

ORDINANCE NO. 4481

AN ORDINANCE AMENDING CHAPTER TWO
OF THE BEAVERTON CITY CODE
RELATING TO PUBLIC ART

WHEREAS, the Council desires to create a formal program by which interested persons may apply to place works of art on public rights of way and on private property visible from the right of way under an easement to be granted to the public for such purposes, and

WHEREAS, the Council by separate ordinance has amended the Community Development Code to exempt such works of public art from regulation as signage; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Chapter 2 of the Beaverton Code is amended by adding the following new provisions:

“2.03.239 Public Art.

- A. As used in this section:
1. Public Art means original artwork placed public property or on public right of way or on private property visible from public property and for which the city owns an easement allowing for such placement and that has been approved by the Beaverton Arts Commission.
 2. Selection Panel means a group responsible for reviewing proposed Public Art and making recommendations to the Beaverton Arts Commission on the selection of Public Art.
- B. Public Art that is displayed pursuant to this Ordinance may be sited in, on or about any project or other property owned, leased, or rented by, donated to, or otherwise made available to and accepted by the City of Beaverton under such additional terms and conditions as may be required by the Beaverton Arts Commission.
- C. All interests in Public Art acquired pursuant to this Ordinance shall be acquired in the name of the City of Beaverton. Title to any easements for display of such art on private property shall be granted to and are subject to written acceptance by the City of Beaverton acting through its Mayor for the use and benefit of the public.
- D. A decision by the Beaverton Arts Commission, upon a recommendation by the Selection Panel, as to the acquisition, fabrication, installation, deaccessioning, management, community education and registration of Public Art shall be the City’s final decision.

E. The Beaverton Arts Commission shall adopt rules and guidelines for the selection, acquisition and display of all Public Art in a form to be approved by the City Attorney.

Section 2. Severability. The invalidity or lack of enforceability of any terms or provisions of this Ordinance or any part thereof shall not impair or otherwise affect in any manner the validity, enforceability or effect of the remaining terms of this Ordinance.

First reading this 14th day of April, 2008.

Passed by the Council this 21st day of April, 2008.


Approved by the Mayor this 22nd day of April, 2008.

ATTEST:



SUE NELSON, City Recorder

APPROVED:



ROB DRAKE, Mayor