Procedure **####-P##**

Public Art Procedure Draft -August 2020

Department:	Community Services
Division:	Arts Culture and Heritage
Section/Function:	Public Art Program
Approval Level:	To be determined
Effective Date:	yyyy-mm-dd
Revision #:	Not applicable

1.0 Purpose

1.1 This Procedure support the Public Art Policy and provide guidelines to implement the City of Peterborough's Public Art Program.

1.2 This Procedure will:

- Outline the processes for developing Public Art at new and existing locations and set out roles for the City Council, City staff, the Arts, Culture and Heritage Committee (ACHAC), working groups and stakeholders;
- Ensure Art is selected using a publicly accountable process combining expert evaluation and community input;
- Assist in the creation and management of a Public Art Collection that reflects the diversity of Peterborough's citizens, enhances civic spaces and neighbourhoods and engages all Peterborough communities.

2.0 Application

2.1. This Procedure applies to City staff, volunteers, elected officials, appointed officials, committees, and working groups as well as project sponsors and partners that support or are involved in any municipal Public Art project or process.

2.2. This Procedure applies to:

a) Public Art capital projects funded entirely or in part by the City;

b) Artwork in the Public Spaces that has undergone the Public Art Program selection process, as described in this Procedure;

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c) Artwork created by Artists, Artist Teams, architects, landscape architects or Artists on Design Teams.

d) Public Art projects and initiatives developed through the planning and design stages of City construction, renovation or engineering projects; through project collaborations with City Departments across the corporation; and through the development of partnerships with community organizations and businesses, and project sponsorship

e) Artwork and initiatives that are Site Specific, Stand Alone or Integrated, and that serve an aesthetic or Functional purpose including but not limited to:

- Sculpture;
- Installation;
- Two-dimensional artforms such as paintings, drawings, prints or photography;
- Murals on walls or other surfaces such as sidewalks and roadways;
- Multi-media projects;
- Text or literary based artworks;
- Experience-based art such as performance art, readings, dance, music;
- Earthworks i.e. art that uses natural elements such as land, water, plants or wind;
- Fine craft;
- New technologies, such as digital media, film, video, light, sound, projections and virtual reality;
- Street Art;
- Community Art;
- Special Projects;

f) Permanent or Temporary Public Art;

g) Artworks created through the Public Art process, placed in Public Spaces including but not limited to:

- Neighbourhoods, vacant lots parks, playgrounds and natural spaces;
- Places where people walk such as streets, squares, promenades, pathways or bike trails;
- Unexpected spaces such as ravines, under bridges, alleyways;
- Community hubs or gathering spaces such as plazas, foyers or recreation centres;
- Public buildings and facades of both privately and municipally owned buildings (i.e. parking structures)
- Transit infrastructure, facilities and services such as tunnels and bridges, transit hubs or stops, and busses or trains;
- Street furniture or amenities such as utility boxes, light pole banners, benches;
- Non –physical locations such as Online or app based;
- Public Art Platforms;

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- Hoardings;
- Gateway locations such as community entrances, City entrances, or near major institutions (i.e. hospitals or schools).

2.3. This Procedure does not include:

a) Artwork initiated outside the Public Art Program scope and/or did not follow the City's Public Art Policy and Procedures;

b) Artwork on private land or of Beautification Projects unless developed in partnership with the City, following the City's Public Art Policy and Procedures;

c) Commemoration Projects, including plaques or interpretive panels, initiated outside the Public Art Program scope and/or did not follow the City's Public Art Policy and Procedures;

d) Art objects that are stock items or mass produced;

3.0 Definitions/Acronyms (As Required)

Accession – Means one or more objects acquired at one time from one source, constituting a single transaction between an institution and a source. An accession number is defined as the unique number given to each new acquisition as it is entered into a collection.

Acquisition – Means obtaining Public Art through Commission, purchase, donation, gift or bequest, or loan or lease.

Art – Means a work in any media created by one or more Artists.

Artist – Means a person who has specialized training in their artistic field; is recognized as a professional by their peers, is committed to their art practice; and has a history of public presentation or publication.

- **Artists on Design Teams** – Means Artists commissioned to collaborate with architects, engineers and designers during the early stages of infrastructure design to ensure the appropriate integration of artworks into the overall vision of the project or site. As a member of the design team, the Artist may identify opportunities for public art, lead or contribute to the design process, and/ or be responsible for the design in consultation with team members.

