

City of Pine City, Pine County, Minnesota
Public Art on Public Premises Guidelines and Policy

1. Purpose and Intent

This policy establishes procedures, standards, and responsibilities for public art installations within public right-of-way areas, such as streets, sidewalks, and utility corridors, hereinafter referred to as “**Licensed Premises.**” These areas are not traditional public forums, but are being designated as **limited public forums** to allow for the controlled inclusion of public art, subject to consistent review, regulation by the City, including but not limited to the content of the public art, and removal procedures.

This policy is enacted in alignment with **Pine City Ordinance Chapter 5.32 – Public Art**, which recognizes the value of integrating art into public spaces to:

- Enhance the aesthetic and social fabric of the community;
- Engage artists in civic projects from early design through implementation;
- Promote a creative and vibrant public realm;
- Foster community identity and pride.

All installations under this policy must conform to the public art standards, definitions, funding, maintenance, and planning processes set forth in Chapter 5.32.

2. Legal and Policy Framework

All public art installations on public right-of-way areas must be governed by a **License Agreement**, substantially in the form attached hereto as Attachment A. Such License Agreement shall include terms including, but not limited to, the following:

- Rights and responsibilities of the Applicant/Licensee and the City;
- Indemnification of the City;
- Assumption of risk;
- Insurance requirements; and
- Term and termination.

3. Public Premises

Licensee acknowledges that Licensed Premises are public streets or utility corridors primarily intended for transportation and utility use. All art installations are subordinate to the City’s right to access, maintain, repair, or use these spaces. The City may, at its sole discretion, temporarily or permanently remove any installation.

4. Maintenance and Funding

Per Section 5.32.030 of the City Code:

- All public art must be fully funded by the applicant;
- Maintenance must be performed at least annually and as needed;
- A detailed **Maintenance Execution Plan** must be submitted with the application;
- Failure to maintain art may result in **termination of the permit** and ineligibility for future permits.

5. Responsibilities of the Licensee

Licensees must:

- Coordinate all work (installation, maintenance, removal) with the **Parks and Public Buildings/Public Works/City Planner**;
- Pay for all costs associated with the Art (including installation, maintenance, repair, and removal);
- Not expect or receive any compensation from the City;
- Follow all federal, state, and city codes, ordinances, and safety regulations.

6. Permit and Review Process (Ordinance §5.32.040)

All public art on public streets must receive a **Public Art Permit** issued by the City Council.

The following must be submitted:

1. Completed Public Art Application;
2. Color images showing the proposed art in context;
3. Structural drawings (if applicable);
4. Certificate of Insurance;
5. Material list;
6. Maintenance execution letter;
7. Educational signage design (non-promotional, no advertising);
8. Right-of-way use plan (if sidewalk or lane closure is proposed);
9. Engineering sign-off (if structure requires it);
10. Safety compliance plan, especially if youth are involved;
11. Public Art License Agreement.

Installations must occur during **low-traffic hours** and may not block roads for more than 24 hours. All required **permits** (City, County, or State) must be obtained prior to installation.

7. Content Guidelines for Public Art in Public Right-of-Way

To preserve the neutral, functional nature of public streets and avoid disruption of city services, all public art on public streets is subject to the following guidelines:

Prohibited Art:

- Political, religious, or ideological messages;
- Any advertising or promotion of businesses, products, or services;
- Artworks with prices or sale information;
- Depictions of nudity, sexual acts, pornography;
- Violence toward people, animals, or property;
- Foul, obscene, abusive, discriminatory, or sexually explicit content.

Priority Art:

- Artwork that reflects **Pine City's identity, natural environment, geometric designs, or community values;**
- Works that are safe, inclusive, and accessible to the public.

Technical Restrictions:

- Art must not require electric, water, or sewer utilities;
- Installations must be structurally secure and tamper-resistant;
- Art may not create safety hazards (e.g., sharp edges, entrapment zones, or poor visibility);
- Slip resistance and climb-prevention measures must be incorporated for all structural art.

8. Term and Removal

License Agreements will define the **duration** of the installation. Upon expiration, termination, or revocation of the agreement:

- The Licensee must remove the artwork at their own cost;
- If the Licensee fails to do so, the City may remove it and recover costs;
- Permits may be reviewed annually for condition and compliance;
- Permit may be revoked if maintenance is not performed.

9. Education and Community Engagement

Each installation must include appropriate signage that:

- Educates the public about the project;
- Credits the artist and, optionally, the sponsoring organization;
- Avoids promotional or commercial content;
- May include QR codes that link to educational content only.



10. Environmental and Public Health Compliance

- No dumping of paint, dirty water, or chemicals is allowed in City drains or trash;
- All materials and waste must be removed from the site after installation;
- Environmental and safety protocols must be followed throughout the process.

11. Enforcement and Future Eligibility

Failure to comply with this policy or the terms of a License Agreement may result in:

- Immediate termination of permit and License Agreement;
- Removal of the artwork at the Licensee’s expense;
- Denial of future permit applications.

12. References

This policy shall be read and applied in conjunction with:

- **Minnesota Statutes § 466.04** (municipal liability limits);
- **Pine City Code Chapter 5.32 – Public Art;**
- Applicable building, zoning, and public works regulations;
- Template License Agreement attached hereto.

Effective Date: This policy shall be effective immediately upon passage.

ADOPTED this 3rd day of September 2025, by the City Council of the City of Pine City.

By: [Signature]
Kent Bombard, Mayor

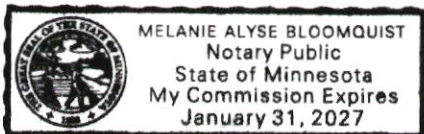
ATTEST:

[Signature]
Marcy Peterson, City Administrator

State of Minnesota
County of Pine

This instrument was acknowledged before me on 09/03/2025 by Kent Bombard, Mayor of City of Pine City a Municipal Corporation under the laws of Minnesota on behalf of the Municipal Corporation.

[Signature]



SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Drafted by:

City of Pine City

1015 Hillside Ave SW, Ste. 2

Pine City, MN 55063