



Legislation Text

File #: 84319, **Version:** 1

Title

Adopting the Board of Park Commissioners Policy for Private Art and Expressive Displays in Parks

Body

WHEREAS, the Board of Park Commissioners has the statutory authority, under Wis. Stat. § 27.08(2)(a), to govern, manage, control, improve and care for all public parks within the City of Madison, and to secure the quiet, orderly and suitable use and enjoyment thereof by the people, and to adopt rules and regulations to promote those purposes; and

WHEREAS, the Parks Long Range Planning Subcommittee is a subcommittee of the Board of Park Commissioners under MGO 33.05(5)(c) tasked with advising the Commission regarding procedures and policies of the Parks Division, including the proposed policy; and

WHEREAS, the primary mission of Madison Parks is to provide residents and visitors with open space and facilities for recreation and relaxation. Under regulated circumstances, a park event permit can be used to reserve park space for a special event; and

WHEREAS, depending on event size and other parameters, applications for a special event in a park are reviewed and approved by staff, the Facilities, Programs and Fees Subcommittee, or the full Board; using policies previously adopted by the Board ; and

WHEREAS, in recent years, various requests have been made to display private art or expressive displays in park space. Examples are requests for murals, sculptures, photo displays, paintings, performances, and other forms of art, all of which are private and not part of the City's public art collection. The Board has not adopted an official policy or procedure to deal with such requests; and

WHEREAS, the City of Madison Arts Commission (MAC) has several programs for reviewing and funding artwork that will become part of the City's public art collection, some of which are recommended for placement in a City park, and this is different from the private art requests described above. MAC has authority and expertise when it comes to selecting public art for the City, established by City ordinance; and

WHEREAS, it is not the business of the Parks Division, this Board, or its subcommittees to pass judgment on or develop an opinion about the quality, message, or content of art; and

WHEREAS, the requests for private art include events that include the display of objects that convey a message about a topic or cause, and are on display for a period of time with or without other event activities taking place; and

WHEREAS, displays of private art and other expressive items can be part of a valid park use with a valid Parks Special Event permit or contract and subject to appropriate placement and structural regulations; and

WHEREAS, staff have identified a need for a consistent policy when it comes to requests to display private art and expressive displays in park space, have worked with the City Attorney's office and City Arts staff in the

Planning Division, and as a result are recommending the Board adopt the attached policy; and

WHEREAS, this policy would allow private art or expressive displays to be placed in a City park with a Parks Special Event permit or when there is a contract for the use of a park, subject to placement and safety rules described in the attached policy; and

WHEREAS, Private Art and Expressive Displays, if approved through this policy, would represent the message and viewpoint of the artist or organizer, and not the City of Madison or this Board; and

WHEREAS, The Parks Long Range Planning Subcommittee approved the draft "Policy on Private Art and Expressive Displays in Parks" on June 26, 2024 (Legislative File 84105) and recommend that the Board of Park Commissioners Adopt the proposed policy.

NOW THEREFORE BE IT RESOLVED, pursuant its authority in Wis. Stat. § 27.08(2)(a), the Board of Park Commissioners hereby adopts the attached "Board of Park Commissions - Policy for Private Art and Expressive Displays in Parks" and authorizes staff to administer it as described in the policy.