

Artwork Removal Policy (Deaccessioning)

This policy establishes criteria and procedures for the permanent removal (deaccession or decommission) of artworks in the Public Art Collection. It ensures transparency, accountability, and compliance with ethical, legal, and professional standards. Removal should be rare, carefully considered, and documented.

1. Initiating a Removal Request

a. A request for removal may come from any individual, organization, or APPB member.

b. The Art in Public Places Board (APPB) will review the request in an open public meeting and decide whether to proceed with a formal removal review or dismiss the request.

2. Criteria for Consideration: A work may be considered for removal if one or more of the following apply:

a. Consistent, documented adverse public reaction over time.

b. The artwork and/or work base is damaged where repair is impractical, or costs exceed the value of the work.

c. Excessive or unreasonable maintenance requirements.

d. Duplication within the County's Public Art Collection.

e. Faults in design or workmanship.

f. Fraudulent or inauthentic work.

g. Threat to public safety.

h. No suitable display location exists.

i. Artwork is rarely or never displayed.

j. A written request from the artist(s) has been received, that seeks removal of the Work, return of the Work to the artist, or for extensive repair of the Work.

k.

3. Removal Review Process if APPB votes to proceed:

a. Staff Liaison and/or APPB members prepare a report including:

i. Reasons for removal based on criteria

ii. Acquisition method and cost (if known)

iii. Public and County feedback

iv. Suggested and alternative actions

b. Notify the artist (if possible) by reasonable means.

i. Artist may provide input on relocation, restoration, or modification.

ii. Allow 30 days for advisory input.

iii. Artist's role is advisory only; decision authority rests with County.

c. Legal Review: County legal department reviews for compliance with:

- i. County and State laws.
 - ii. Artist rights under the Visual Artists Rights Act (VARA).
 - iii. Contractual obligations.
 - d. APPB Meeting: Removal report reviewed and discussed publicly.
 - e. Recommended Actions (APPB may suggest others as appropriate):
 - i. Relocate the work
 - ii. Sell or trade the work
 - iii. Offer artist buy-back at current appraised value (artist pays appraisal cost)
 - iv. Auction through County procurement process
 - v. Dispose of work in a practical, ethical manner if other options fail
 - f. Formal Recommendation: If APPB votes to proceed, it recommends removal and disposition method to County Council.
 - g. Council Approval: No removal or disposal occurs without Council authorization.

5. Compliance, Financial and Documentation Handling

- a. All disposal actions must comply with County and State laws.
- b. Any net proceeds return to the Art in Public Places Fund.
- c. Maintain complete records of:
 - i. Condition reports.
 - ii. APPB and Council meeting minutes.
 - iii. Public engagement efforts.
 - iv. Final disposition details.