

## **PUBLIC ART POLICY**

### **1.0 Policy Framework**

The City of Brampton is an expanding and dynamic city of opportunity and increasing diversity. The city has a unique heritage that can be developed into an engaging aesthetic profile. The City of Brampton Public Art Policy provides guidelines for the acquisition, preservation, and management of the city's public art assets.

Public art is a vital ingredient in the cultural fabric and streetscape of creative cities. This policy provides a framework for developing public art that:

- Builds a visually rich environment.
- Plays a role in attracting creative business and workers.
- Provides art opportunities that are freely accessible to all.
- Reflects our diverse cultural character and celebrates our living heritage.
- Encourages the growth of a culturally informed public.
- Heightens the city image and identity.

Through the creation of a Public Art Policy, the City of Brampton will provide cultural leadership, guide the evolution of a distinct and vibrant artistic character for the city's emerging public places, and ensure a visual legacy.

### **2.0 Definition of Public Art**

The Public Art Policy considers "public art" to be art that is displayed in a public space. Public art may include, but is not limited to:

- Sculptures
- Murals
- Memorials, monuments or artefacts
- Fountains or water features that contribute aesthetically to their surroundings (i.e. not spray pads)
- Hard and soft landscaping components, which are not a mere extension of the landscape architecture
- Special engineering or architectural features of existing capital projects that contribute aesthetically to their surroundings
- Community public art related to neighbourhood beautification.

Public art may be integrated into the design of the site, buildings and landscapes and ceilings or other publically accessible open spaces, such as plazas, forecourts, courtyards, colonnades or setbacks. When integrated, public art must retain an interpretive aspect, as determined by the commissioned artist, and not be a mere extension of the design of the architecture, landscape architecture, or interior design of the new development.

### **3.0 Public Art Administration and Program Development**

The Public Art Program will provide a cohesive plan under which all public art in the City is developed and procured. The program will be consistent with and have regard for and support the City's strategic directions and related strategies. The program will select works in an equitable manner and will uphold the following tenets in its operation.

- **Collaborative Approach**
  - The implementation of the Public Art Program will be a joint effort between the Brampton Arts Council (acting as representative of the arts community) and the Community Services department of the City of Brampton. Recommendations arising from this program shall be brought to the City of Brampton Flower City Committee, the administrators of the City of Brampton Public Art Collection, for approval.
- **Community Representation**
  - The Public Art Program will give greater representation to artists and the community, with regard to the selection of public art. This representation will be reflected in the membership of the Public Art Jury (see section 3.2 of this update). The Public Art Jury will replace the Artistic Advisory Review Team (AART) in the Public Art Policy, 2009.
- **Program Sustainability**
  - The Public Art Program will be funded annually by the City of Brampton to an appropriate maximum as approved by Brampton City Council to secure long term sustainability. Core funding will be sourced via capital budget dollars and when available, appropriate staff will pursue provincial and federal grants.
- **Artist Outreach**
  - The Public Art Program will strive to engage the interests of artists locally and nationally, and provide challenging opportunities for artistic development and community expression.
- **Diversity**
  - The Public Art Program will reflect diversity in all aspects of its endeavours and projects, including but not limited to:
    - Jury member selection
    - Artist selection (emerging and established)

- Installation site selection
- Style/scale/theme selection
- Traditional/experimental art forms

### **3.1 Public Art Task Force**

The Public Art Task Force will create and implement the Public Art Program. The program will provide a cohesive plan under which all public art in the City is developed and procured. The program will be consistent with and have regard for the City's strategic directions and related strategies.

Through the Public Art Program, the Public Art Task Force will administer the development of the public art collection. The Public Art Task Force will consist of representatives from:

- Community Services and the Brampton Arts Council (Program Administrators)
- Planning, Design and Development
- Flower City Committee
- Site specific project managers may be invited to temporarily join the committee on an as-needed basis, depending on the project and their involvement
- Other advisory members on an as-needed, per project basis

The Public Art Task Force will be responsible for:

- Creating the goals, objectives, themes and guidelines for the Public Art Program.
- Making recommendations to the Flower City Committee for priority projects, site selection, and artist selection.
- Making recommendations for the Public Art Program budget.
- Developing the Standard Operating Procedures to govern all public art projects and selection processes.
- Issuing calls to artists.
- Overseeing process and implementation.
- Maintaining the public art collection.
- Developing and maintaining the Public Art Program webpage.
- Receiving and approving applications for community group-driven public art projects.

