

City of Boston Department of Neighborhood Development
Public Art Policy
(Approved 10/29/2020)

Introduction and Purpose

As the Department of Neighborhood Development (DND), as agent for the Public Facilities Commission, manages and disposes of City of Boston owned properties, DND is able to provide opportunities for the creation of temporary, semi-permanent, and permanent art installations, or is responsible for the maintenance of properties with existing art. As such, this policy has been put into place to guide the department on public art, and is a supplement to the Boston Art Commission's [City of Boston Art Collection and Public Art Policies and Processes](#) (the "BAC Policy").

Powers Held by the Boston Art Commission (the "BAC")

As outlined in the BAC Policy, the BAC has "exclusive authority to approve and commission artworks intended to become property of the City or placed on City property." As such, the BAC and its policies and procedures shall be followed as it regards the commissioning, maintenance, removal, and deaccessioning of art on DND managed properties. Where this policy is in conflict with BAC Policy, DND must adhere to BAC Policy.

Parcels Acquired by DND

When a parcel is acquired by DND, any art at the site must be assessed and cataloged by the BAC. It is not up to DND to assess the importance of any public art. As such, graffiti should be assessed by the BAC before removal on a newly acquired parcel. The BAC will catalog any art on public property and include it in the citywide database of public art.

Art Commissions

Whether the idea for an art commission is City, artist, or third party driven, DND/REMS staff must contact the BAC for guidance on next steps.

Site Approval

While the BAC has full control over the public art process, the Director of DND can, in consultation with the Deputy Director of REMS, suggest sites for art commissions, or deny the creation of an art installation on DND managed property.

Demolition or Removal of Art

Any demolition or removal of art must be approved by the BAC, in accordance with BAC Policy. This requirement extends to art on parcels where the art will be removed after the parcel has been sold to a third party. DND must notify the BAC of any land transactions where public art may be affected.

At least two months before removal or demolition, in cooperation with the BAC, DND shall notify neighborhood stakeholders about the impending removal. This two month period will allow for at least one BAC meeting before the removal or demolition, allowing constituents an opportunity to address the BAC on the issue. In cooperation with the BAC, DND shall determine steps in publicizing the removal or demolition, which may include an event celebrating the art.

Signage

Any art intended to be temporary or semi-permanent shall have signage at the site that clearly spells out the temporary or semi-permanent nature of the art, and where possible the redevelopment plans for the parcel.

Within two weeks after the BAC votes to allow for the removal or demolition of any art on an DND managed parcel, “art update” signage must be placed at the site to notify the public of the timing of removal and of any development plans for the parcel.

Property Disposition/Deaccessioning

When DND sells/disposes of a property containing an art installation, this also acts as a deaccessioning of the art installation. As such, the BAC must approve of the deaccessioning. In doing so, the BAC may require legal agreements related to the continued maintenance or future removal of the art, which may be stand-alone agreements or incorporated into deed restrictions placed on the property by DND.

In addition, all Requests for Proposals for a DND property disposition shall have a link to this proposal so that respondents are aware of the policy.

Tracking

All parcels with public art shall be flagged as such in salesforce.

Agreements

Depending on the nature and installation process for the art, DND may require a written agreement to be signed that includes specific terms and conditions, including a license agreement and liability insurance.