- **Artist Team** – Means an assembly of professionals with the physical resources, and knowledge of processes and materials necessary to realize an artwork, such as, but not limited to collaborations of Artists with architects, landscape architects, urban designers, planners, engineers, fabricators and foundries.

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- **Artist Mentorship** – Means an opportunity for Emerging Artists to work with an Established artist, on a project relevant to their area of work and interest.

- **Artist Residency** – Means an opportunity offered by an institution or municipality for an Artist to engage with the public and showcase their creative practice while enlivening public spaces.

- **Emerging Artist** – Means an Artist in the early years of their career that may have had some previous professional exhibitions, commissions, presentations or installations.

- **Established Artist** – Means an Artist with an extensive body of work and with history of national and international exhibitions and/or those who have achieved a wide degree of recognition.

Artist's Moral Rights – Means rights to the integrity of the work in regard to associations or modifications. They include the right to be associated with the work as its author by name, pseudonym or the right to remain anonymous. Moral Rights are non-transferable and endure even after Copyright has been assigned. The rights may be waived by the artist agreeing to not exercise them in whole or in part. Examples of violation of Moral Rights may include: An act or omission performed on the artwork that affects the honour or reputation of the artist; and changing the colour of the artwork or adorning it with additional elements. Taking steps to restore or preserve the artwork would not be included as long as this work is performed in good faith. Also, changing the location of the work does not generally constitute a violation, but in the case of works of Public Art, the exact siting may be considered part of the work.

Arts Culture and Heritage Advisory Committee (ACHAC) – Means the volunteer committee to advise and support the Arts, Culture & Heritage Division; to monitor and to guide the implementation of City plans relating to arts, cultural and heritage, and to advise Council and City departments on arts, cultural and heritage matters relating to broader planning and capital project initiatives.

Asset Management Plan — means documented information that specifies activities to be undertaken, resources to be required and timelines necessary to realize value for an individual asset or grouping of assets, to achieve the organization's asset management objectives as per the asset management procedure.

Beautification Projects – Means vibrancy or revitalization projects often initiated and lead by community members or organizations (such as BIAs) to promote business and improve functions in an area.

Best Practice – Means recommended principles based on widely accepted artistic and professional standards for the commissioning of Public Art**.**

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Capital Levy – Means the dollar amount that is raised from taxation each year that is used to finance capital works.

CARFAC – Means, Canadian Artists' Representation/ Le Front des artistes canadien (CARFAC), a federal non-profit corporation serving as the national voice for Canada's visual artists.

City – Means the Corporation of the City of Peterborough, its agencies, boards and commissions.

City Building -– Means the process by which a city grows in a manner that is holistic, so that every decision made considers potential impacts on a variety of factors, from community life and sustainability to the economy.

Civic Collection -– Means artefacts, archives, and works of Art belonging to the Corporation of the City of Peterborough. The Public Art Collection is one branch of the Civic Collection, representative of significant permanent Public Art artworks/projects, funded in whole or in part by the City.

Collections Management – Means a process of ongoing assessment of the upkeep requirements of an artwork. Through this process, the tools, timelines and actions are identified for the necessary conservation of a piece as well as education and promotional strategies to increase citizen engagement.

Commemoration – Means an intentional act of acknowledging the memory of people, places, events and ideas. If a Commemoration is created by an Artist, staged in Public Space and acquired through the municipal Public Art process it will also be a work of Public Art.

Commission – Means an order for a permanent or temporary work of art specifically produced for the City of Peterborough.

Community Benefits Charge –Means (*Definition to be added when City updates the Development Charges Bylaws and introduces new bylaws for Community Benefit Charges in 2021)

Conservation – Means a specialized activity that is intended to maintain the quality, appearance, and integrity of works of Art performed by a recognized professional. Examples include removal of graffiti or restoration.

Copyright – Means Legislation that grants the author of a work the sole right to reproduce, distribute, display, and alter their works of art. It expires 50 years after the Artist's death. It may be assigned or licensed to another individual or institution and/or it may be assigned exclusively or jointly. Copyright also extends to the use of images of the artwork for promotional or educational purposes.

