



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 190120

Introduced February 21, 2019

Councilmembers Henon, Blackwell and O'Neill

**Referred to the
Committee on Public Property and Public Works**

AN ORDINANCE

Amending Section 16-103 of The Philadelphia Code, entitled "Aesthetic Ornamentation of City Structures," to modify the City's "Percent for Art" requirement, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 16-103 of The Philadelphia Code is hereby amended to read as follows:

TITLE 16. PUBLIC PROPERTY

* * *

CHAPTER 16-100. ACQUISITION OR CONSTRUCTION

* * *

§ 16-103 Aesthetic Ornamentation of City Structures.

(1) Definition.

(a) Fine Arts. Sculpture, monuments, bas reliefs, mosaics, frescoes, stained glass, murals and fountains which either contain sculpture, or are designed to enhance adjacent accompanying sculpture, *and such other forms of original creation of visual art as may be defined by the Mayor in any policy established in connection with the Percent for Art Program.*

(b) *Office of Arts, Culture and the Creative Economy (OACCE). Shall have the meaning given in Executive Order No. 10-08.*

City of Philadelphia

BILL NO. 190120 continued

(c) *Artistic Organization.* An organization with a defined leadership team, which is also composed of individual artists.

(d) *Independent Artist.* An artist that operates outside of the direction from an overarching organization, and retains full creative control and direction over their product.

(2) *Expenditures for Fine Arts.* An amount not to exceed one per cent of the total dollar amount of any construction contract for a building, bridge and its approaches, arch, gate or other structure or fixture to be paid for either wholly or in part by the City, shall be devoted to the Fine Arts; provided, that the Art Commission certifies in writing that said ornamentation is fitting and appropriate to the function and location of the structure.

(3) *Percent for Art Selection Process.*

(a) *The Office of Arts, Culture and Innovative Economy shall issue Calls to Artists or Requests for Qualifications for projects, which shall be open to all independent artists, artist teams, and artistic organizations under Section VII, subsection A of Executive Order 08-14.*

(b) *The Public Art Director and Coordinator shall present all applicants of the Request for Qualifications to the selection jury for consideration. The selection jury shall have the ability to determine whether or not the applicant meets the requirements of the Request for Qualifications under Section VII, subsection B of Executive Order 08-14.*

(.1) *There shall be no prior screening undertaken by the Chief Cultural Officer, the Public Art Director, or any other City staff member of the OACCE before an application is presented to the selection jury.*

(c) *The Office of Arts, Culture and Innovative Economy shall prepare quarterly reports detailing the contract recipients for all "Percent for Art" eligible projects.*

(.1) *This report shall be made available to the public, as well as distributed to the Mayor and members of City Council.*

(d) *The Selection Jury.*

(.1) *The jury shall be composed of seven individuals whose qualifications are consistent with those outlined in Section VI, subsection C of Executive Order 08-14.*

Explanation:

Italics indicate matter added