

**ARTICLE 26. Percent for Art Bylaw with Proposed Changes
(Public Art Commission)**

A. To see if the Town will amend the Town of Amherst General By-Laws by adding the following new by-law:

~~ONE~~ PERCENT FOR ART BYLAW

Section 1 -- Purpose

This Bylaw authorizes the allocation of ~~one-one half~~ percent (0.5%) of the capital costs of any eligible town construction, renovation or capital improvement project for the creation and maintenance of public art in the Town of Amherst. Such projects must be budgeted at a minimum of \$100,000 to qualify. The purpose of this bylaw is to direct the integration of artwork into public spaces and public works projects in the Town of Amherst through a well-administered and appropriately funded public art program.

The program will (a) promote the enjoyment of the arts by the residents of and visitors to Amherst by increasing the quantity and quality of both visual and performing arts available in public buildings, facilities and spaces; (b) improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; (c) create a funding program which will ensure that arts are acquired, created, developed, maintained and otherwise made available for the enjoyment of Amherst's residents and visitors.

Section 2 -- Definitions

For the purposes of this bylaw the following words and descriptions shall have the following meanings:

- a. "Construction project or projects" means any capital project paid for in full or in part by the Town through its own eligible funds ~~or with eligible funds appropriated to it by other governmental units,~~ to construct or remodel any building, decorative or commemorative structure, park, parking facility or any portion thereof within the corporate limits of the Town and with respect to the construction of which bidding is required under State law.
- b. "Eligible funds" means a source of funding for construction projects funded by the Town's General Fund from which arts are not excluded as an appropriate purpose for expenditure.
- c. "Public Art Fund" means the fund set aside by this Bylaw in the Town treasury for the purpose of allocating moneys for the development and creation of art in and upon public space in the Town.
- d. "Public art project or projects" means art to be funded from the Public Art Fund. Such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or within a public space, ~~or in the case of performing arts performed in a public building or space.~~ Such art may include but shall not be limited to paintings, sculpture, engravings, carvings, frescoes, stained glass, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, ~~drama, instrumental or vocal music, dance,~~ and landscape items, including the artistic placement of natural