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| SUBJECT: Public Art Policy | Policy #: | CM-2024-01 |
| | Effective date: | |
| | Amendment date: | |
| | Replaces: | |

1. Policy Statement and Scope:

This policy outlines the standards, principles and procedures related to public art in the County of Brant (“County”).

Purpose

- i. For the County, to establish a standardized and transparent process for the selection, acquisition, installation and maintenance of public art;
- ii. To provide best practice guidelines for all public art to be installed or displayed in the County.

The Arts, Culture and Heritage Officer or designate is responsible for the implementation and monitoring of the Public Art Policy and Procedures.

2. Principles:

The County recognizes that art in public spaces is an asset that enhances the quality of life for its citizens, strengthens community pride, improves the aesthetic of the public environment, and contributes to the County’s cultural, social well-being and economic vitality. Through public art we celebrate culture and heritage, reflect our diversity, express shared values, and define our unique identity. Public art supports the County’s strategic goal of building healthy and complete communities.

Public art can enliven places where people work, which can improve employee morale, productivity, and respect. It raises public awareness about important community issues, such as environmental stewardship, respect for diversity, and gives communities a stronger sense of place and identity.

Everyone has a role to play in advancing truth and reconciliation. Public art can be an entry point into this conversation; helping to restore visibility to Indigenous Communities, creating a greater sense of place and belonging, and sparking dialogue about the legacy of colonialism, and a shared path forward.

Indigenous Communities will be appropriately engaged to identify sites of significance for artwork and be involved with the public art process.

Definitions:

Acquisition refers to the process of accepting an artistic work into the County's collection of Public Art.

Artist refers to the designer/creator of an artistic work.

Borrowed refers to an artistic work that is borrowed by the County, through a loan agreement, for a defined period from a lender who owns and retains ownership of the artistic work.

Community Art refers to an artistic work created collaboratively between an artist and an identified community. Community members actively participate in the creation of artistic works. The artistic process is of equal importance to the artistic product.

De-accession refers to the process of removing an artistic work from the County's collection of Public Art.

Public Art is work in any medium that has been produced by an artist, installed in a publicly accessible space. The County's definition of public art recognizes the need for a broad framework that is inclusive of a range of artistic practices and goals, while capturing several fundamental elements and 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, video, and digital media. The artistic medium will depend on the nature and objectives of a particular program or commission. Public art can be permanent or temporary.

Public Space refers to space available for use by the public, and can include, but is not limited to, parks, boulevards, trail systems, open spaces, waterways, roads, bridges, gateways, street spaces, civic squares and exterior and interior public areas associated with buildings or structures owned, operated, occupied, or used by or for the County.

3. Procedures:

Public Art on Public County Property

The Arts, Culture and Heritage Officer or designate guides the program and assists with acquisitions, collections management, commissioning, co-ordination of the selection process, presentation, and interpretation of public property artworks. The Arts, Culture and Heritage Officer or designate is responsible for working collaboratively with various County divisions, stakeholders, and partners on an open, equitable and fair process. Appropriate departments will review and comment where required.

The public art program will build upon existing relationships between the County, artists, arts organizations, and community members in order to create opportunities for citizens to participate in the arts in the course of their daily lives.

Standards for County of Brant Owned Public Art:

Public art installed on County owned property should:

- Be respectful of the function of the existing facility or site
- Be appropriate to the physical characteristics of the site

- Not do harm or damage to location it is installed
- Provide a relationship and connection to the social and cultural identity of the immediate local community
- Be relevant and respectful of landscape design
- Be safe to the public (sightlines clear if close to road, proper secure installation, materials used not harmful)
- Not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building
- Be relevant and respectful of community design and the surrounding contextual architecture
- Aim to be resistant to vandalism
- Have technical feasibility (the work be built and installed as proposed)
- Encourage new technology and innovative art forms that facilitate public participation and interaction.
- Engage with local artists when able
- Engage with appropriate subject matter experts and community associated with art themes
- Be creative and innovative
- Be transparent, accessible and inclusive
- Payment to artists should be in accordance with North American industry standards
- Create visibility for artists from equity-seeking groups is fundamental to building a collection of public art that is inclusive of the County's diversity

Selection Process:

Choosing An Artist

The process for soliciting proposals for providing public art should:

- Attract artists from a variety of artistic disciplines
- Be meaningful, fair and equitable
- Encourage opportunities for learning, participation, and experimentation in arts and culture

Proposals for public art may be solicited through:

- Open competition
- Invited competition
- Direct award, where permitted by the County's Purchasing By-law

Public art will be selected on merit through a process informed by expertise, stakeholder and partnership engagement where appropriate, for example Indigenous art projects should involve members of Indigenous communities.