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De-accession – Means the formal process to permanently remove an artwork from the Civic Collection and/or any actions that result in the City ceasing to own or possess works of Art installed in Public Spaces.

Maquette – Means a small model or study in three dimensions for either a sculptural or an architectural project.

Memorial – Means a physical marker, which may or may not be an artwork, designed specifically to honour the memory of a person, group or event.

Non- Standard Procurement– Means the Acquisition of deliverables through a process or method other than the process or method normally required for the type and value of the deliverables. Non-standard procurement processes include: a non-competitive procurement also known as a direct purchase or commission; and limited competitions where prequalified artists are invited to submit proposals.

Placemaking – Means both the philosophy behind an evolving field of practice, and a collaborative and multifaceted process that leverages arts and culture to plan, design and animate public spaces in ways that enhance our lives and interactions.

Public Art – Means an original work of Art, in any media that has been planned and executed with the specific intention of being installed or presented in a Public Space, accessible to all citizens either temporarily or permanently. For the purposes of this Policy, Public Art refers to artworks that have been commissioned by the City and/or undergone the City's Public Art selection process as defined in the Policy's related procedures. It encompasses an evolving variety of forms or approaches to art making reflecting contemporary Best Practices, and may be created by Artists, architects, landscape architects or Design Teams lead by Artists or in collaboration with Artists. Depending upon its form, artworks acquired following the City of Peterborough's Public Art Policy and Procedures are considered part of the Civic Collection.

- **Community Art** – Means artworks produced through activity led by an Artist and the involvement of the community who contribute a variety of talents, to design and create a Public Art piece.

- **Functional Art** – Means artworks which have a functional component such as benches, bike racks, playground equipment or windscreens.

- **Hoarding Art** – Means temporary artwork installed on, around or near a development or construction site.

- **Integrated Public Art** – Means artwork integrated into architecture and landscape features to enhance urban design and the development of public spaces. The artwork

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may form a physical part of a building, structure or landscape. As such, if the site were to be redeveloped, the Art would be as well.

- **Interactive Art** – Means artworks such as kinetic works or artworks triggered by human interaction.

- **Public Art Platform** – Means a place in a Public Space reserved for the regular and temporary exhibit of new works of Art. A Public Art Platform can take many forms including a physical podium, such as a bus shelter, a sanctioned street art wall or a digital screen.

- **Site-specific Art** – Means artworks in any media created for specific locations**,** in response to the immediate surroundings, the local site narrative, or context. It may be permanent or Temporary, Functional, Interactive, Standalone or Integrated.

- **Special Projects**– Means projects that encourage artists to explore the process of creating Art through alternative approaches such as Artist Residencies or Mentorships.

- **Stand-alone Public Art** – Means artworks that are not a physical part of the building, structure that informs its design or concept.

- **Street Art** – Means artworks historically developed or executed in unsanctioned Public Spaces or locations including but not limited to, traditional graffiti, stencil graffiti, sticker art, wheat pasting, video projection, art intervention, flash mobbing, street installations, poster art, LED art, mosaic tiling, and yarn-bombing.

- **Temporary Public Art** – Means artworks created for a specific occasion, event or limited time frame. Temporary Public Art includes, but is not limited to, the visual arts, Street Art, digital, sound art, and performance or pop-ups. Temporary Public Art will only be maintained if damages occur within the intended life span of the project or initiative.

Public Art Collection – Means works of Art belonging to the Corporation of the City of Peterborough. The Public Art ollection is one branch of the Civic Collection, representative of significant permanent Public Art artworks/projects, funded in whole or in part by the City.

Public Art Competition – Means a contest which offers Artists the opportunity to compete for a Commission of a permanent or temporary work of Art.

Public Art Plan – Means an annual prioritized list of the City's Public Art projects and initiatives with budgets, curatorial themes and project approaches determined for each site.

Public Art Program – Means the management framework, within the larger portfolio of City's Arts, Culture and Heritage Division, responsible for the overall direction, implementation and

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administration of the Public Art Policy and Procedures, and integration of Public Art into Public Spaces throughout the City of Peterborough.

Public Art Reserve Fund– Means an interest-bearing reserve, accrued through private development contributions and Community Benefits Charges* as well as donations from private and public groups and individuals, to serve as an additional source of Public Art funding. The Public Art Reserve Fund will provide a source of funding for new Public Art projects and initiatives.

