTION 4:**            **REPEAL** “2-311 Donations Of Public Art” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

2-311 Donations Of Public Art

~~The City shall accept all donations of public art, as defined herein, that are made in accordance with article I, section 4 of the Charter of the City. (Code 1976, § 4-204; Ord. No. O-0708-5, § 5)~~

**SECTION 5:**            **SEVERABILITY CLAUSE** Should any part or provision of

this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL JULY 11, 2023.

**AYE**

**NAY**

**ABSENT**

**ABSTAIN**

    X    

Presiding Officer

Attest



\_\_\_\_\_  
Larry Heikkila, Mayor, City of  
Norman



\_\_\_\_\_  
Brenda Hall, City Clerk, City of  
Norman

