

# FINAL

## PUBLIC ART POLICY

### Operating Guidelines

**Section A**     **Purpose, Benefits, Principles and Goals**

- A.1 Purpose
- A.2 Benefits of Public Art
- A.3 Heritage Issues
- A.4 Guiding Principles
- A.5 Goals

**Section B**     **Funding Strategy**

- B.1 Goal
- B.2 Guidelines

**Section C**     **Governance**

- C.1 Committee Structure
- C.2 Reporting Obligation
- C.3 Committee Authority
- C.4 Murals: Criteria and Procedures

**Section D**     **Selection and Management**

- D.1 Jury Process: Objective Selection of Art
- D.2 Artist Eligibility/Roster
- D.3 Artist Selection
- D.4 Artist Application Materials
- D.5 General Management of the Collection
- D.6 Acceptance of Gifts, Donations and Bequests
- D.7 De-accessioning of Artwork
- D.8 Overall Policy Review Cycle

## **SECTION "A"**

### **Purpose, Benefits, Principles & Goals**

#### **A.1 PURPOSE**

***Art in public space is any installation that's primary function is aesthetic value.***

The purpose of a Public Art Policy for the Town of Cobourg is:

- to ensure that the artwork and creative concepts of artists become part of the planning and design of publicly accessible spaces and contribute positively to making public art visually stimulating and community oriented.
- to guarantee an approved, fair, invested and consistent public selection process so that all the citizens of Cobourg can access and participate in the cultural, economic and social developmental opportunities afforded by public art.
- to serve as an act of public trust and stewardship for public art.

#### **A.2 BENEFITS OF PUBLIC ART TO THE TOWN OF COBOURG**

Public Art:

- creates a clear sense of community pride and identity;
- serves as a catalyst to economic development and tourism;
- develops a more pleasant, safer and liveable community as part of the Town's infrastructure;
- rekindles the historic precedent of collaborations between artists, architects, engineers and planners in a meaningful way and activates untapped resources;
- inspires and provokes new ways of looking at the Town;
- demonstrates the Town's responsibility to provide cultural opportunities for its citizens and presents a positive image to visitors and potential investors;
- can provide opportunities for newcomers to access and contribute to their community and to meet with other residents;

- can be an artistic interpretation that takes into consideration the physical appearance of a public location, its history and the nature of a community;
- can act as a bridge between different groups and generations of people and inspires new ways of looking at the world;
- can identify and reveal community legacies through the deliberate choice of public art sites;
- to commerce and industry, the investment in a Public Art Policy acts as a sign of the cultural maturity of Cobourg.

### **A.3 HERITAGE ISSUES**

The Committee for Art in Public Spaces will ensure that heritage and historic issues are reviewed and addressed as part of a Public Art Program. The Committee will work directly with the Cobourg Heritage Committee (CHC) and the other heritage groups in the early planning stages of proposed projects.

### **A.4 GUIDING PRINCIPLES**

The guiding principles of the Public Art Policy ensure that public art activities will:

- be accessible to all citizens by providing opportunities for participation that are equitable and inclusive;
- be flexible to encourage a wide variety of creative expression, art practice and art work;
- be integral to the civic planning and development process;
- be supported with adequate resources to create and preserve its significant public art works;
- encourage excellence, quality and innovation;
- demonstrate the significance of art in community life;
- create cultural links through the promotion of opportunities for community development, community engagement and community partnerships.

## **A.5 GOALS**

The Goals of the Public Art Policy are:

1. To incorporate and integrate a public art program into the planning, design, and execution of selected civic and private development projects with the assistance of the Committee for Art in Public Spaces;
2. To demonstrate through projects, that public art can significantly enhance the Town as a location for diversified economic development;
3. To ensure that through its selection process, qualified artists provide a variety of arts and cultural expressions and to ensure that the jury process is meaningful, fair and equitable, and compatible with development aspirations;
4. To encourage community members to participate in developing the resources of public art to reflect the multi-cultural nature of the Town of Cobourg;
5. To create a plan to stimulate the creativity in individuals through the provision of educational and public awareness opportunities for learning, participation, and experimentation in arts and culture.

