City of Pittsburgh
Art Commission Bylaws

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The Art Commission is governed by Chapter 175 of the City Charter. Changes to the Charter are approved by City Council. These bylaws outline issues regarding the Commission’s membership, meetings, and responsibilities.

1. Art Commission Members

   A. Membership Guidelines
   The Art Commission consists of seven members including one painter, one sculptor, three architects, and two others who are not a painter, sculptor, or architect. The Director of Public Works and the Director of Mobility and Infrastructure both serve as ex-officio members.

   B. Terms
   Members shall hold office during the term for which the Mayor who appoints them has been elected and until their successors are respectively appointed and qualified.

   C. Officers
   The Commission shall elect a President and Secretary, whose term of office shall be for one (1) year. The Commission shall vote on its officers at its first regularly scheduled meeting at which a
quorum is present. A majority of the quorum is needed to elect each officer, with the candidates for officers abstaining from voting for themselves.

Responsibilities of the officers shall be determined by the Commission. President responsibilities will include representing the Commission at official meetings, unless another representative is selected. In addition, the President will announce periods of discussion about proposals at meetings, call for votes at the end of discussion, and announce decisions of votes. Secretary responsibilities include performing the President’s responsibilities when the President is not present at meetings.

D. Conflict of Interest
The integrity of the Art Commission requires that members make every effort to avoid conflicts of interest and the public perception of conflicts of interest.

Given the committee’s involvement in the arts and design communities in Pittsburgh, it is expected that committee members will know some of the individuals who are making presentations to the Commission, or will have relationships with the individuals, businesses, or organizations making presentations to the Commission. Real and perceived conflicts of interest are therefore inevitable.

The Commission has the responsibility to eliminate the possibility of members’ conflicts of interest affecting the decisions of the Commission, either in fact or public perception.

Definition of Conflict of Interest
A conflict of interest is any financial or personal relationship with an organization, individual, or business that would prevent a Commission member from offering an unbiased evaluation or reaching an unbiased decision on the merits of the proposal before the Commission, or any relationship that has a strong likelihood to lead the public to perceive that a Commission member has a conflict of interest that might undermine the credibility of the Commission’s decision making process.

Any Commission members who has a conflict of interest affiliated with a proposal, or the group or individual presenting a proposal, is not permitted to participate in any way in the discussions or decision making about that proposal. When a proposal comes before the Commission, with which a Commission member has a conflict, the Commission member must be excused from the meeting and invited only to return when the discussion and voting on that proposal is completed.

Commission members should be aware of the following compromising situations:

- The Commission member is directly involved in the production, development, or review of a proposal before its presentation to the Commission.
- The Commission member has a close personal relationship with the presenter, (family member, domestic partner, boyfriend/girlfriend, mentor/mentee, teacher/student).
- The Commission member is currently directly employed by or is being considered for employment by the person or organization presenting a proposal.
- The Commission member could benefit from the decision financially or personally.
- The Commission member feels a strong sense of personal obligation, competition, or enmity toward the proposal or the proposal’s presenter.

All members of the Commission shall file and keep current on an annual basis statements listing those organizations reasonably expected to be eligible for Commission approval in which they
have a familial or policymaking interest, or direct and substantial financial interest. These statements shall be made in writing and presented to the Art Commission.

The President of the Commission shall have responsibility to see that members of the Commission abide by these rules regarding conflict of interest.

E. Committees
The Art Commission has the right to establish committees of its members as needed. Individuals from outside of the Commission who are experts in the committee’s topic may be invited to participate on committees, but may not vote on committee or Commission decisions.

F. Absences
Art Commission members who do not attend six meetings in a twelve-month period should volunteer to step down from the Commission. A new member will be appointed for a full four-year term.

G. Contact with Applicants
Members of the Commission shall not have contact with applicants regarding projects that may or will come before the Art Commission beyond regularly scheduled Art Commission meetings. The exception is special meetings organized or approved by the Commission where the Art Commission or Art Commission President has decided that a member of the Commission should be present. Members of the Commission are encouraged to direct applicant communications to the City Planning staff member who administers the Art Commission or to the Art Commission President.

H. Contact with Press
In order to maintain integrity as a Commission, the President, or a member of the Commission designated by the President, may speak to the Press regarding Art Commission matters. Individual Commission members approached by the press have the option to direct questions to the President or to respond to the press in an unofficial manner that represents their point of view and not the point of view of the Commission.

2. Art Commission Meetings

A. Location
Unless otherwise noted, the Art Commission meets on the fourth Wednesday of every month at 2pm. Meetings are held in the first floor conference room of 200 Ross Street, Pittsburgh, PA 15219. All Art Commission meeting dates are advertised via public notice in January.

B. Discussion
All discussion regarding applications before the commission shall occur during advertised Art Commission meetings which are open to the public.

C. Voting
A majority of the seven appointed members shall constitute a quorum for the transaction of any business or the decision of any matters within their competence or jurisdiction, and the majority of the quorum may decide. The Commission has the ability to continue discussion on an application to a future Commission meeting.

D. Minutes
City Planning staff will prepare minutes of Art Commission meetings, which will be circulated to Commission members for review. The Commission will vote to accept or amend minutes of each meeting. Meeting minutes will be made available to the public upon request and accessible via the City Planning website.

3. Art Commission Responsibilities

A. Purpose
As outlined in Chapter 175 of the City Charter, among the purposes of the Art Commission is to secure, so far as may be reasonably practicable, excellence in design and a welcoming nature to public spaces. Among its purposes are also to secure the free light, air, and prospect of the streets and open spaces of the city, and to prevent the obstruction of the same by unsightly structures, though lawfully erected. For that purpose the Commission is authorized to devise and recommend for adoption by Council ordinance, the designs and regulations as may tend to prevent the unsightly occupation of the streets and open spaces, and, so far as may be practicable, to promote the beautification of the streets and open spaces.

