



Policy

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Public Art Policy

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Department:	Economic Development Services
Staff Report:	SR2020-160
By-Law No.:	n/a

Policy Statement

The selection and placement of Public Art serves to enhance resident's quality of life, pride in their community, and can increase tourism and the potential for economic development.

The Public Art Policy follows the direction of the City's Official Plan and the Downtown & Waterfront Master Plan and Urban Design Strategy.

Purpose

The purpose of this policy is to define how the Corporation of the City of Brockville obtains Public Art and to ensure that the process is fair and open.

Goals:

- To support the Brockville Official Plan's strategic pillar of a sustainable, healthy, and vital city
- To ensure an open and fair process is implemented for all public art whether donated or purchased
- Establish a standardized and transparent process for the acquisition, selection, site selection, and maintenance of purchased and/or donated works of art for display in public places
- To create opportunities for the provision of public art
- Ensure that all art is suitable for the location, representative of the best work available for the budget, designed and installed with reasonable requirements for maintenance and upkeep
- Define roles and responsibilities
- Establishes the role of the Public Art Committee
- Streamlines and defines the process for the public to initiate a Public Art project and encourages community groups to produce art in public places

Application

This policy shall apply to all art to be displayed in public places whether purchased, donated, or acquired through other means.

Public Art acquired and/or installed prior to the implementation of this policy is subject to periodic review and consideration by the same criteria as new works.

Definitions

“Public Art” is defined as art in any medium that is situated in an indoor or outdoor public space and may be permanent or temporary works.

For the purposes of this policy, Public Art does not include:

- Previously installed plaques or heritage assets that are already supported by other budgets, committees and policies;
- Temporary art that is part of an event and that does not have any maintenance or long-term considerations (e.g. light displays, ice sculptures, or performance art)

“City” refers to the Corporation of the City of Brockville.

“Mural” means a graphic representation applied directly to an exterior building face or to another surface and mounted on a building, regardless of media or application technique, the primary purpose of which is decorative.

“Heritage Theme” means a design that incorporates shape, colour, materials, graphics and lettering consistent with the predominant traditional architectural style of the downtown core area.

“Downtown Core Area” with regard to the Sign By-law means those lands contained within the following boundaries:

- Butlers Creek and Gilmour Street on the west
- Church Street between Gilmour Street and Perth Street, James Street between Perth Street and Orchard Street on the north
- Orchard Street on the east; and
- The St. Lawrence River on the south.

“Practicing Artist” means someone who has developed skills through training or practice (whether formal or informal), is recognized by artists working in the same artistic tradition, has a history of public presentation or publication, seeks payment for their work and actively practices their art.

Procedures

- To achieve the goals of the Public Art Policy, a Public Art Committee will be established as a Committee of Council, which will report to City Council through the Economic Development, Recreation and Tourism Committee.
- All requests for the acquisition and selection of Public Art, regardless of the source or method of acquisition, are referred to the Public Art Committee for a recommendation to be made to City Council. In all cases, City Council will make the final decision on whether to approve the recommendation.
- Committee membership will include at least 3 members where at least 1 is a practicing artist.
 - Preference for members with skills pertinent to the field of public art, such as: architect, engineer, or other advisory member who can evaluate a proposed artwork with regards to longevity, risk factors, site considerations, construction considerations, long term conservation, maintenance etc., a professional background pertaining to art, curation, museum studies, urban design, or other relevant skillsets.
- The Public Art Committee may develop, and modify as needed, a Public Art Reference Document that establishes criteria and standards, and identifies and prioritizes opportunities and sites for Public Art.
- The Public Art Committee will identify in the Public Art Reference Document specific locations where the requirement to adhere to the heritage theme will be lessened for public art projects to allow for greater creative expression. All other criteria for acquisition will still apply. These locations must be selected through public consultation, review by stakeholders, and receive final approval from City Council.
- Open competitions, commissions, direct purchases, and donations are all acceptable methods of acquisition. Regardless of the method of acquisition, the Public Art Policy in its entirety shall apply, including but not limited to, review by the Public Art Committee and approval by City Council. Additional roles and responsibilities of the Public Art Committee are defined in the Public Art Committee Terms of Reference.
- All funding requests for restoration projects, deaccessioning, purchases, or juried art competitions are to be made annually by the Public Art Committee to City Council through the annual budget process.

