



Art Vendor Disciplinary Procedures and the Role of the Street Artists Committee/Community Investments Committee

Step 1: The Report

Arts Commission staff receive a verbal or written report of a program violation.

Step 2: The Investigation

Arts Commission staff investigate the report and gather evidence in support of or contesting the complaint.

Step 3: Issuance of Notice

If a violation is found, Arts Commission staff issue a Notice of Warning.

Program violations are divided into Minor and Serious categories. Minor violations are “non-violent/non-threatening.” Serious violations are “violations of a violent or threatening nature and violations that significantly threaten the integrity,” of the program. Two subsequent minor violations trigger a disciplinary hearing. A serious violation immediately goes to a disciplinary hearing. Disciplinary hearings are heard at the Street Artists Committee.

Step 4: Public Hearing

Arts Commission staff only bring disciplinary cases with clear evidence of violation to the Committee, as the Street Artists Committee is the body empowered to deny, suspend, or revoke a license. The Street Artists Committee is held on the same date and time as the Community Investments Committee and is made up of the same Commissioners. These meetings are agendized separately. Evidence gathered during the investigation is posted as supporting documentation with the agenda and may be redacted to protect individuals’ personal information and to impede retaliation.

At the Committee meeting, the disciplinary hearing proceeds as follows:

4(a): Open with Public Comment

The public is provided a time limit to speak on the agendized motion.

4(b): Presenting the Case

The Arts Commission staff member that investigated the violation presents the case, referring to the written report included in the meeting’s supplementary documents. The

Director of the Program makes the recommended disciplinary action as agendized to the Committee.

4(c): Artists Speak

The parties involved are given five (5) minutes to speak on their behalf and a two (2) minute rebuttal. If there is only one party they are given five (5) minutes. Artists in need of language assistance are provided interpreters.

4(d): Deliberation

During deliberation, Committee members may ask any questions of the artists, of staff, or of any other member of the public present. It is best practice that Committee members keep their questions to staff and the artists involved in the case so as not to privilege certain members of the public over others. This process should take no more than ten (10) minutes.

4(e): The Vote

The Committee may decide to take the action as recommended by staff, or they may amend the recommend action. The action as listed on the agenda is what staff believe to be the most appropriate response to the investigated violation.

Step 5: Rehearing Process

If new evidence becomes available that was not possible to present at the time of the hearing or if the artist was unable to attend for good cause shown, they may be granted a rehearing if they make the request within (5) five days of the Committee meeting. After (5) five days, the Program Director issues a formal notice of decision not appealable to any level of the Arts Commission.

Step 6: Formal Notice of Decision

The Program Director's formal notice of decision is sent no later than (15) fifteen days after the disciplinary hearing. Because this program specifies the validity of a license or permit, the Board of Appeals is the final arbitration body of the decision. An artist may file an appeal with the Board of Appeals up to (15) fifteen days from the hearing date. Arts Commission staff then present their case at the Board of Appeals according to their process.

Sources:

- Notice to Artists
- [Code of Conduct](#)
- [Article 24 of the Police Code](#)
 - o [Hearing procedures start in section 2408](#)
- [The Program Manual aka "Blue Book"](#)
 - o Hearing Procedures start on page 104
- [The Board of Appeals Process](#)
 - o Hearing Procedures start on page 3