Public Art Working Group – Means a team to span planning, development and culture (comprised of artists, art professionals, informed community members and/or designated staff from departments and/or divisions across the corporation) to foster collaborations and dialogue regarding Public Art, identify applicable capital projects and priorities, provide input into plans corporate policy and terms of reference for Public Art projects and to provide advice and coordination as needed throughout the year to ensure success of the Public Art Program.

Public Spaces -– Means any publicly seen structures, or areas within City property accessible to the general public. For the purposes of the Public Art Policy and Procedure, it refers to spaces which fall under City jurisdiction, approved by the City as viable sites for Public Art projects and initiatives, funded in whole or in part by the City. These can include municipal streets, lanes, squares, plazas, sidewalks, trails, parks, open spaces waterfronts, public transit systems, conservation areas, civic buildings and institutions.

Roster – Means an active list of individuals that have been pre-selected to perform work such as serving on a Public Art Working Group, selection committee/ review panel, or in the case of an Artist Roster to be an available resource for Public Art projects and initiatives

4.0 Public Art Program

4.1. Public Art Program

The Public Art Policy enables a Public Art Program to direct the integration of Public Art into Public Spaces and facilitate the development, management and stewardship of the Public Art Collection, while enhancing communication and raising the profile of the program. The scope of the program will cover the entire city of Peterborough**.**

4.2. Public Art Program Goals

a) To enrich the community by means of Public Art;

b) To create or define important memorable places in the civic landscape;

c) To raise awareness and understanding of the importance of Public Art in the City;

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d) To provide leadership in Public Art planning and enshrine its inclusion in the public and private sector;

e) To ensure the outstanding quality of the Public Art Collection, its relevance to and inspirational capacity for the community by selecting it through an arms-length process that incorporates community input and professional advice;

f) To increase opportunities for Artists to enhance the design of the public realm;

g) To incorporate diversity into the Public Art Program including artist and committee member selection, site selection, media, scale and style of artwork, through experimentation with new forms as well as traditional forms and through the work of Emerging as well as Established Artists.

h) To ensure an equitable, transparent and accountable process that meets Best Practice standards in the field;

i) To ensure that Public Art is maintained in a manner that will allow for continued public access to, and enjoyment of the artworks in appropriate settings.

4.3 Public Art Program Guiding Principles

The City of Peterborough's Public Art Policy and Procedures are embedded in the Public Art Program and aligned with the approach to leadership and governance set out in the Municipal Cultural Plan. The Public Art Program shall uphold the following principles:

Innovation & Responsiveness
Public Art is a fundamental part of Placemaking and City Building. The Public Art Program will cultivate a wide range of Public Art projects, initiatives and opportunities entwined with all levels of municipal decision making, to create outlets for artistic expression and growth, increase citizen engagement and heighten the impact of Public Art across the entire City.

Sustainability
The Public Art Program will pursue robust and sustainable funding, and provide strategic planning to responsibly develop, maintain and preserve the Civic Collection for the continued access to and enjoyment of the public.

Excellence and Leadership
The Public Art Program shall strive for excellence to position the City of Peterborough as a leader in Best Practice. Public Art projects and initiatives shall be chosen for their artistic merit and unique contribution to the City.

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Collaboration and Inclusivity
The Public Art Program will:

- uphold the City's commitment to accessibility in the community: to meet the diverse needs of all people and follow the principles of dignity, independence, integration, and equal opportunity;
- encourage community engagement and create a variety of opportunities for public input and involvement, and through programming initiatives across the entire City: urban core, intensification areas, transit corridors and hubs, rural and natural areas;
- encourage private sector partnerships and participation from other levels of government;
- incorporate diversity into all aspects of the program including artist and committee member selection, site selection, media, scale and style of artwork, through experimentation with new art forms as well as traditional forms, and through the work of Emerging as well as Established artists from across the country.

Transparency
The Public Art Program will rely on open, transparent and respectful processes demonstrating clear connections between policy, procedure and practice. All projects will be selected through a fair and competitive arm's length selection process, incorporating community input and expert advice.