The Role of the City:

- All proposals will be reviewed by City Staff and by outside experts when required to assess structural health and safety concerns and maintenance requirements. Building and other permits may be required.
- Murals are subject to measures outlined in the City of Brockville's Sign By-law, including a provision for subject matter in the downtown area:
 - Should the application for permit be refused due to non-compliance with the heritage theme provisions, the applicant may seek approval by City Council or the appropriate designated Standing Committee of Council.
 - The Public Art Reference Document will identify specific locations where the heritage theme requirements will be relaxed for public art projects to allow for greater creative and artistic expression. These locations must be developed with input from stakeholders and receive approval from City Council.
- City Council will review all recommendations from the Public Art Committee and make a final decision.

Maintenance:

- Care and maintenance of Public Art on City Property is the responsibility of the City, unless otherwise specified at the time of acquisition.
- All murals on private property which will be maintained according to a Terms of Agreement that will be specified at the time of acquisition.
- All art on private property is to be maintained by the property owner.
- Maintenance procedures, schedules, and anticipated budget requirements are to be developed by the Artist and are to be reviewed by City Staff and the Public Art Committee and will make up part of the judging criteria when considering the piece for acquisition.
- Restorations and/or major repairs of Public Art are referred to the Public Art Committee for review, prioritization, and budget determination, and requested through the annual budget process.
- Deaccession or removal of an installation deemed too costly to maintain or that is no longer in the public interest, will be undertaken with review by the Public Art Committee, in consultation with any affected parties, followed by a recommendation to City Council.

Donations of Public Art:

- Donations of art must follow the same method of acquisition and review by Public Art Committee and will be assessed against the Public Art Reference Document for strategic priorities and placement.
- The donor must submit a Maintenance Plan for the piece that outlines recommended maintenance techniques, timelines, and associated budgets along with how the budget requirements will be met. The Public Art Committee will submit the Maintenance Plan with their recommendation to City Council on whether to accept the piece into the Public Art Collection.
- The City has the right to refuse the donation of public art that is not considered appropriate for a specific location, does not meet the public art strategic priorities, has long term maintenance needs that would have an adverse affect on the municipality or annual budget, or any other reason considered appropriate by the Public Art Committee or City Council.

Community Art Projects:

- Proposed Community Art Projects will be assessed by the Public Art Committee against the Public Art Reference Document for strategic priorities and placement.
- The artist or group initiating the community art project must submit a formal proposal to the Public Art Committee including the following information:
 - A brief overview of the project including the project rationale, goals, and proposed medium
 - Conceptual drawings
 - Dimensions
 - Proposed location
 - Anticipated lifespan of the work
 - Maintenance requirements and Maintenance Plan, including any applicable budget requests for long-term maintenance
 - Artist statement and bio
 - Installation method and hardware
 - Material and structural considerations
 - Project timeline
 - Proof of insurance

Public Art Strategic Priorities:

- In reference to the official plan and downtown and waterfront master plan, public art proposals should be assessed according to:
 - Cultural significance
 - Enhancing the character of place
 - Consistency with other built and natural elements
 - How the piece will conserve and enhance the historical and cultural heritage of the City
 - Encourages beautification, improvement and/or redevelopment of the City
 - Revitalizes underused land in the City.
- Public Art in the City shall generally be encouraged to incorporate themes supporting and promoting local history, civic pride, creativity, businesses, and technology.

Exclusions

Temporary art that is part of an event and that does not have any maintenance or long-term considerations (e.g. light displays, ice sculptures, or performance art) is excluded from this policy.

References and Related Policies

Official Plan
Downtown & Waterfront Master Plan and Urban Design Strategy
Procurement Policy
Sign Bylaw

Consequences of Non-Compliance

Failure to comply with the Public Art Policy could result in the removal of the work and costs associated with the expense of removal to be recovered from the artist.

Recovery of Expense:

A copy of an invoice for any charges for removal of a work of public art, together with a certificate by the City Treasurer that:

- (a) invoice has been sent to the persons liable to pay the same;
- (b) no payment or insufficient payment has been received for the invoice; and
- (c) payment of the invoice is overdue; shall be sent to a collection agency.

Review Cycle

This Policy shall be reviewed and updated every five years.