
Title: Public Art Policy

Department/Division: Tom Thomson Art Gallery

Purpose

1. This policy guides the selection and placement of art in municipally-owned public spaces and facilities and outlines the long-term care and maintenance of these cultural objects.

Scope

2. This policy applies to all permanent and temporary displays of art in municipally-owned public spaces including art placed in partnership with the general public, the arts community, arts service organizations and institutional and private sector partners.
3. This policy does not apply to previously installed plaques, archival collections, or heritage assets already supported by other budgets, committees, and policies.

Definitions

4. For the purposes of this policy,
"Artist" means a person who is critically recognized as an artist, possesses the skill, training, and/or experience in an artistic discipline, is active in and committed to their art practice, and has a history of public presentation;
"City" means The Corporation of the City of Owen Sound or the geographical area as the context requires;
"Public Art" means artwork in any medium that has been produced by an artist and installed in a publicly accessible space and which includes the fundamental elements outlined in Appendix 'A' to this policy; and
"Public Space" means a City-owned building, facility or space.

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Guiding Principles

5. The guiding principles are that Public Art will:
 - a. be accessible and engaging;
 - b. illustrate the history and diversity of the City;
 - c. be integrated into the planning and development process, where appropriate;
 - d. support Truth and Reconciliation, where appropriate; and
 - e. will foster cultural growth for the City.

Administration

6. All requests for the acquisition and selection of Public Art, regardless of the source, whether internal or external, shall be referred to the Community Development, Tourism and Culture Advisory Committee for a recommendation to be made to City Council. All Public Art projects shall be formally approved by City Council before installation and adoption.
7. A recommendation to Council shall include:
 - a. whether the Public Art project is recommended for approval;
 - b. the estimated projected costs of installation and maintenance; and
 - c. the recommended duration of the project.
8. Public Art acquired and/or installed prior to the implementation of this policy is subject to periodic review and consideration through the same criteria established herein.

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Donations

9. The City has the right to refuse the donation of Public Art that:
- a. is not considered appropriate for a specific location;
 - b. has long-term maintenance needs that would create a hardship for the municipality; or
 - c. any other reason considered appropriate by City Council.
- The donor will receive a written reply outlining the decision of the City.

Refusal

10. In making submissions for Public Art projects, whether permanent or temporary, consideration must be made for the appropriateness of the subject matter. The Community Development, Tourism and Culture Advisory Committee shall, at its sole discretion, recommend to Council the disqualification of any Public Art submission that it deems discriminatory, obscene, profane, offensive, lewd, pornographic, or otherwise inappropriate.

Selection and Acquisition

11. The Community Development, Tourism and Culture Advisory Committee shall implement a transparent process for the selection and acquisition of Public Art, including establishing a formal list of criteria by which submissions are evaluated and ensuring that Public Art adheres to the guiding principles outlined in this policy.
12. Public Art projects shall be reviewed and selected through the Community Development, Tourism and Culture Advisory Committee or through a Public Art Jury, operating as a working group of the Community Development, Tourism and Culture Advisory Committee, which working group shall meet as required.
13. The Public Art Jury shall be comprised of four members; two of whom shall be the Director of the Tom Thomson Art Gallery and the Chair of the Community Development, Tourism and Culture Advisory Committee and two of whom shall be selected on an ad hoc basis, considering the type of Public

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Art project being considered. The Director and the Chair shall, together, select two community representatives with a professional background or skills pertaining to the Public Art project being considered.

14. Prior to making a recommendation on a Public Art project, the Community Development, Tourism and Culture Advisory Committee or the Public Art Jury, as applicable, shall consult with appropriate City staff, including but not limited to staff in the Engineering Services Division, Planning Division, Parks and Open Spaces Division, Building Division, and Corporate Services Department.
15. When utilized, the Public Art Jury shall provide a recommendation to the Community Development, Tourism and Culture Advisory Committee respecting the Public Art project under consideration. The recommendation shall be in the form of a written report, authored by the Director on behalf of the Public Art Jury.
16. A variety of acquisition methods shall be used to better serve the needs of unique projects and situations and the overall mandate of this policy. Open competitions, generated commissions, invitational competitions, direct purchases, and donations are all acceptable methods of acquisition. Regardless of the method of acquisition, however, the Public Art Policy in its entirety shall apply, including reference to and review by the Community Development, Tourism and Culture Advisory Committee through a Public Art Jury when deemed appropriate.
17. The City shall endeavour to include the acquisition and installation of Public Art in civic construction projects, wherever practical and deemed to be in the public interest. This includes projects undertaken in partnerships and collaborations with community, institutional and private sector partners.

Maintenance and Inventory

18. Care and maintenance of Public Art shall be the responsibility of the City unless otherwise specified within the terms of a legal agreement.

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19. Maintenance procedures and schedules shall be initially developed with the Artist and City staff and will follow acknowledged industry best practices.
20. Routine maintenance shall be included within existing City budgets.
21. The Artist shall be consulted with respect to conservation work as required.
22. The City shall maintain a Public Art Inventory that shall include the Artist's name, medium, creation date, photo, provenance/history, description of the work, and estimated value.
23. City Staff shall conduct a biennial condition report of works included in the City's Public Art Inventory for the Community Development, Tourism and Culture Advisory Committee and for City Council information purposes.

Alterations and Removal

24. Permanent or temporary alterations to Public Art, including the removal of an art installation deemed too costly to maintain or no longer in the public interest, can only be undertaken under the direction of Council following the review of the Community Development, Tourism and Culture Advisory Committee, in consultation with any affected parties, and a recommendation to City Council.

Public Engagement

25. The Community Development, Tourism and Culture Advisory Committee, with the support of the Tom Thomson Art Gallery, shall implement strategies to promote public engagement that includes but is not limited to:
 - a. participation on juries; and
 - b. communication tools such as signage, Artist talks, brochures, and website information.

Policy review

26. The Public Art Policy shall be reviewed at least every 5 years. All amendments to the Public Art Policy shall be formally approved by City Council before adoption.

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Related Policies & Legislation:

Internal

27. N/A

External

28. N/A

Appendices:

29. Appendix 'A' - Fundamental elements of Public Art

Revision History:

| Authorization | Date |
|----------------------|-------------|
| By-law 2022-094 | 2022-09-12 |
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Appendix 'A' to Policy No. AG10

Fundamental elements of Public Art

1. **Public Art takes on many forms.** It encompasses a broad range of artistic practices rooted in the tradition of visual arts, including but not limited to sculpture, murals, street and graffiti art, water features, earthworks, video, and digital media. It can also include aspects of performance, theatre, music, culturally significant ceremony, or other more ephemeral artistic experiences.
2. **Public Art can be permanent or temporary.** Public Art can be produced as a long-term or “permanent” installation, built to last for the foreseeable future, or as a shorter-term, “temporary” work, designed to be experienced over a period of days, weeks, months, or several years.
3. **Public Art is for publicly accessible spaces.** Public Art is created for and installed in inclusive, barrier-free spaces that are publicly accessible, such as parks, community centers, bridges, laneways, or other public spaces.
4. **Public Art engages the public.** Public Art is intended to be site-specific, integrated into its environment, and enhance its surroundings. It creates and shapes a sense of place for both residents and visitors.