B. Jurisdiction: Public Property
The Art Commission has jurisdiction over certain design and elements of architecture and landscape architecture, as well as works of art and memorials on public property as defined in Chapter 175, § 175.03 and § 175.06. Proposals on private property may be brought to the Commission for review on a voluntary basis.

C. Works of Art
Chapter 175 defines works of art as work created by an artist, including, but not limited to paintings, mural decorations, statues, bas-reliefs, sculptures, monuments, fountains, arches, ornamental gateways and other structures or items of a permanent and fixed character, intended for ornament or commemoration, both interior and exterior.

D. Types of Review
The Art Commission reviews projects at several stages: Conceptual Review, Final Review, and Final Acceptance. The Commission may request reports and / or appearances by the applicant in addition to the reviews described below.

Prior to Art Commission approval, the applicant must obtain a letter of support from DOMI (for projects in the public right-of-way, PROW) or DPW (for projects on city property) acknowledging that the project, to date, does not apparently interfere with public safety or the public’s use of the public-right-of-way, subject to final review and approval by said Department.

Conceptual Review: This review takes place at the initial stages of the project. The purpose of this review is to present the concept of the proposed project to the Commission.

At this stage, the Commission reviews materials that document the concept of the project including but not limited to plans, drawings and models which clearly describe the scale of the project, conceptual statements, material samples, conservator reports, and budgets. The applicant is required to include photographs that show details of the project location and adjacent uses/surroundings. Other materials that describe the process of the proposed project are also presented, including but not limited to competition process, design process, and letters of support from project partners or neighboring communities. Applicants are required to demonstrate awareness of and compatibility with accepted plans developed by the City, property owners, or community organizations and the applicant’s proposed project. Final drawings are not required at this time. The Commission may require a site visit before a decision about the application is made.
The Art Commission may give Conceptual Review Approval or deny approval to the applicant. In the case that the project is denied with conditions outlined by the Commission, the applicant may remedy the proposal and resubmit the application for Conceptual Review. In the event that an applicant does not reappear before the commission with proposal changes or amendments within three months of the application date, the application will be considered denied. An applicant who is denied without conditions outlined by the Commission may not reapply to the Commission for one year from the meeting where approval was denied.

In cases where applications meet the requirements of Final Review, the applicant may receive both Conceptual and Final Review Approval.

**Final Review:** This review is for the Commission to approve the project before it is built. This review is required of applicants before they begin the construction or fabrication of their project.

At this stage, the Commission reviews materials including but not limited to stamped architectural, engineering, construction drawings, specifications, drawings and models which clearly describe the scale of the project, conceptual statements, material samples, conservator reports, proof of required insurances, and budgets. The applicant is required to include photographs that show details of the project location and adjacent uses/surroundings. Other materials that describe the process of the proposed project are also presented, including but not limited to competition process, design process, and letters of support from project partners or neighboring communities. Applicants are required to demonstrate awareness of and compatibility with accepted plans developed by the City, property owners, or community organizations and the applicant’s proposed project.

At this stage, the Commission may require a site visit before a decision on the application is made.

In the case that the project is denied with conditions by the Commission, the applicant may remedy the proposal and resubmit the application for Final Review. In the event that an applicant does not re-appear before the commission with proposal changes or amendments within three months of the Final Review Art Commission hearing date, the application will be considered denied. **The original Art Commission hearing date is defined as the date in which the applicant first appears before the Art Commission to seek Final Review approval.** The applicant may request a continuance if the applicant is actively pursuing a modification of their proposal to request more time to revise the application. This request for continuance must be presented to the Commission in writing. If the applicant does not provide this written request; their application would lapse and be deemed denied. An applicant who is denied without conditions outlined by the Commission may not reapply to the Commission for one year from the meeting where approval was denied.

**Final Acceptance:** This review takes place after the project has been completed. The purpose of this review is to present the final project and project documentation, to the Art Commission. The applicant must report all changes to the project since the Final Review. At this stage, the Commission reviews photographs, as-built drawings, and other materials that document the completion of the project. **Copies of these application materials will be kept on file along with the application.**

The Art Commission will review if the project was completed as proposed, and may require the applicant to make changes to the project to receive Final Acceptance approval.

The Commission may require a site visit before a decision about Final Acceptance is made.

Projects that are denied Final Acceptance will not be considered owned or the responsibility of the City.
E. Evaluation Criteria
The Commission will take into account issues regarding design excellence, longevity, historic and site context, aesthetic quality, how the public will use and experience the project, maintenance and conservation, and quality of materials when reviewing all proposals. The Commission will also consider the compatibility of the project with accepted plans for the site developed by the City, site owners, or community organizations.

The Commission will establish criteria by which they will evaluate proposals, which will be made available to the public.

F. Staff Review
To increase efficiency of Art Commission review and approval, the Director of City Planning may request that an application to the Art Commission be reviewed by City Planning staff before it is sent to the Art Commission. In cases where a project presents replacement, negligible change, and/or cases where the Art Commission has developed standards for elements within its jurisdiction, the application may be sent for a staff review instead of Art Commission approval. In instances where a project is a modification to a previously Art Commission-approved project, Art Commission review may be conducted via email.

4. Changes to Art Commission Bylaws

The Art Commission may update, change, and amend their bylaws as needed. Changes are to be voted on at regularly scheduled meetings at which a quorum is present.