

ORDINANCE
CITY OF NEW ORLEANS

CITY HALL: July 23, 2026

CALENDAR NO. 35,524

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER WILLARD

AN **ORDINANCE** to amend and reordain Ordinance 9650 M.C.S., as amended by Ordinance 11152 M.C.S, as amended, and as amended by Ordinance 28033 M.C.S., relative to the dedication of capital funds for works of art, to provide for 1% of all future appropriations for eligible capital projects to be dedicated to the acquisition of art; to modify the scope of eligible capital projects; and to provide otherwise with respect thereto.

WHEREAS, the City Council believes that art and architecture significantly affect the lives of people and that art should become a normal, integrated part of everyday life; and

WHEREAS, an investment in public art stimulates productive activity throughout the entire economic system and brings important social benefits to the city; and

WHEREAS, public art offers the opportunity for community involvement with positive and tangible results the effects of which will be measured and appreciated for many years; and

WHEREAS, in 1985, the City of New Orleans established the Percent for Arts program, requiring dedicated appropriations for eligible capital projects including an amount not less than 1% of the estimated cost of eligible capital projects for the execution and acquisition of works of art in public places; and

WHEREAS, in 2019, the City increased the dedicated amount for the Percent for Art program to not less than 1.5%; and

WHEREAS, given the City's current budget crisis, the Council believes it appropriate to revert the amount of the dedication to 1%, in order to balance the Council's support of the program with the financial realities facing the City as a whole.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS,**
2 That Ordinance 9650 M.C.S., as amended by Ordinance 11152 M.C.S., as amended, and as amended by
3 Ordinance 28033 M.C.S., is hereby amended and reordained to read as follows:

4 **"SECTION 1.** That, pursuant to its powers under Section 3-117(2) (b) of the Home Rule
5 Charter, all future appropriations for eligible capital projects as hereinafter defined shall
6 include an amount not less than 1% of the estimated eligible cost of each capital project to
7 be dedicated to the acquisition and execution of works of art.

8 **SECTION 2. Definitions.**

9 (A) A “Work of Art” means all forms of original creations executed by a practicing
10 visual artist which are enduring in nature and require minimal maintenance.

11 (B) “Eligible Capital Projects” means all projects which are new construction,
12 renovation, or improvements to public buildings, structures or other facilities, parks
13 recreational areas, pedestrian malls and plazas, fountains, bridges, and streets, but shall not
14 include utility improvements.

15 (C) “Practicing Visual Artist” means a practitioner in the visual arts generally
16 recognized by critics and peers as a professional of serious intent and recognized ability who
17 produces works or art.

18 (D) “Eligible Capital Funds” means source funds from which are not excluded as an
19 allowable expenditure.

20 **SECTION 3.** The Mayor is authorized to execute a contract or amend any existing contract
21 with the Arts Council of New Orleans for the purpose of having the Arts Council provide
22 recommendations on a process for selection of works of arts and of artists. The Arts Council
23 shall provide a report to the City Council of New Orleans and the Office of the Mayor which
24 describes a selection process which would be employed. The City Council of New Orleans
25 must approve by ordinance any selection process. The selection process shall include
26 consultation with the director of any department or agency whose capital request has been
27 approved.

28 The following procedure is hereby established for the procurement of works of art:

29 1. The Arts Council of New Orleans shall establish the Arts Council/New Orleans
30 Percentage for Art Committee (AC/NOPAC) which shall be composed of one member
31 appointed by the Mayor, one member appointed by the Chief Administrative Officer, one
32 member appointed by the City Council, and three members appointed by the Arts Council
33 of New Orleans. Appointments to said committee shall be for a term of three years with the
34 initial appointments staggered to provide for a three year term for the Council’s appointee,
35 a two year term for the Mayor’s appointee and two of Arts Council of New Orleans
36 appointees, and a one year term for the remaining appointee.

37 2. The AC/NOPAC shall, with the assistance and recommendations of the staff of
38 the Arts Council of New Orleans and after consultation with representatives of the City and
39 its affected departments, formulate an Annual Public Art Plan, which shall describe in such
40 detail as is reasonably practicable the number, type, size, location and budget of proposed
41 arts projects for the year to be funded under this ordinance. The plan also shall prescribe the

method proposed for selection of particular artworks or artists.

3. The AC/NOPAC shall submit the proposed Annual Public Art Plan to the Chief Administrative Officer who shall approve or disapprove said plan within thirty days of its receipt, in the event of disapproval, reasons therefore shall be communicated in writing to the AC/NOPAC. AC/NOPAC shall within thirty days of notice of disapproval re-submit said plan to the Chief Administrative Officer with such modifications as are deemed appropriate. The Chief Administrative Officer shall then approve or disapprove said plan. If disapproved, said plan shall be presented to the City Council, and subject to amendment it shall adopt an Annual Public Art Plan after conducting a public hearing thereon.

4. AC/NOPAC shall establish a jury pool of art professionals, as defined by AC/NOPAC but excluding gallery owners, art dealers, and artist agents, from which jurors shall be chosen to evaluate artist(s) and artwork(s) for specific projects and make recommendations thereon to the AC/NOPAC. Upon the approval of the Annual Public Art Plan, the Committee shall in accordance with such reasonable procedures and standards as it may adopt, select from the jury pool one or more juries of from one to five member to select specific artists and artworks to implement the plan. The juries shall deliberate and report recommendations to the AC/NOPAC in accordance with such reasonable procedures and standards as the AC/NOPAC shall adopt. A maintenance needs assessment will be issued for each proposed project. The AC/NOPAC shall then review the recommendation(s) and needs assessment for conformity to the Annual Public Art Plan and upon such determination of such conformity shall approve the recommendation(s).

5. Upon approval of artist(s) and artwork(s), the AC/NOPAC shall refer its recommendation to the affected City department for technical review. This review would be limited to confirming that the proposed work does not constitute a hazard to public health or safety and the maintenance needs as assessed by the Committee are not unreasonable. The department review shall be accomplished within thirty days, or if not so accomplished, shall be deemed approved.

6. AC/NOPAC shall submit to the Chief Administrative Officer all identifying information on selected artist(s) and artwork(s); the Chief Administrative Officer shall contract with the selected artist(s) or procure the selected artwork(s) provided, however, that the Chief Administrative Officer may contract with the Arts Council of New Orleans to provide for the procurement of artwork through purchase or commission by the Arts Council of New Orleans.

SECTION 4. Selection of Artists. Not less than fifty percent (50%) of dedicated funds for works of art from the annual capital budget shall be used for the purchase of works of art executed by practicing artists residing in the State of Louisiana.

SECTION 5. Ownership and Sales. The City shall receive sole ownership of each work of art acquired pursuant to this ordinance including all tangible rights and privileges thereof in accordance with existing law.

SECTION 6. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are severable.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. The provisions of this ordinance shall be applicable for the 2025 Bond Propositions and propositions thereafter.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:

DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED: