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NOTE FOR STAFF

The Art Acquisition fund and funding from any annual funding approved for public art to be combined into one account.



Medicine Hat  
The Gas City

# PUBLIC ART POLICY

Policy Committee  
Cultural Development Advisory Board  
April 2005



## PUBLIC ART POLICY

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# PUBLIC ART POLICY

## SECTION A - INTRODUCTION

### A.1 Purpose

The purpose of this Policy is to guide the acquisition and placement of all public art located on municipal property. The intent of this Policy is to ensure a fair and consistent public selection process.

### A.2 Definition of Public Art

Public Art refers to visual works, which are displayed in public areas including, but not limited to:

- Sculpture – free standing, wall supported or suspended, kinetic, electronic in any material or combination of materials;
- Paintings or murals in any variety of materials;
- Tableaux of an illustrative nature that interprets the historical significance of a site;
- Architectural embellishments, street inlays or landscaping features with artistic intent.

### A.3 Benefits of Public Art to the City of Medicine Hat

- Creates a sense of community pride and identity.
- Contributes to economic development and tourism.
- Presents a positive image to visitors and potential residents.
- Supports the City's vision of being a "*Community of Choice*", improving the quality of life through innovation, access and creativity by exhibiting art in public places.
- Increases public appreciation and awareness of art.
- Demonstrates the City's goal to provide cultural opportunities to its citizens.
- Enables collaborations between artists, architects, engineers, and planners.
- Stimulates the creation of new artworks by inviting and encouraging artists and the public to participate in diverse art activities.

### A.4 Guiding Principles

The guiding principles of the Public Art Policy shall be that public art:

- Be accessible and encourage a diversity of artwork.
- Be integral to the municipal planning, engineering and development process.
- Provide for the conservation and ongoing maintenance of permanent pieces of public art.
- Embrace good design principles (i.e. engineering, structural, aesthetic, and safety) and comply with City Bylaws.
- Create a process for acquiring public art that is fair and equitable.
- Encourage collaboration between the public agencies, private sector and the arts community.

## **A.5 Policy Goals**

- To incorporate and integrate the public art program into the planning, design, and execution of selected municipal capital improvement projects, and that artists are included in the design development of selected capital improvement projects.
- To provide a variety of art and cultural expression in public places, based on excellence in design, innovation and creativity.
- To provide a jury process that is meaningful, fair, equitable and compatible with the development plan.
- To demonstrate, through projects, that public art enhances the City as a cultural destination.
- To provide resources for the implementation, maintenance and creation of an inventory of public art.
- To demonstrate through public art projects a sense of pride and ownership of art and cultural expression in the community.

## **SECTION B – FUNDING**

### **B.1 Funding Goals**

The goals are to provide a funding structure that provides funds for:

- Design and construction costs and/or purchases of public art work when new buildings or facilities are developed.
- New acquisitions and installations of public art in existing public spaces.
- The maintenance and conservation of existing and future acquisitions.

### **B.2 Funding Guidelines**

- The funding strategy for the public art policy should be a “Percentage of City Construction” allocation.
- The “Percentage of City Construction” is a flat rate of 1.25% of the total construction/renovation costs of Community Development, Cultural Development and Parks and Outdoor Recreation capital projects of a total not greater than \$1 million to a minimum contribution of \$12,500 and a maximum contribution of \$100,000. The .25% would be specifically allocated for ongoing maintenance costs for public art work. The art works will be exhibited in public areas and/or the artists’ designs or concepts can be incorporated into the design of the building or structure.
- The “Percentage of City Construction” is calculated on the total municipal construction/renovation costs of public buildings or facilities, including the landscaping, but excluding the cost of land purchase, design fees, furnishings and equipment.
- Selected capital constructions projects should be those with high visibility and public impact and should include: new buildings, major additions or renovations of existing buildings, park projects, engineering structures such as bridges and viaducts.
- Funds arising from the percentage of construction program are to be used to pay the cost of designing, fabricating, and installing public art work plus costs associated with the art selection process.
- Funds arising from the percent for construction allocations that total less than \$10,000 and are determined too small to provide for a specific project may be retained in a reserve account or saved for another public art initiative.
- Acquisitions may be made through: the purchasing of an existing artwork, awarding a commission to produce a new work, holding a competition or through a donation or bequest.

## **SECTION C – GOVERNANCE**

### **C.1 Establishment of a Public Art Committee**

To achieve the goals of the Public Art Policy, a Public Art Committee will be established as a sub-committee of the Arts and Heritage Advisory Board.

### **C.2 Terms of Reference for the Public Art Committee**

- To provide community input on City of Medicine Hat art policies, projects and procedures related to public art.
- To promote awareness and understanding of the importance of high quality public art.
- To provide guidance and advice to City departments, committees and boards from the earliest stages of public art projects proposed for City-owned lands and potential donations to the City.
- To assist in the development of an acquisitions policy for Public Art.
- To solicit input from the art community on public art policies.
- To encourage the development of the arts in Medicine Hat.