## **SECTION "B"**

### **FUNDING STRATEGY**

#### **B.1 GOAL**

The goal of the Funding Strategy is to establish a sustainable funding mechanism that supports the Town's commitment to spend existing and future funds creatively.

#### **B.2 GENERAL GUIDELINES**

B.2.1 The funding Strategy for the Public Art Policy is a "Percentage for Public Art" strategy.

B.2.2 The "Percentage for Public Art" is a flat rate of 1 % of the total construction cost of selected Town capital projects and privately constructed projects for which the Town has made significant contributions. The flat rate will not apply to non-construction components of identified projects (e.g., architects & consulting fees, Town permits, development charges, etc.). Excluded projects would include roads, in-ground water, sewer & drainage structures and other structures with limited visual impact or public accessibility.

B.2.3 Projects with high visibility and public impact will be selected from, but not limited to, the following categories:

- New building construction;
- Major additions to existing buildings;
- Park projects;
- Engineering structures.

B.2.4 Funds will be used for creating new art and/or new ways of approaching, designing and constructing projects using existing budgets, through a Public Art Program.

B.2.5 A minimum of 75% of funds arising from a Percentage for Public Art on selected capital projects must be used to pay the cost of designing, fabricating and installing the public art work chosen through the objective art selection process.

B.2.6 Funds allocated to specific capital projects will be apportioned with no more than 25% of the funds contributing to the implementation and maintenance of the Public Art Program. This includes the governance and administration of the selection process, collection, inventory, maintenance, insurance, staffing, acceptance of gifts and bequests, the de-accessioning of artwork, and overall policy review.

B.2.7 Funds arising from the Percentage for Public Art capital projects can be “pooled” with funds from other projects. These pooled resources may be used for either a single project or another public art program initiative. Pooled funds can be used to facilitate the establishment of art initiatives that may not otherwise have had sufficient funds.

## **SECTION “C”**

### **Governance**

#### **C.1 COMMITTEE STRUCTURE**

The Committee for Art in Public Spaces is a committee of the Cobourg Municipal Council, which provides advice and guidance regarding the display of art in public places in the community.

##### **Organization**

The membership of the Committee shall be as follows:

- one member of the Cobourg Municipal Council appointed by the Council
- one representatives of the Cobourg Heritage Committee (CHC)
- one representative from Architectural Conservancy of Ontario (ACO)
- three representatives of the local arts community (nominated by the Art Gallery of Northumberland); one representative of the local arts community shall have architectural /engineering expertise, if possible)
- one representative of the Cobourg and District Historical Society
- one representative of the Cobourg Parks and Recreation Advisory Committee
- one representative of the Cobourg Downtown Business Improvement Area Board of Management

Organizations represented on the Committee may appoint substitute members from time to time as required.

The Committee shall elect annually, a chairperson and a vice-chairperson who shall preside in the absence of the chairperson.

#### **C.2 REPORTING OBLIGATION**

The Committee for Art in Public Spaces shall, on or before the 31st day of January in each year, submit to the Cobourg Municipal Council an itemized estimate of its financial requirements for the year and the Council may amend such estimates and shall pay out the amounts as may be requisitioned from time to time by the committee.

The open/closed meeting policy of the Cobourg Municipal Council shall apply to all meetings of the Committee for Art in Public Spaces.

The Municipal Conflict of Interest Act shall apply to the members of the Committee for Art in Public Spaces.

The Committee for Art in Public Spaces shall annually review the committee’s terms of reference.

### **C.3 COMMITTEE AUTHORITY / MANAGING CONTROVERSY & CONFLICT/ PUBLIC INFORMATION**

Public art programs are often the subject of controversy. It is important to the success of the program that the process be open and that there is a mechanism to allow for public involvement. In order to manage controversy, programs and projects shall be developed which give communities ownership of their public art program.

In keeping with the guidelines of other civic public art advisory committees, CAPS should:

- C.3.1 Operate with an autonomous status, reporting its recommendations to Town Council;
- C.3.2 Ensure the provision of opportunities for direct and informed public involvement in the direction and selection of public art work;
- C.3.3 Ensure that governance of the policy is mindful and informed;
- C.3.4 Ensure that Federal laws will apply including those regarding censorship and obscenity;
- C.3.5 Recognize that although public art work may occasionally cause controversy, the jury guidelines must provide a responsible, public selection process which in turn ensures that secured art work is supportable by the community and not subject to ephemeral movements;
- C.3.6 Ensure that primary to the activity of the CAPS, is its responsibility to provide regular opportunities to share information and provide community education on the public art program.