Stewardship

The Public Art Program will accommodate new circumstances, support a cross-pollination of ideas and seek strategic partnerships to contribute to and compliment the City's Community Sustainability Plan: "to balance the needs of the environment, society, culture and economy."

4.4 Governance Structure

The Public Art Program governance relies on the integrated expertise, oversight and direction of City staff and the Arts Culture and Heritage Advisory Committee (ACHAC) in collaboration with internal and external stakeholders such as Public Art Working Groups and Selection Panels.

All Committees and Public Art Working Groups will review strategies, and advise on guidelines, plans and issues in accordance with the Public Art Policy and Procedures and their respective terms of reference.

Conflict of Interest

Any participant in the City's Public Art processes, including staff, members of the ACHAC and

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associated working groups, their advisors or representatives, project partners or sponsors must declare any direct or indirect benefit to themselves, or their respective employers, partners, families or associates, which may arise from the City's Acquisition or De-accession of any public artwork or related activities, and will be required to remove themselves from such processes.

Code of Conduct

Any participant in the City's Public Art processes, including staff, members of the ACHAC and associated Public Art Working Groups, their advisors or representatives, project partners or sponsors are expected to be respectful and work cooperatively to achieve the common goals of the Public Art Program.

Committees, Working Groups and Panels are drawn from the spectrum of community interests. The expectation is that each member will conduct himself in the best interest of the community and the Public Art Program, and not use their influence or personal position for private gain or favour.

Roles and Responsibilities

Arts Culture and Heritage Division

The Arts Culture and Heritage Division/ Community Services have the responsibility for the management of the Public Art Program within a larger portfolio of the division's work. The responsibilities related to the Public Art Program include:

Program Management:

- Reporting on the Public Art Program to senior staff, City Council, the Arts Culture and Heritage Advisory Committee and its Public Art Working Groups;
- Chairing the Public Art Working Groups;
- Participating in capital planning meetings and Working Groups regarding the inclusion of Public Art in key City projects;
- Overseeing the management, development, monitoring and evaluation of the Public Art Program;
- Managing the program's capital and operating budgets including the Public Art Reserve and Maintenance Operating Funds;
- Managing the Public Art Facilitator;
- Reviewing City strategies, planning documents including Official Plan updates, site plan/ development applications, and/or developer agreements to advise on potential for Public Art opportunities;
- Providing advice, input and information to public or private developers regarding their provision of Public Art;

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- Participating in peer group meetings (e.g. municipal staff public art roundtables) to ensure consistency with other municipalities and to benefit from emerging practices; and
- Managing artist contracts, approvals, purchase orders and payments.

Program Facilitation

- Implementing the Public Art Program (site selection, project management, developing project budgets, terms of reference, work plans, approvals and deliverables; providing reports as required);
- Reviewing City strategies, planning documents including Official Plan updates, site plan/ development applications, and/or developer agreements to advise on potential for Public Art opportunities;
- Providing advice, input and information to public or private developers regarding their provision of Public Art;
- Participating in peer group meetings (e.g. municipal staff public art roundtables) to ensure consistency with other municipalities and to benefit from emerging practices.
- Managing Art Acquisition processes, (developing Artist call for proposals, developing terms of reference for Artist selection and participation in Public Art projects; coordinating selection panels, technical reviews and approvals and unveiling or ribbon cutting ceremonies);
- Developing and facilitating Artist contracts, approvals, purchase orders and payments;
- Coordinating between the Artist, City departments, communities and agencies;
- Liaising with City staff to coordinate Public Art projects and initiatives including the departments represented in the Interdepartmental Public Art Working Group as well as Communications, Finance, Legal and others as necessary;
- Fostering community partnerships and stakeholder support to develop Public Art Working Groups and engage collaborative participation in the Public Art Program (i.e. local organizations, private sector sponsors and other levels of government);
- Maintaining the Public Art inventory, including regular conditions reports, as well as processing and documenting new items and items being removed from the collection;
- Managing the Public Art Collection as one collection node within the larger Civic Collection, including Acquisitions, maintenance, conservation, research, interpretation and de-accessions;
- Providing community outreach, education and communication plans and programs to increase awareness of the of the Public Art Program.