The specific role that each member of the Public Art Task Force will play is outlined in the attached Terms of Reference for the Public Art Task Force (Appendix 2).

### **3.2 Public Art Jury**

Reporting to the Public Art Task Force is the Public Art Jury. The composition of the Public Art Jury will consist of core and flexible membership, and will give greater representation to artists and the community, with regard to the selection of public art. The Jury will be comprised of core and flexible membership, as such:

Core members:

- One member of the Brampton Arts Council (Jury Chair)
- One member of Community Services

- One City staff member of interest

Flexible members:

- One artist with expertise in the genre of work being juried (appointed by the Brampton Arts Council)
- One councillor or community member at large from the city ward in which the installation will take place

The role of the Public Art Jury is to evaluate all public art proposals. Based on their evaluations, the Jury will make recommendations on artist selection to the Public Art Task Force. The Public Art Task Force will take these recommendations to Flower City Committee for approval.

### **3.3 Flower City Committee**

The Public Art Task Force reports to Flower City Committee. The role of Flower City Committee is to:

- Approve the Public Art Policy.
- Approve the Public Art Program.
- Provide direction to the Public Art Task Force on the Public Art Program, including the establishment of short, medium, and long term goals.
- Approve recommendations on public art brought forward by the Public Art Task Force.

### **4.0 Public Art Program**

The Public Art Task Force will develop and administer the Public Art Program, which will be the delivery mechanism for city sanctioned public art in Brampton. It is the goal of the Public Art Task Force to establish a well-administered Public Art Program that facilitates broad and healthy community involvement in the integration of artwork in public spaces in Brampton.

#### **4.1 Project Recommendation**

For each project within the scope of the Public Art Program, the Public Art Task Force will determine the best method of artwork procurement. Before any implementation work can begin, the Task Force will bring forward to Flower City Committee a Project Parameters Recommendation for approval, consisting of the following key pieces of information:

1. Location/site selection for the installation (as per section 4.3 of the Public Art Policy)
2. Type of artwork being installed
3. Process by which the artwork will be procured (as per section 4.2 of the Public Art Policy)
4. Funding source for the project (as per section 6.0 of the Public Art Policy)

#### **4.2 Project Procurement**

Once the Project Parameters Recommendation has been received, Flower City Committee will then approve the Public Art Task Force to move forward on the project in one of four ways.

- **Purchases and Commissions:** The Public Art Task Force will solicit proposals through open competition, invited competition, or direct award. In competition, public art projects will be selected on merit through a process informed by expertise and community input. The Public Art Jury will evaluate proposals to make an artist selection. The Public Art Task Force will review the selection and make a recommendation to Flower City Committee for artist approval. (Note: The selection of Flower City Committee is subject to the approval of Committee of Council.)
  
- **Donations of Public Art:** When a public artwork is offered as a donation to the City, the Public Art Task Force will prepare a Project Parameters Recommendation for Flower City Committee approval, as outlined in section 4.1 of the updated Public Art Policy. Once this recommendation is approved, the Public Art Jury will review the donation to assess its merit and suitability. The Jury will report to the Public Art Task Force, and the Task Force will make a recommendation to Flower City Committee for procurement approval. Sites for donations of public art will be selected according to the policies of Section 4.3 of the updated Public Art Policy. Donations of public art will not impede the actions of the City of Brampton.
  
- **Art Secured Through the Development Approval Process:** The provision of public art through the developmental approval process is encouraged. Tools that the city may use to encourage public art include zoning incentive programs authorized under Section 37 of the Planning Act and the Community Improvement Plan. For any art acquired through the development approval process, the Public Art Task Force will prepare a Project Parameters Recommendation for Flower City Committee approval. Once Flower City Committee has approved, the Jury will be invited to evaluate to proposal(s). The Jury will provide the Public Art Task Force with their recommendations, which the Public Art Task Force will report to Flower City Committee for approval.
  