### **C.4 MURALS: CRITERIA AND PROCEDURES**

The basic criteria and procedures for display of murals shall be as follows:

- C.4.1 Ensure proper maintenance of all murals



- C.4.2 Ensure heritage suitability of the proposed mural in the Heritage Conservation Districts
- C.4.3 At the discretion of CAPS, murals may be created on a temporary surface other than the wall of the proposed building location for the purposes of ease of maintenance and / or removal
- C.4.4 If a mural is proposed outside the heritage districts, the application shall be heard by the Committee of the Arts in Public Spaces and sent to Council for approval
- C.4.5 An application for a mural in a heritage district shall be considered by the Cobourg Heritage Committee (CHC) initially and then by CAPS for preparation of a recommendation to Council.
- C.4.6 Approval guidelines shall be determined by the Committee of the Arts in Public Spaces to potentially include considerations such as design, colour, size, appropriate substrate and approved purpose for the mural
- C.4.7 A distinction should be made between signage and art  
  
The Committee for Art in Public Spaces shall submit recommendations to the Cobourg Municipal Council regarding all applications for display of murals in the community.
- C.5.1 Guidelines for Interpretive Panels shall use WordImage template provided to the Committee for Art in Public Spaces; any proposals will be required to use the three (3) structure concepts provided and approved by the Committee for Art in Public Spaces which must comply with accessibility standards. Colours used shall be in line with the Cobourg Heritage Colour Palette.

## **SECTION "D"**

### **Public Art Trust Program**

#### **D.1 JURY PROCESS: OBJECTIVE ART SELECTION – PUBLIC PROPERTY**

The Public Art Policy supports the need for an objective, juried art selection process that will be democratic, have public appeal, and will produce strong artistic solutions. A juried public art competition ensures that uniform, arm's length procedures apply to all parties in the selection process. By publicizing its objectives, a competition can also stimulate community interest and education in public art.

To achieve this end:

- D.1.1 CAPS will operate public art competitions (open, staged and invitational) as their prime art selection process.
- D.1.2 A jury of impartial art professionals and community members will chose the art or artists selected for commission.
- D.1.3 CAPS members will not participate in the direct selection process to choose the art or artists selected for commission, but will review the final selections and make a recommendation to council.
- D.1.4 In adopting a publicly juried art process, the Town accepts the responsibility of public art stewardship.
- D.1.5 The act of commissioning art work, its usage and the maintenance of public art work must comply with current federal artist copyright codes. These codes are legislated by law and should be included in the successful artist's contract established with the Town of Cobourg, upon the recommendation of the Town Solicitor and working in partnership with CAPS.

#### **D.2 ARTIST ELIGIBILITY/ROSTER**

Artists will be selected on the basis of their qualifications as demonstrated by past work, appropriateness of the proposal to the particular project and its probability of successful completion.

Specifically excluded are artworks done by students under supervision of art instructors or done to satisfy course requirements; the design architect (or other relevant design professional) or members of the firm(s); Town employees.

Artists will be informed that a roster of artists, images and resumes will be established by the Public Art Program to be used in the selection of future artists to work on special projects requiring a limited or invitational selection process.

The same artist cannot receive more than two design projects in a five year period.

### **D.3 ARTIST SELECTION**

- **Open Competition:** Artists may submit requested materials from a public call for credentials. Mailing lists should be determined by advertisement or by a database of names.
- **Limited Competition:** A limited number of artists may be requested to submit materials and/or proposals for a specific project. This competition is usually employed when the project specifies a particular art form, or there are unusual time constraints. Names of artists should be submitted by the CAPS or a Selection Panel
- **Invitation:** One artist may be invited to submit a proposal. Upon acceptance of the proposal, the artist is commissioned for the project. This method is rarely employed due to possible perceptions of favouritism and other political difficulties.