Arts Culture and Heritage Advisory Committee (ACHAC)

The Arts, Culture & Heritage Advisory Committee advises and supports the Arts, Culture & Heritage Division, monitors and guides the implementation of City plans relating to arts, cultural and heritage, and advises Council and City Departments on arts, cultural and heritage matters relating to broader planning and capital project initiatives. The responsibilities related

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to the Public Art Program include reviewing strategies, policies and plans in order to make recommendations to staff and achieve excellence in Art in the public realm.

Public Art Working Groups

From time to time, the ACHAC may wish to form external Public Art Working Groups. As a subcommittee of ACHAC, any such group will act as resource and provide advice as needed to ensure success of the Public Art Program.

Local recognized arts and design professionals, and community members interested in being part of an external Public Art Working Group are invited to apply to be included in the Friends of Public Art Roster. Applications are accepted through the City Clerk's Office when vacancies on advisory committees are advertised. Arts Culture and Heritage staff and ACHAC will assess, recommend and appoint candidates based on relevant experience, demonstrated understanding of contemporary art, Public Art, and the community as it relates to potential Public Art projects and planning. City Staff will issue calls for inclusion and update the Roster as needed. Art dealers will not be invited to participate due to potential conflict of interest.

External Public Art Working Groups will consist of professionals and community members who have an interest or expertise in Art, Public Art, architecture, planning, building construction, cultural tourism or history. Members may include the following and will depend on the program requirements:

- Artists
- Conservators and Curators
- Architects
- Design Professionals
- Engineers
- Business Representatives
- Community Representatives

The role of any External Public Art Working Group is to support ACHAC, i.e.:

- Recommend project priorities and provide informed comment on the implementation of the Public Art Program;
- Assist in the development of short and long-term Public Art workflows;
- Propose and support City programs, initiatives and events that benefit and advance Public Art in the City.

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Municipal Interdepartmental Public Art Working Group

An Interdepartmental Public Art Working Group will meet with Arts, Culture and Heritage Staff as needed (not to exceed four times) to identify applicable capital projects and priorities annually, and to provide advice and coordination as needed to ensure success of the Public Art Program. This Working Group will be comprised of designated staff from departments and/or divisions across the corporation. Members of this group may include the following and change to meet program requirements:

- Accessibility;
- Public Works;
- Engineering and Construction;
- Recreation;
- Facilities Management & Construction Services;
- Infrastructure and Planning, Building and Licensing;
- Transportation Services;
- Social Services;
- Sustainability and Environmental Protection;
- Geomatics and Mapping;
- Legal Services, and
- Arts, Culture and Heritage Division

The Municipal Interdepartmental Public Art Working Group's role is to:

- Provide input into Public Art Plans, policies and terms of reference for Public Art projects and programs;
- Advise the Arts, Culture and Heritage Manager and the Public Art Facilitator about significant capital projects and plans in their department that may be appropriate for Public Art opportunities;
- As needed, act as technical advisors to Art Selection Committees or Review Panels, or designate another appropriate staff member from their department;
- Provide advice and coordination assistance for the development of public artwork from concept to installation;
- Advise on opportunities for Public Art within private developments; and
- Serve as ambassadors for the Public Art Program within their respective departments.

Public Art Selection Committees and Review Panels

For each Public Art project, initiative or acquisition a Selection Committee or Review Panel representing a diversity of artistic and cultural practices and expertise, will be recommended and assembled by Public Art Program Staff and ACHAC. The size of the committee or panel will vary depending upon a project's parameters but will typically consist of five voting members including representation from ACHAC, Public Art Working Groups and three

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members from the community at large, and non-voting advisors as needed to provide technical information or community advice. Each Selection Committee or Review Panel serves through the completion of one Public Art project.

Selection Committees review multiple submissions dependant on the form of the call and recommend one artist/proposal or a shortlist of artist/ proposals.

Panels review a single submission to ensure that it meets with the goals and objectives of the Public Art Program and terms of reference specific to a project, initiative or opportunity.

Local recognized arts and design professionals, and community members interested in participating in a Public Art selection process are invited to apply to be included on a Selection Committee/Review Panel Roster. Applications are accepted through the City Clerk's Office when vacancies on advisory committees are advertised. Arts, Culture and Heritage staff and ACHAC and will assess and recommend candidates based on relevant experience, demonstrated understanding of contemporary Art, Public Art, and the community as it relates to potential Public Art projects. City staff will issue calls for inclusion and update the Roster as needed. Art dealers will not be invited to participate in due to potential conflict of interest.

