

ORDINANCE NO. 6102

AN ORDINANCE DESIGNATING THE RAPID CITY FINE ARTS COUNCIL AS THE ENTITY RESPONSIBLE FOR THE MANAGEMENT AND COORDINATION OF ARTISTIC ACTIVITIES IN THE AREA COMMONLY KNOWN AS ART ALLEY BY ADDING SECTION 2.80.060 TO THE RAPID CITY MUNICIPAL CODE.

WHEREAS, the City has designated the Rapid City Fine Arts Council (the “Arts Council”) as the official organization to assist the City in promoting and encouraging programs that further the development and awareness of the arts within the City; and

WHEREAS, the alley in downtown Rapid City on the block bordered by Main Street, St. Joseph Street, 6th Street, and 7th Street has over time become a location where artists have chosen to express themselves; and

WHEREAS, due to the proliferation of art on the walls of the buildings along this alley it has become commonly known as “Art Alley;” and

WHEREAS, Art Alley has become an asset to the community that is promoted in literature published by the City’s Convention and Visitors Bureau; and

WHEREAS, as a result of these marketing efforts and word of mouth many residents and tourists visit Art Alley every year; and

WHEREAS, Art Alley has evolved organically with little or no guidance or control; and

WHEREAS, the location of the art within Art Alley is on the privately owned property adjacent to the alley; and

WHEREAS, in recent years the lack of control over the activities within Art Alley has led to concerns over the future viability of this community resource; and

WHEREAS, the property owners whose buildings serve as the canvas for this art have become increasingly concerned over the lack of control they have over what is happening to their property; and

WHEREAS, the property owners have requested the City provide them with assistance in getting the activities occurring in Art Alley under control; and

WHEREAS, the City would like to help facilitate the ability of artists to have access to Art Alley while addressing the interests of the private property owners in order to insure the continued viability of this important community resource; and

WHEREAS, consistent with its mission to promote and encourage arts in the community, the Arts Council has offered to establish and manage a permit system on behalf of interested property owners whose property is adjacent to Art Alley; and

WHEREAS, the Common Council of the City of Rapid City finds that it is in the city's best interests to have the Arts Council establish and manage a voluntary permit system for the property owners located adjacent to Art Alley by adding section 2.80.060 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 2.80.060 be added to the Rapid City Municipal Code to read as follows:

2.80.060 Rapid City Fine Arts Council designated as organization to establish and manage a voluntary permit system for Art Alley.

The Common Council delegates to the Rapid City Fine Arts Council the authority to manage painting or other artistic expression incorporating privately owned buildings and property in the alley commonly known as "Art Alley" on the block bounded by Main Street, St. Joseph Street, and 6th and 7th streets. In order to carry out its responsibility, the Rapid City Fine Arts Council is authorized to work with the neighboring property owners to establish a permit system for artists wishing to display art work on the buildings and property adjacent to the alley. Participation in the program by the private property owners neighboring the alley will be voluntary. Any property owner who wishes to not participate in the program, or who does not want art displayed on their property, has no obligation to participate. If people violate the rules of the permitting system the Fine Arts Council has the authority to revoke or suspend the person's permit and may refuse to issue the person a permit in the future. Any person who violates their permit by doing work in an area not authorized by the permit or who is painting or otherwise doing work on a building or property without a permit can also be charged criminally with vandalism or any other appropriate charges related to the destruction or defacing of private property as appropriate.

CITY OF RAPID CITY

Steve Allender, Mayor

ATTEST:

Pauline Sumption, Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: