

STORM DRAIN ARTWORK APPLICATION

Staunton has a Municipal Separate Storm Sewer System (MS4) meaning our network of storm sewer is not connected to our sanitary sewer. This has many benefits, but it does mean our stormwater runoff is not treated at the water treatment plant. Instead, our runoff is taken directly to our local streams. In some places this runoff may be treated by a Best Management Practice (BMP), like a rain garden, but often it reaches the stream without any treatment at all. This means it is incredibly important for everyone help us minimize the amount of pollution that reaches our storm drains. With that in mind, the City of Staunton is implementing a Storm Drain Artwork Program to help increase public awareness around the connection of our drains to our streams and the importance of reducing stormwater runoff pollution.



In addition to submitting this application, a complete proposal with all necessary artwork details is required. See the program conditions below for more details.

The undersigned applicant request permission to install the attached artwork upon approval on the storm drain located at* (Please be specific):

*Not all storm drains will be available for adoption, but we will work to approve a drain as close to the desired location as possible. If you would like assistance with selecting a storm drain, please just indicate that above.

In consideration of being allowed to be part of the Storm Drain Artwork program and to be present on or near any public lands or rights of way, any accepted applicant will perform any related activity in accordance with the City of Staunton's terms attached hereto and incorporated herein by reference and any applicable law. The applicant also hereby agrees to indemnify and hold harmless the City of Staunton, its officials, employees or agents, from responsibility, damage or liability or any claim arising from the applicant's exercise of the activities and privileges granted under this agreement.

This agreement may be terminated by the City of Staunton at any time the applicant does not comply with this agreement or at any time the applicant's work effort is discovered to be unsatisfactory. The City reserves the right to revise or discontinue the Storm Drain Artwork program at any time. The applicant likewise may terminate this agreement at any time.

The applicant hereby assumes all risk of damage or injury resulting from the activities performed hereunder, and acknowledges that certain risks are inherent in working on public infrastructure, especially in areas where navigation may be difficult, or in areas that may be open to the public or where vehicular traffic is present, such as on or near the public right of way.

It is agreed that the applicant is not an agent, employee or volunteer of the City of Staunton while participating in this Storm Drain Artwork program. As such, the City will not provide any worker's compensation insurance, general liability or automobile insurance or uninsured/underinsured insurance motorist coverage, or any other insurance for the acts or omissions of the applicant while engaged in any activities arising out of or related to this Storm Drain Artwork agreement or activity. It is further agreed that the City will not defend, hold harmless, or indemnify the applicant for any claims of loss, injury, death, or damage arising out of or related to this Storm Drain Artwork agreement.

APPLICANT: _____

PRIMARY CONTACT NAME/TITLE: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

EMAIL ADDRESS: _____

¹As a designated representative of, _____, I have read, understand, and shall comply with the Storm Drain Artwork program conditions regarding participation in the program.

SIGNATURE: _____

The undersigned is the official City representative who has the legal authority to give permission for the property location named in the aforesaid agreement to be involved in and designated in the Storm Drain Artwork program as administered by the City of Staunton. Permission is hereby given to perform the work described, insofar as the City of Staunton has the right, power, and authority under the terms of this agreement.

CITY OFFICIAL: _____

TITLE: _____

DATE: _____

¹Any organization shall provide to the City of Staunton a copy of official organizational minutes in which the organization's governing body authorizes the signatory to place their signature on this application.

STORM DRAIN ARTWORK PROGRAM CONDITIONS

The Storm Drain Artwork Program is designed to encourage citizen participation in promoting educational awareness around the connection of storm drains to local waterways and the environmental impact of stormwater runoff pollution. Individuals, organizations, and businesses may participate in the program. Participation involves agreeing to fund, design, and install approved artwork on a city owned storm drain while adhering to all the conditions listed in this agreement.

Eligible storm drains will be determined by the City Manager or designee. Those drains determined unsuitable for any reason will not be eligible for artwork installation. Storm drains not owned and/or maintained by the City will not be eligible for this program.

Application/Participant Conditions:

- This Storm Drain Artwork Program application must be submitted to and approved by the City of Staunton. The application shall be submitted to the City Environmental Programs Administrator who will forward it on to the appropriate City agencies for review and approval. Any appropriate City agency can deny application requests for any reason.
- Applications for artwork installed on a storm drain within Staunton's Historic District are also subject to approval by the Zoning Administrator/Historic Preservation Coordinator.
- A complete application must include the artwork design to be approved and designate the specific storm drain where the participant would like to install the artwork.
- Local community organizations, such as civic, social or school groups, businesses or individuals 18 years or older are allowed to participate in this program. The City of Staunton reserves the right to deny storm drain artworks requests for any reason whatsoever. Any storm drain artwork shall be conclusively deemed government speech.
- Individuals or group members less than fifteen (15) years of age must be supervised by an adult at least eighteen (18) years of age.
- All participants must sign the Liability Release Form.
- The City of Staunton will supply participants with safety vests and appropriate traffic control signage as well as instructions on the proper use of the vests and traffic control signage. The artwork installation and collection of all materials must be scheduled in advance. The participant shall ensure any borrowed items are returned to the City. Any traffic control signs shall be displayed only during times when artwork installation is actually taking place.