Public Art Project Sponsor

From time to time, the City may seek sponsorship support for a Public Art project or initiative.

- In exchange for sponsorship support of a Public Art Project or Initiative, the sponsor may receive profile, recognition, access, naming rights, or some other benefits as approved by delegated authorities outlined in the Public Art Policy and Corporate Sponsorship Policy.
- Projects will only proceed after the sponsor has demonstrated their ability to support the project through a transfer of the all funds to the City, or through the creation of a benchmark payment agreement.
- If the Artwork is sponsored by a third party, or multiple third parties, it is with the full knowledge and mutual consent of the Artist and the City.

Council

The Mayor, Council and Committees of Council are arms-length of any Public Art acquisition process. Their role is to perform the following functions or empower staff to do so on Council's behalf:

- Review and approve the City of Peterborough's Public Art Policy;
- And approve negotiated agreements with private developers that may contain sections related to the to the provision of Public Art, where applicable.

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4.5 Public Art Program Scope and Strategic Directions

Public Art is an original work of Art, in any media that has been planned and executed with the specific intention of being installed or presented in a Public Space, accessible to all citizens either temporarily or permanently. It encompasses an evolving variety of forms or approaches to art making reflecting contemporary Best Practices, and may be created by Artists, architects, landscape architects or Design Teams lead by Artists or in collaboration with Artists.

For the purposes of this Public Art Policy and this Procedure, Public Art refers to artworks that have been commissioned by the City of Peterborough and undergone the municipal Public Art Program selection process. Depending upon its form and the intended duration, artworks acquired through the Peterborough's Public Art Program will be included and maintained as part of the Civic Collection.

The scope of the Public Art Program includes five main areas: Public Art Capital Projects; Temporary Public Art Projects; Public Art Development and Arts Sector Advancement Program; Community Based Public Art Projects; and Special Projects.

a) Public Art Capital Projects:
Major permanent Public Art projects and initiatives integrated into the City's annual budget process and developed as a distinct component of a capital project through the planning and design stages of City construction, renovation or engineering projects; through project collaborations with City Departments across the corporation; and through the development of partnerships with community organizations and businesses, and project sponsorship. This work will become part of the Civic Collection.

b) Temporary Public Art Projects:
Artworks, installations or initiatives commissioned for a specific occasion, event or limited time frame. Temporary Public Art includes, but is not limited to, the visual arts, digital, sound art, performance or pop-ups and the establishment of Public Art Platforms, such as a Street Art or Hoarding Art walls to exhibit rotating displays of art. Temporary Public Art will not become part of the Civic Collection and only be maintained if damages occur within the intended life span of the project or initiative.

c) Public Art Development and Arts Sector Advancement Program:
Public Art opportunities created by encouraging provisions for Public Art in significant development and construction projects through the urban design and land use planning and/or Community Benefits Charge* process; and by commissioning Artists to collaborate with architects, engineers and designers during the early stages of infrastructure design. As a member of the design team, the Artist contributes to the overall design process, may identify opportunities for Public Art or be responsible for the overall design in consultation with team members.

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The Public Art Development and Arts Sector Advancement Program will assist private developers and other public entities acquire Public Art, increase the reach of the Public Art Program, create employment opportunities for artists working in a wide range of disciplines, and expand the presence of Public Art in neighbourhoods and communities across the city

d) Community Based Public Art Projects:
Artworks produced by a self-defined community through collaborative creative expression and activity led by a professional practicing artist. This work will not become part of the Civic Collection.

e) Special Projects:
Public Art projects and initiatives that encourage artists to explore the process of creating art through alternative approaches such as Artist Residencies and Artist Mentorships, or Artist-initiated and community-initiated projects where Artists are invited to submit proposals for concept and locations of their own choosing.

5.0 Procedures

Section 5.0 details procedures to implement the Public Art Program. It is comprised of the following subsections: Public Art Program Funding and Financial Procedures; Public Art Program and Project Planning; Public Art Acquisition and Commission Procedures; Acceptance of Gifts, Donations, or Bequests; Collections Management; Monitoring of the Public Art Policy and Program; Public Art Policy and Procedure Review.

