

Permanent Memorials, Monuments and Public Art
POLICY
of the
OHIO RIVER GREENWAY DEVELOPMENT COMMISSION

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Purpose of the Ohio River Greenway Commission:

The mission of the Ohio River Greenway is to provide a common linkage between the Communities of Jeffersonville, Clarksville, and New Albany, Indiana along the banks of the Ohio River and to promote a passive recreational environment for river access, while allowing each community to construct riverfront amenities to enhance the overall project.

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Statement of Intent:

It is the intent of the Ohio River Greenway Development Commission to encourage memorials, monuments, and public art in and along the Ohio River Greenway, whether these be, by design, ephemeral or permanent. It is also the intent of the ORGDC that such placements be of significant quality in order to reflect the design excellence of the Ohio River Greenway and to respect the citizens of our communities.

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For the purpose of this policy, the following definitions are employed:

Government and Semi-Governmental Groups:

Clarksville: The Town of Clarksville, Indiana

Jeffersonville: The City of Jeffersonville, Indiana

New Albany: The City of New Albany, Indiana

ORGDC: The Ohio River Greenway Development Commission

MMPA: A standing committee of the Ohio River Greenway Development Commission charged with assisting the placement of memorials, monuments, and public art within the boundaries of the Greenway by interested persons or groups

IDNR: The Indiana Department of Natural Resources and all divisions thereof

USACE: The United States Army Corps of Engineers, Louisville District, and all divisions thereof

USEPA: The United States Environmental Protection Agency, and all divisions thereof

Terms used in this policy:

Ephemeral Art: Art that, either by intent or by its physical nature, is not durable or permanent.

Memorial: A discrete marker, plaque, tablet, planting, or other device intended to help commemorate a person or event

Monument: A statue, pillar, column, building, or other significant architectural work of enduring value and significance intended to help commemorate a person, event, or idea

Public Art: A creative work of architecture or sculpture that displays form, beauty, and unusual perception to provide aesthetic enjoyment and contemplation

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Permanent memorials or monuments to individuals and/or groups and installations of public art are permitted in the various communities along the Ohio River Greenway under the following criteria:

1. A person interested in creating a memorial or monument to an individual or group or dedicating public art shall contact the ORGDC to receive an information packet and application and to discuss informally the requirements of the ORGDC and the proposed location. Public art should be placed in areas designated for such displays, but exceptions may be made on a case by case basis to permit public art in other areas of the Greenway. Placements of memorials and monuments should be located in the community most closely associated with the individual, event or idea.

2. For monuments and/or memorials, a resolution specifically recognizing an individual or group, must be adopted by the local legislative body stating the reason why that individual or group has (or had) a strong relationship to the community and to the Ohio River and why the group or individual should be recognized along the Greenway. The ORGDC will respect any 'waiting period' (that period between a

person's passing and the time the person becomes eligible for recognition) that a community may choose to apply to such honor.

3. After adoption of a resolution recognizing an individual or group along the Ohio River Greenway, or to dedicate public art along the Greenway, a person shall submit a completed application, which must include a detailed site plan, illustrations, photographs, and, if requested by the Commission, material samples, all of which must be of sufficient quality to aid the Commission in understanding the project intent. Specific attention shall be given to the proposed design of the monument, memorial or public art in the packet of information provided to the ORGDC. The

ORGDC shall refer the completed application to the standing MMPA Committee for review, recommendations, and comment.

Placement of the monument, memorial, or public art generally should not obstruct important views of the Greenway nor the Ohio River. Monument and public art, specifically, should be scaled to the space in which either is to be located.

4. Monuments, memorials, and public art shall be of durable material, able to withstand flooding and the flotsam and jetsam of the Ohio River during flood stages, as well as potential acts of vandalism. Memorials, monuments and public art should be free from hazards, especially to young children that visit the Greenway.

5. The MMPA Committee shall consider the proposed monument, memorial, or public art, as well as the proposed location, and such other factors as may be relevant and shall deliver its review, recommendations, and comments to the ORGDC. The review, recommendations, and comments of the MMPA shall be non-binding on the ORGDC.

6. The ORGDC shall hear the review, recommendations, and comments of the MMPA Committee and act on the proposal. At its sole discretion, the ORGDC may refer public art dedications to a neutral panel of artists, art teachers, and such other experts as may be available for comment on the public art. The review, recommendations, and comments of such a panel shall not be binding upon the ORGDC. The ORGDC may approve, approve with conditions, or deny any memorial, monument or public art.

7. If approved by the ORGDC, or approved with conditions, it shall be the responsibility of the person erecting the memorial, monument or public art to bear the cost of its production and installation unless the public art is part of a municipal-sponsored project in relation to Greenway construction. At its sole discretion, the community in which the public art is to be placed or the ORGDC may require a bond of satisfactory surety, to be posted in favor of the community or the ORGDC, to ensure completion of the installation. An instrument of permanent dedication shall be executed between the individual dedicating the memorial, monument, or

public art and the ORGDC and the respective community where the item is to be placed. Such instrument shall allow the ORGDC and the host community to use images of the monument, memorial, or public art in any and all media about the Greenway and the host community. A maintenance endowment may also be required.

8. Under no circumstances shall any permanent memorials, monuments, or public art depict subjects that are trademarked, commercially-licensed, or deemed otherwise inappropriate.

9. Upon completion of the monument, memorial, or public art, a Letter of Acceptance shall be executed between the parties and any bond held by the community or the Commission shall be released, if any such bond funds remain.

10. After the Letter of Acceptance has been executed and any remaining bond funds returned, the monument, memorial, or public art shall be in the full ownership of the host community.

11. Nothing in this policy shall be construed to require the removal of any legally installed memorial, monument, or public art presently located in the boundaries of the Ohio River Greenway project. In addition, historic site markers approved by the state of Indiana shall be exempt from this policy.

12. The actions of the ORGDC, and nothing in this policy, shall be construed to relieve any person from securing and meeting all requirements of necessary permits, including those from the respective host community, the Indiana Department of Natural Resources, United States Army Corps of Engineers, United States Environmental Protection Agency or others as may be appropriate.

APPROVED and ADOPTED this 18th day of December 2008.

Philip T. Hendershot, Chairman

ATTEST:

Shaunna Graf, Project Coordinator