### **C.3 Membership**

The Public Art Committee shall be a voluntary committee, comprised of the following:

- One Alderman
- One member of the Arts and Heritage Advisory Board
- Three practicing professional artists\*
- Two community members selected by the Arts and Heritage Advisory Board
- The City Cultural Development Manager and the Curator of Art will serve as non-voting staff advisors.

This sub-committee will report to the Arts and Heritage Advisory Board, through its representative on the Public Art Committee and/or the Cultural Development Manager.

*\*The Canada Council for the Arts definition of ‘professional artist’ includes: “someone who has specialized training in the field (not necessarily in academic institutions), who is recognized by his or her peers (artists working in the same artistic tradition), who is committed to devoting more time to the artistic activity, if financially feasible, and who has a history of public presentation”.*

Members of the Committee will be appointed for a three-year term to accommodate rotation of future members. Members of Public Art Committee may not serve for more than two consecutive three-year terms.

The Public Art Committee will appoint a Chair to call and preside at the meetings, and to set agendas.

### **C.4 Reporting**

- The quorum for the meetings will consist of four (4) voting Committee members.
- The Public Art Committee will primarily use the consensus model for decision-making.
- The Public Art Committee will meet annually and at the call of the Chair.

## **C.5 Staff Support**

- Cultural Development Department will manage the Public Art Program.
- Establish and maintain a public art inventory.
- The Public Art Committee shall maintain a Public Art Inventory. The Inventory shall include the artist's name, description of the piece, photo of the artwork and estimated value.

## **C.6 Responsibilities**

### **C.6.1 City Council**

1. Approves the acquisition and placement of public works of art.

### **C.6.2 Public Art Committee**

With the assistance of City staff, the Public Art Committee will:

1. Review and make recommendations to Council, through the Arts and Heritage Advisory Board, on all proposed Public Art projects, and ensure the application of established procedures and guidelines on a project-by-project basis in consultation with appropriate municipal departments.
2. Initiate and promote a public art component at potential public art sites.
3. Advise Council, through the Arts and Heritage Advisory Board, on communication to the community on public art.
4. Through the Arts and Heritage Advisory Board, recommend to Council the de-accessioning and relocation of individual public art works.
5. Advise Council on proposed gifts, bequests, fundraising, and donations of artworks according to established policies and procedures within the Public Art Policy.

## **C.7 Code of Practice**

1. During their tenure, members of the Public Art Committee and the Juries are disqualified from submitting public art projects that are to be reviewed by the Committee.
2. Any member who deems they may have a conflict of interest shall appraise the Chair prior to the Committee's discussion on the matter.
3. Any participant in the public art process including municipal staff, Public Art Committee, members and their advisors or representatives must declare any direct or indirect benefit to themselves, or their respective employers, partners, families or associations which may arise from the Municipality's acquisition or de-accessioning of any public artwork.
4. The Chair of the Public Art Committee or his/her designate shall speak on behalf of the Committee to public press or other entities.

## **C.8 Authority/Managing Controversy /Public Information**

The Public Art Committee shall:

1. Seek advice regarding contracts, public exhibition rights, and copyright legislation through the Cultural Development Manager.
2. Promote public awareness of the public art program and provide information on its processes and activities.

## **SECTION D – SELECTION AND MANAGEMENT**

### **D.1 Jury Selection/Purpose/Selection of Art**

The Public Art Committee shall manage juried art competitions and shall decide on the criteria and terms of reference for each competition. 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.

The Jury shall consist of the following:

1. One Public Art Committee voting member.
2. At least two practicing \*professional artists.
3. At least two community members at large.

The Jury shall:

1. Know the competition guidelines or terms of reference for the project.
2. Review and vote on art submissions for the project.
3. Participate in interviews.
4. Inform the Public Art Committee, in writing, of the decision of the Jury.
5. Ensure confidentiality of artists and submissions.
6. Select the successful artists.

The vote shall be a majority of one; each Jury member has one vote. The Jury may recommend that none of the submissions fit the terms of reference or judging criteria.

### **D.2 General Collections Management/Maintenance of Public Art**

1. Care, conservation and maintenance are the responsibility of the municipality.
2. Maintenance procedures and schedules are initially developed with the artist, the municipality and the Public Art Committee.

### **D.3 Gifts, Donations, Bequests**

1. The Public Art Committee will recommend to City Council, through the Arts and Heritage Advisory Board, the development of a Policy for Gifts and Donations, Bequest of Artwork or financial contributions.
2. The Public Art Committee shall make recommendations to Council, through the Arts and Heritage Advisory Board, on the acceptance of a gift, donation or bequest.

### **D.4 De-Accessioning Public Art**

De-accessioning is the process of permanently removing, relocating to another jurisdiction, or destroying public artwork from the Public Art Collection.

The Public Art Committee will advise the Arts and Heritage Advisory Board on the de-accessioning of public art.

## **SECTION E – POLICY REVIEWS**

The Public Art Committee will review the Policy and make recommendations to the Arts and Heritage Advisory Board, as required.