### **D.4 ARTIST APPLICATION MATERIALS**

Prior to selecting the type of competition that artists should respond to, it should be determined whether or not the request will be regional, national or international.

Materials to be submitted by the artists should include:

1. A Letter of Interest, no more than one page in length, that explains the artist's particular interest in the project, applicable experience that has prepared the artist for this project, and availability to work within the established timeline. Issues to be addressed should include design team participation and experience with collaborative design.
2. A current resume.
3. Ten images of the artist's work or other visual materials that show the quality of the artist's work. Images must be in a clear plastic sheet. Each image must be numbered, the top of the image must be indicated and the artist's name included on the image. Videos cued to three minutes will be accepted, as will CD ROMs. No static work will be reviewed.

Artists submitting as teams may submit twenty images.

4. A numbered image list with the artist's name and a brief description of each image stating its title, date, medium, size, location and, if a commissioned project, the commission contract cost.
5. References required: please list at least, one design professional (architect, landscape architect, engineer, graphic designer, etc.), and two artists who have an intimate knowledge of your work and working methods. Include complete addresses and telephone numbers. For artists with no prior involvement with public art projects, please list at least two art professionals and one artist.
6. Self-addressed, stamped envelope for return of images.

## **D.5 GENERAL MANAGEMENT OF THE COLLECTION**

- D.5.1 With the establishment of a Public Arts Policy for Cobourg, the Town accepts and has consideration for the professional practice of art documentation through appropriate inventory, annual maintenance and long term care of works in public places.
- D.5.2 It is in the Town's interest to preserve the integrity and security of a work of art.
- D.5.3 The Town will ensure the development of art work collection management systems, with documentation standards and procedures modelled on museum practices and with an ongoing program of maintenance and inspection of works of art in public places.
- D.5.4 The management of the collection will be the responsibility of the Town of Cobourg through the advisory guidance of the CAPS and with the professional practice of civic staff and/or specialists as required.
- D.5.5 An inventory of current Town owned public art works and significant private works placed at publicly accessible private sites will be created and maintained through the Public Art Policy. This inventory provides information on materials, construction, location, site conditions and other information about the artwork and artist.
- D.5.6 The maintenance and insuring of public art works acquired through the Public Art Policy's programs are a civic responsibility. Therefore, the costs of maintenance and insurance of public art and privately owned art (in publicly assessable locations) will be incorporated into the purchase, donation, gifting, or legal agreements deemed appropriate to ensure the long term maintenance of the art work.
- D.5.7 The care and maintenance responsibilities will be addressed early in the objective art selection process, as part of the public review process.

## **D.6 ACCEPTANCE OF GIFTS, DONATIONS AND BEQUESTS**

- D.6.1 The Public Art Policy must oversee the process for determining acceptance for all gifts, donations and bequests of public art work made to the Town. These items may be in the form of an existing art work or a proposal for an installation of public art on civic property, to be chosen through an objective art selection process.
- D.6.2 Through the Public Art Policy, gifts, donations and bequests of public art must be considered in a manner similar to all Public Art Work proposals. The guidelines for acceptance of gifts, donations and bequests of items accepted, the criteria for acceptance, the placement of art work, acceptance of time limited loans, the procedures of documentation and the authentication of proposed art work to professional standard, are all to be developed by the CAPS.
- D.6.3 CAPS will inform Town Council on a regular basis of the acceptance of any donation, gift or bequest of artwork which is suggested to the Town.

## **D.7 DE-ACCESSIONING OF ARTWORK**

- D.7.1 CAPS will advise on the de-accessioning procedure. De-accessioning is the procedure for the removal of an art work from the public collection. It is a serious and seldom utilized procedure. Any actions or set of procedures that result in the cessation by the Town of its ownership and possession of the art work is possible, provided that disposition of the art work is not contrary to the terms on which it was received by the Town.
- D.7.2 De-accession guidelines cover the relocation, removal, destruction or disposal of public art work.

## **D.8 PUBLIC ART – PRIVATE PROPERTY**

CAPS will assist and advise owners of private property displaying public art, as requested.

## **D.9 OVERALL POLICY REVIEW CYCLE**

CAPS will review and recommend revisions of the Public Art Policy, to Cobourg Town Council on a tri-annual basis or as required.