



Legislation Text

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000727
ORIGINAL

THE CHAIR

Resolution authorizing the Commissioner of Public Works to issue permits to several community based organizations wishing to erect sculpture in the public way or on property under control of the Department of Public Works.

The Spirit of Milwaukee is sponsoring a public art project known as the Millennium Art Initiative. Under this program, several community based organizations have been awarded grants to commission works of art that will be installed either in the public right-of-way or on property under control of the Department of Public Works. These pieces of art may not be installed without a permit from the Department. Because the applicants for the permits will be non-profit, community based organizations which either have been established by the City (e.g. Business Improvement Districts) or are, at least in part, funded by the City's Block Grant Program, it is appropriate to issue no-fee permits. This resolution authorizes the Commissioner of Public Works to issue no-fee permits as needed to the appropriate community based organizations allowing installation of public art commissioned under the Millennium Art Initiative in the public right-of-way or on public property under control of the Department of Public Works.

Whereas, The Spirit of Milwaukee is sponsoring a public art project known as the Millennium Art Initiative; and

Whereas, Six of the approved sculptures would be located either in public right-of-way or on property under control of the Department of Public Works; and

Whereas, Each of these sculptures is being sponsored by an agency with direct linkages to the City (e.g. a Business Improvement District or a Community Development Block Grant funded non-profit); and

Whereas, The six sculptures along with the sponsoring agencies and proposed locations are listed in Exhibit "A" attached to this file; and

Whereas, Each of the sponsoring agencies will either be directly responsible for its sculpture's maintenance or will assign such responsibility upon notification to the City; and

Whereas, The sculptures may only occupy City right-of-way or City property upon approval of the Common Council; and

Whereas, Public art can enliven neighborhoods and enhance the livability of the community; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is authorized to issue permits to the various organizations listed in Exhibit "A" for the purpose of installing and

maintaining sculptural art in the public right-of-way or on public property under the jurisdiction of the Department of Public Works subject to the following:

1. Only those sculptures approved and funded through the Millennium Art Initiative program are encompassed by this resolution.
2. The sculptures shall all be installed in a location and in a manner which does not interfere with existing public improvements and the delivery of public services.
3. The various permit holders shall hold the City of Milwaukee or its agents harmless and accept responsibility for any and all liabilities that may arise through implementation of the permission granted herein.
4. The various permit holders shall agree that if and when any sculpture is deemed by its owner to be no longer desirable in its location or if ordered removed for public necessity, not only to remove the sculpture but also to restore to its former condition, or a condition determined to be acceptable by the Commissioner of Public Works, the site of the sculpture. A permit holder shall not be entitled to any damages for such removal and site restoration regardless of the circumstances of sculpture removal.
5. The various permit holders shall agree to assume all responsibility for maintenance of their respective sculptures and shall commit to maintain them in an appropriate manner. Should a sculpture not be adequately maintained, the Commissioner of Public Works may, at his discretion and after notice to the permit holder, remove the sculpture or undertake the necessary maintenance and bill the permit holder for the cost.

and, be it

Further Resolved, That the rights and privileges herein granted and obligations herein assigned may be reassigned or transferred by the permit holder to another party upon the written permission of the Commissioner of Public Works.

DPW

THM:ph

September 6, 2000

SCULPTURE