Final decisions regarding the selection and acquisition of artistic works will be recommended by the Arts, Culture and Heritage Officer or designate with County Council having final approval authority.

Each artistic work that is being considered for selection on County owned property will be evaluated according to the following criteria:

- Quality of work
- Condition of work
- Artistic reputation of the artist
- Suitability of the artistic work for display in the public space
- Relevance to the County's natural and built environment, cultural heritage, and/or history
- Authenticity of the artistic work
- Ethical and legal considerations regarding ownership

All offers of gifts, donations and bequests of artistic works will be reviewed by the Arts, Culture and Heritage Officer or designate to assess artistic merit, site suitability and context, durability and maintenance requirements, financial implications and public safety prior to any acquisition, designation, or installation as public art.

Consultation

Current public art models often include community participation in the selection process. At the discretion of the Arts, Culture and Heritage Officer or designate there may be opportunities for the community to provide meaningful input on suggested projects.

Agreements

Once hired before the artist completes design process, they should meet with Arts, Culture and Heritage staff or designate to discuss the following:

- Art project timeline
- Any limitations and/or constraints intrinsic to the project or required by the County
- Any presentations (to stakeholders, staff, Council, or community)
- A review of general guidelines and goals for the work of public art

Following the approval of the acquisition of an artistic work, the artist will enter into a written agreement with the County. This agreement will address the artist's obligations, which may include, but are not limited to scope of work, materials, timelines, installation, maintenance, warranty, copyright, and payments to sub-contractors.

This agreement would also set out the County's obligations that may include, but are not limited to: payment, adherence to the approved maintenance plan, insurance of the artistic work, community notification, and artist recognition.

After Installation

After all site preparations are made and the artwork is installed, County staff will inspect the artwork and make sure that it was built and installed properly.

An evaluation and documentation of the artwork will take place after installation. Once a post-installation site visit has been made and the work approved as installed, the maintenance program, developed by the artist in conjunction with County staff will go into effect. This process is recommended for all public art projects, permanent, community-based, and temporary.

Routine maintenance of artwork on County property is the responsibility of the County. As part of the contractual requirements, the artist should develop a maintenance program in cooperation with County Staff for the proper day-to-day care of the artwork.

Collections Management

Standard professional collections management practice will be implemented to manage the public art collection as a recognized municipal asset. Documentation of each artwork should be done including provenance, legal title, photographic documentation, materials pertaining to accession, information on the artist, location history and loan records, condition reports and conservation history.

The County shall provide insurance for the County Art Collection and sound risk management practice.

De-accessioning

De-accessioning of purchased and donated works will be conducted on a case-by-case basis.

Public Art on Private Property *(for developers and private property owners)*

Public art that is accessible in private spaces can add to the County and therefore it is favorable for private and institutional developers to include public art in their projects.

Adding public art to private property is voluntary. Private sector property owners are encouraged to integrate private artistic works into the design of private sites, buildings and/or landscaping, especially in publicly accessible and visible areas of private sites, including, but not limited to building facades, floors, ceilings, courtyards, or entrances and could include functional and decorative elements.

Depending on eligibility, public art on private property may make use of the County of Brant's Community Improvement Plans. Applications received will be reviewed by the Arts Culture and Heritage Officer or designate to ensure conformity with the below guidelines.

Guidelines:

The below guidelines can assist property owners to be knowledgeable of industry standards and best practices.

- Be respectful of the function of the existing facility or site
- Be appropriate to the physical characteristics of the site

- Not do harm or damage to location it is installed
- Provide a relationship and connection to the social and cultural identity of the immediate local community
- Be relevant and respectful of landscape design
- Be safe to the public (sightlines clear if close to road, proper secure installation, materials used not harmful)
- Not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building
- Be relevant and respectful of community design and the surrounding contextual architecture
- Aim to be resistant to vandalism
- Have technical feasibility (the work be built and installed as proposed)
- Artists should be asked to create works responsive to a specific area's culture, history, and residents, rather than proposing artworks that could be dropped into any park or neighborhood.
- Encourage new technology and innovative art forms that facilitate public participation and interaction.
- Engage with local artists when able
- Engage with appropriate subject matter experts and community associated with art themes
- Be creative and innovative
- Be transparent, accessible, and inclusive
- Payment to artists should be in accordance with North American industry standards
- Create visibility for artists from equity-seeking groups