

Hello, my name is Isabel Rojas-Williams, and I am the Executive Director of the Mural Conservancy of Los Angeles, a non-profit organization that restores murals painted on walls to help preserve the history of our city.

I would like to focus on the following areas that we find especially problematic and which we have outlined them in full in the letters that we have given you.

1. Residential Unit Restriction

The stipulation in Section 8, paragraph B (7) of the ordinance that restricts artworks on a single family residence, is unwise and inappropriate. There is no need for this provision in the ordinance, except, perhaps, to say that it should be decided by each council district.

2. Registration Fees

We ask that a portion of the registration fees be reallocated towards providing building owners with information about their responsibilities, and what channels they should go through before destroying a mural; we are confident more work would stay protected. Building owners are not art experts, and more often than not, murals are destroyed in ignorance of a better alternative.

3. 100-ft limitation on murals

This arbitrary limitation offers no obvious correlation or benefit to the city of Los Angeles. Using the city of Portland's Mural Ordinance as a blueprint in the area of size limitation is both ineffective and misguided. Los Angeles is a city of another scale, and should be treated as such.

We thank you for your time and hope that you take the muralists' suggestions into consideration when you determine the future of Muralism in Los Angeles. THANK YOU!

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November 20th, 2012

To the Planning and Land Use Management Committee (PLUM),

The following is a letter composed by the Mural Conservancy of Los Angeles (MCLA) regarding the impending Mural Ordinance and areas that require additional consideration. MCLA was founded in 1987 by a coalition of muralists, artists, public art advocates, city of Los Angeles and state of California public officials, and restoration specialists. It advocates for the rights of artists and public art, working with artist to support the integrity of their work.

Since 2002, the unintended consequences of the existing ordinance, enacted to curb the proliferation of commercial signage, effectively prohibited the painting of murals on private property. When it was announced a year ago that the ordinance would be rewritten, the artist community of Los Angeles spent considerable time and energy providing input to help craft an ordinance that would reform the disastrous 2002 law.

The ordinance draft of June 28th, 2012, presented to the City Planning Commission for approval, omitted significant changes that had been communicated to the Department of City Planning staff at numerous public forums. In response to the concerns raised at the ordinance meeting of July 12th, 2012, the Planning Commission rejected the draft and scheduled a new hearing. When the Planning Commission eventually reconvened on October 11th, 2012 they finally agreed to pass the ordinance with some new provisions. Despite this progress, MCLA urges PLUM to review some areas that need special consideration at this delicate time.

Defining An Original Art Mural

Rather than adopting language regarding public safety, the new draft makes a distinction based on artistic medium without regard for the installation process.

A hand-painted artwork applied directly to the surface of a wall does not require a safety inspection because it poses no risk of public safety

after its completion. However, other processes do. Digitally printed images, for example, produced by printing the image on substrates ranging from light pliable materials to rigid constructions of wood or metal, must be affixed to a wall somehow. The definition should then be centered upon what seems obvious: is a safety inspection required? MCLA firmly believes that the privilege of defining what art is and what it is not, resides with artists, not with municipalities and commissions.

That said, we would also respectfully remind the public art community that even if all public art media under the ordinance — traditional or innovative, familiar or controversial — are subject to guidelines intended to insure public safety, the regulations should not be construed as an attempt to prohibit them. If additional time and cost is involved because an artwork includes sculptural elements, is painted or printed on a material that will be attached to a wall, or in any way introduces a safety concern that requires city inspection, a higher permit fee should be imposed to cover the cost of an inspection and to track compliance.

Clarifying this distinction in terms of safety rather than media will unleash, with discipline, the exercise of creative freedom and innovation; not just aesthetically but also in the use of various media.

Residential Unit Restriction

The stipulation in Section 6, paragraph B (7) of the ordinance "No new Original Art Mural shall be placed on a single family residence" is unwise and inappropriate. Attitudes towards muralism on single-family residences differ widely from community to community and imposing a blanket ban would impair any artistic expression that might be welcomed or encouraged by residents. A possible solution is that council districts impose limits that best reflect the wishes of their respective neighborhoods and constituencies. Essentially, there is no need for this provision in the ordinance, except to say that each council will determine an appropriate action for their respective areas.

100-ft Height Restriction

In section Sec. 22.119, paragraph B (4) there is a stipulation that states, "No Part of a new Original Art Mural shall exceed a height of 100 feet above grade." There has been no defense for this arbitrary limitation or explanation of its benefits. Most likely this stipulation has only been carried over because it was part of Portland's Mural Ordinance, which had served as an initial blueprint to ours. Although it



may work in Portland, Los Angeles is a city of another scale, and should be treated as such. Already there are murals in LA passing this mark, many of which can avoid tagging for this very reason. Passing this mural ordinance opens huge doors for the potential of art culture in Los Angeles; we should provide it as much room as possible to thrive.

A Comment on the Fees

Finally, a number of artists have raised objections to the permit fee stipulations of Section 22.116. Some artists have balked at the prospect of any fee, and some may truly be unable to bear even a rather minimal cost burden. However, by the standards of other fees imposed to conduct business in Los Angeles, the fee structure proposed is relatively modest and basically reasonable. If the fees can be structured to increase the fee on permits for artworks that require safety inspections, the fee on those that do not require inspection should be lowered.

A Suggestion

Building owners are not public art experts. Those willing to lend their walls for public art should be thanked by the city for their civic participation in this process. Through the fees collected, some portion should go to making available, via mail or email, information designed to educate building owners on the rights of artists and as well as the building owners' own rights and responsibilities. The issue of "de-registration" of a mural is of particular concern to artists. Providing this information would make clear the rights and responsibilities that a change of ownership bestows and would define the "de-registration" rights of a new owner. A summary of this information could help avoid the destruction of art by making clear that the right of de-registration does not mean that a mural may be altered or destroyed in contravention of the rights of the artist, which are protected under both State (the California Art Preservation Act) and Federal (the Visual Artist Rights Act) laws.

This new ordinance is important because it will foster a revitalized creativity in our public spaces. Thanks to the last ten years we KNOW the consequence of repressing that energy and activity. The gentle, yet certain regulatory hand extended by this new ordinance will make for a vastly improved and enriched visual environment and bring

tourists and art lovers to the City of Los Angeles.

Warmly,

The Mural Conservancy of Los Angeles (MCLA)
Bill Lasarow, Judithe Hernández, and Isabel Rojas-Williams

***Bill Lasarow** is President and Co-Founder of the Mural Conservancy of Los Angeles. Lasarow is the publisher of the long time art digest to Southern California, ArtScene, as well as the online art portal Visual Art Source (visualartsource.com).*

***Judithe Hernández**, member of the Board of Directors of MCLA, is an artist of international recognition whose career began in Los Angeles as a muralist and member of the celebrated Chicano artist collective Los Four.*

***Isabel Rojas-Williams**, art historian and MCLA's Executive Director.*