Artwork Conditions:

- Artwork and selected storm drain location are both subject to approval.
- Artwork must be relevant to program purpose. Artwork should contain relevant environmental and stormwater themes. Relevance is subject to approval by Environmental Programs Administrator.
- Artwork may not contain any advertisements, business promotions, political slogans, religious messaging/images, or any offensive language, symbols, or themes. This application is not any type of public forum and the artwork itself shall be government speech.
- Artwork may not contain any website links or social media handles.
- Only the approved artwork can be installed. Modifications to the approved artwork, including design, colors, and format are not allowed.
- Only original artwork can be accepted. Applications with copyrighted characters or images, brands or trademarks, and AI-generated art will not be accepted.
- Artwork cannot include any physical items attached to the drain.
- If the final design differs from the approved artwork, the City of Staunton reserves the right to remove the artwork.

Installation Conditions:

- Materials used to apply and/or seal the artwork are subject to approval by the Environmental Programs Administrator. Participants must provide the Environmental Programs Administrator a comprehensive list of materials to be used prior to artwork installation. Spray paint will not be allowed.
- Participants must coordinate with Environmental Programs Administrator to schedule artwork installation.
- Participants are responsible for cleaning/prepping the top of the storm drain if necessary. Cleaning/prepping must be scheduled in advance. Methods are subject to approval by the Environmental Programs Administrator.
- Storm drain inlet must be adequately protected before installation can begin. No paint, wash water, or any other form of pollutant shall be allowed into the inlet during installation.
- Participants are required to clean up any materials used during the installation and properly dispose of any related waste.

- Participants are not allowed to paint anywhere outside of the approved storm drain area. Effort must be made to prevent staining of surrounding roads, sidewalks, and other public infrastructure.
- Effort must be made to schedule installation to ensure artwork is completed and fully dried prior to any rain events.

Artwork Maintenance/Upkeep Conditions:

- The City of Staunton will not be expected to maintain the installed artwork in any way. Due to the nature of this artwork placement, participants should understand that the artwork will likely fade and may get damaged overtime.
- The City of Staunton cannot prevent vandalism to storm drain artwork. Participants should understand that their artwork may be altered, removed, or damaged at any time after completion.
- Participants may use a broom and clear water to clean the top of the drain should it get dirty. Soap may not be used.
- Participants may maintain their installed mural with paint touch ups. However, the Environmental Programs Administrator must be notified prior to any maintenance and the installation conditions listed above must be followed.

Other Conditions:

- Storm drains are first and foremost a piece of critical public infrastructure. Ensuring they continue to function as intended remains the City's top priority. If necessary, maintenance will be prioritized over preserving artwork. The City reserves the right to maintain storm drains as needed even if that means damaging the installed artwork.
- Participants must agree to release ownership of the artwork to the City of Staunton. The City of Staunton will have exclusive rights to reproduce, distribute, use, and display the artwork in any medium.
- The City retains the sole right to remove all or a portion of the work for any reason without notification to the participant.
- Storm Drain Artwork is to be added on a volunteer basis. The City will not provide compensation or funds to participants for the installation of artwork on storm drains.
- The City of Staunton reserves the right to revise these terms as needed.

SAFETY TIPS

- Participants should wear the city provided orange/yellow safety vests at all times during the artwork installation to ensure they can be easily seen.
- Participants should be aware that storm drains are typically located near the street close to vehicular traffic. All participants must ensure they can be easily seen and are not in the path of vehicular traffic during artwork installation.
- Participants must ensure they do not create hazardous conditions for pedestrians during artwork installation.
- Participants should be aware that most storm drains are not in shaded areas. It is advised that all participants wear appropriate clothing and sun protection. Participants should also stay hydrated and limit time outside during exceptionally hot day. Participants are encouraging to start installations in the morning.
- Installation must occur during work (daytime) hours and should not be done when weather or other conditions make visibility poor.
- Participants should not attempt installation when heavy rain is forecasted. If an unexpected storm rolls through during installation, participants should immediately get somewhere safe.

QUESTIONS?

Please reach out to the Environmental Programs Division with any questions.

- Email: StauntonStormwater@ci.staunton.va.us
- Phone: 540-332-3858

CITY OF STAUNTON STORM DRAIN ARTWORK PROGRAM

LIABILITY RELEASE FORM

As a Storm Drain Artwork Program participant, I have read, understand, and shall comply with the City of Staunton Storm Drain Artwork program guidelines, conditions and safety tips. I will exercise care and safety while participating in any program events. I will seek further direction or explanation of anything not fully understood by me.

As a Storm Drain Artwork Program participant, I will at all times indemnify and hold harmless the City of Staunton, City of Staunton employees, agents and officers from responsibility, damage, or liability arising from the exercise of the privileges granted under the Storm Drain Artwork program.

By voluntarily engaging in a stream cleanup activity, I personally assume all risks for any harm, injury, or damage to myself or others during my participation.

Signature _____

Name (print) _____

Date _____