- **Community Outreach Public Art Projects:** The City may develop a number of initiatives to facilitate public art through community outreach.
  - The Public Art Task Force may identify sites for public art opportunities and approach the community for proposals.
  - The community may submit proposals to the Public Art Task Force for consideration.
  
- Community outreach proposals will be exempt from the Public Art Jury process, but must be reviewed by the Public Art Task Force for suitability of location and implementation, benefit to the community, and enhancement of the goals of Flower City Committee. The Public Art Task Force must recommend the community outreach project to Flower City Committee for approval, prior to any artwork commencing. Community artworks must be deemed non-offensive in their content and mural projects are to be in compliance with the City's Sign By-Law.

#### 4.3 Site Selection

With the assistance of the Public Art Task Force, Community Services will prepare a Public Art Master Plan, which will be approved by Council and guide the strategic work of the Public Art Program. A focus of the Master Plan will be the establishment of an Artwalk Program within the downtown.

Until the Public Art Master Plan is completed, Flower City Committee will select the sites for individual pieces in the Public Art Program, based on the recommendations of the Public Art Task Force, subject to the approval of Committee of Council. Priority will be given to city owned sites where the artwork can substantially enrich the public realm. Other criteria for selecting sites on private property include the location's visibility, accessibility, suitability for the specific artwork, and the potential for supporting the Artwalk Program.

#### **4.4 Placement of Public Art on Private Property**

While the public art collection shall generally be located on municipally owned public spaces, there may be occasions that the best location for an artwork is on private property. Sites shall be selected according to the policies of Section 4.3 of the updated Public Art Policy. When a project is located on private property, assurances and agreements regarding maintenance and the continued use of the property shall be provided.

#### **4.5 Implementation of Public Art**

The Public Art Task Force will oversee the implementation of public art on municipally owned public space. Implementation will include overseeing processes, contract negotiations, site planning and individual Public Art Project Plan preparation, installation, insurance for installation and long-term insurance of acquired public art on municipally owned public space. The Public Art Task Force will work directly with Community Services on the maintenance of the public art collection.

### **5. Management of the Public Art Collection**

#### **5.1 Ownership of Public Art**

The City of Brampton solely owns all public art works acquired through the Public Art Program. The City will respect the artist's right of authorship and the integrity of public art.

#### **5.2 Maintenance**

The City of Brampton shall preserve the integrity and security of public art through collection management systems, standards and procedures that include:

- The allocation of a portion of all public art project budgets to a Public Art Maintenance Reserve Fund.
- Development of an ongoing maintenance program, operated by Community Services, which is funded through the Maintenance Reserve Fund (as outlined in section 6.2 of the Public Art Policy). Eligible expenditures include:
  - Conservation and repairs, related materials and equipment.

- Relocation expenditures, transportation and installation.
- Annual inventory and documentation.
- Administration costs related to the Maintenance Program.

### **5.3 De-accession of Public Art**

The City of Brampton has the right and responsibility to de-accession public art. All reasonable efforts shall be made to rectify problems or re-site the artwork where appropriate. Reasons for de-accession include:

- Endangerment of public safety.
- Excessive repairs or maintenance, or repair is not feasible.
- Public accessibility is no longer available.
- Demolition of a structure incorporating public art or redevelopment of site incorporating public art.
- Expiry of lifespan.

## **6.0 Funding**

### **6.1 Capital Improvement Funding**

All public art projects are to be facilitated by the Public Art Program, which will be funded annually subject to Council budget approval. Funds for the program will be allocated on a per-project basis. Other City departments or external organizations may also fund projects of interest, where deemed appropriate by Flower City Committee.

### **6.2 Maintenance Reserve Funding**

The Maintenance Reserve Fund will be an operating budget residing in the Community Services department. A portion of all public art project budgets will be allocated directly into this fund, for the maintenance and preservation of the City's public art collection.