

Chapter 15

PUBLIC ART¹

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15.01 PURPOSE

The purpose and intent of this Chapter is to encourage the placement of artwork throughout the Village consistent with the goals and implementation guidelines of the Algonquin Public Art Master Plan, which was approved by the Village Board on April 5, 2005, and incorporated into this Chapter by reference. Furthermore, it is the intent of this Chapter to:

1. Enhance the Village's sense of place in the region by providing unique artwork throughout the community in a manner unlike any other place in the area.
2. Strengthen community identity, spirit, and collective cultural experience through the placement of public art throughout the Village.
3. Generate a positive image that attracts visitors and potential investors, including new home buyers, business owners, and developers.
4. Create a public art collection primarily with temporary artwork loans, developer donations, and gifts.
5. Identify and develop stable funding mechanisms, including the creation of a public art reserve fund, to ensure that resources are available to create, preserve, and inventory public art works.

15.02 AREA OF APPLICABILITY

The placement of public art shall occur throughout the corporate limits of the Village. All property to be annexed or approved for a planned development shall conform to the standards of this Chapter.

15.03 PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENTS

As part of its review of a petition for annexation or planned development, the Village Board shall require that a private property owner and/or developer shall contribute to the public art program in one of the following ways:

1. **Provide and Maintain Their Own Artwork:** A developer may identify a clearly visible and accessible public space within the development and erect and maintain a work of art that is consistent with the artwork selection criteria identified in the Algonquin Public Art Master Plan. The scale of the art elements in the private development shall be

¹ Established by Ordinance 2005-O-16

commensurate with the scale of the development and its location. The owner of the project shall retain responsibility for maintenance and regular upkeep of any public art enhancements. If, for any reason, the required public art in a project is removed, destroyed, or has deteriorated, the owner is responsible for removal and replacement with comparable artwork, which shall be reviewed and approved by Village staff and the Village Board.

2. **Reserve a Display Site and Pay a Fee:** A second option is for the developer to identify a clearly visible and accessible public space within the development and dedicate the space to the Village as a formal reserved public art display location. The developer shall also be required to pay a fee in lieu of installing and maintaining the artwork. The developer shall, however, receive an amount identified in Appendix B as credit against the fee required herein for providing and reserving the space. The Village shall then be responsible for finding an appropriate piece of artwork for the reserved space.
3. **Contribution to Public Art Reserve Fund:** In private development projects where public art elements would normally be required but where Village staff finds that location, siting, or scale makes provision of public art enhancements inappropriate or impossible, or staff agrees to the applicant's preference to not integrate a public art element into the project, the equivalent public art funds shall be placed into a Public Art Reserve Fund maintained by the Village. Such funds shall enable art enhancements to be sited elsewhere within the Village at a location identified in the Algonquin Public Art Master Plan and as close to the development as possible. The fee schedule for the required payment is listed in Appendix B. For mixed use projects, the developer/owner shall pay fees as noted in Appendix B on both the commercial square footage and the number of residential units.
4. **Compliance Time Frame:** If a private development sets aside a display area for public art, said site shall be reviewed and approved by Village staff prior to the issuance of a site development permit. If a private development sets aside a display area for public art and erects a piece of artwork, said artwork must be in place prior to the issuance of the first certificate of occupancy on the subject property. Any payments into the public art master plan reserve fund shall be made prior to the issuance of a building permit.

15.04 PUBLIC ART RESERVE FUND

The Village Board shall establish and maintain a Public Art Reserve Fund. All developer payments and donations to the public art program shall be deposited in the Public Art Reserve Fund. The Public Art Reserve Fund shall be used for the acquisition, maintenance and publicity of artwork displayed as part of the Algonquin Public Art Master Plan implementation.