5.1 Public Art Program Funding and Financial Procedures

The Public Art Policy provides a consistent and coordinated funding approach to facilitate the successful implementation of the Public Art Program.

The Public Art Program will be financed by:

a) Annual Funds secured by using the "percentage for Public Art" strategy, such that the percentage reflects a goal of 1% of the annual Capital Levy for the City's annual capital budget process. These funds will be allocated to the Public Art General Account for use in any project planning cycle. The City allocates an additional $10,000 annually to the Maintenance Operating Fund for future maintenance and conservation. An additional 10% of each relevant Public Art project budget will be transferred to the Maintenance Operating Fund. Any unspent project funds within a given year will be transferred to the Public Art Reserve Fund.

b) Funds and resources for Public Art leveraged through project collaborations with departments across the corporation. These funds will be earmarked as early as possible

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in the planning stages, and subsequently transferred to the relevant Public Art project account.

c) Funds raised through the development of partnerships with local organizations and businesses, and project sponsorship. Projects will only proceed after the sponsor has demonstrated their ability to support the project through a transfer of the all funds to project account held by the City, or through the creation of a benchmark payment agreement.

d) Funds raised through public and private contributions, gifts and donations. All such funds will be held in a Public Art Reserve Fund to finance and/or maintain Public Art projects at the discretion of the Arts Culture and Heritage Division.

e) Funds raised through Community Benefit Charges* and Provisions of the Planning Act and recommendations related to developer contributions for Public Art. These funds will be either allocated to the relevant Public Art project account or held in the Public Art Reserve Fund.

5.2 Public Art Program Workflows and Project Planning

Public Art Work Plans

Arts Culture and Heritage staff will work with the Arts Culture and Heritage Advisory Committee (ACHAC) and internal and external working groups to develop a 2-5-year Work Plan for the implementation of the Public Art Program.

The Work Plan will:

a) Include an assessment of the status of the Public Art Collection (Collection management, Conservation and maintenance issues);

b) Consider the Public Art Program scope and strategic directions;

c) Identify City and/or community planned projects which are slated to occur over the next 2-5 years, and which would be appropriate for public art involvement;

d) Align with key City plans and strategies;

e) Support Public Art in design, planning and decision-making processes across the corporation;

f) Consider possible sites, and concepts for Public Art projects and initiatives to occur over the next 2-5 years;

g) Include a multi-year budget to support these projects ensuring that funds are responsibly spread over a long period of time;

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h) Include a schedule to articulate timing and a phased implementation workflow (2-5 year) of various projects that accounts for infrastructure risk and emerging opportunities and supports a diversity of projects and initiatives equitably distributed across the City.

Project Identification

Arts Culture and Heritage staff in consultation with ACHAC and internal and external working groups will identify Public Art opportunities according to the following criteria:

a) Projects should have a high degree of public visibility, use or public impact and lend themselves to an Artist's intervention;

b) Projects should enrich the City's Public Art Collection;

c) Public Art project should advance a project's goals or readily achieve other stated civic objectives;

d) Projects should take into consideration factors such as: the presence of other Artworks or amenities in the area; the opportunity for an art project to respond successfully to a need identified in the community; or the availability of other funding.

Site Selection Criteria

Sites that best fit the Site Selection Criteria will be prioritized annually to fit within the funding available for the City's Public Art Program.

Public Art sites for City projects will be selected based on the following criteria:

a) Sites for Public Art will be accessible; visible; compatible with the site's current and potential uses; and compatible with surrounding sites and adjacent Public Art. Sites must be able to accommodate work, be safe and meet all required standards
b) Public Art will be located in a diversity of sites across the city including but not limited to:
- Neighbourhoods, vacant lots parks, playgrounds and natural spaces;
- Places where people walk such as streets, squares, promenades, pathways or bike trails;
- Unexpected spaces such as ravines, under bridges, alleyways;
- Community hubs or gathering spaces such as plazas, foyers or recreation centres;
- Public buildings and facades of both privately and municipally owned buildings (i.e. parking structures)
- Transit infrastructure, facilities and services such as tunnels and bridges, transit hubs or stops, and busses or trains;
- Street furniture or amenities such as utility boxes, light pole banners, benches;
- Non –physical locations such as Online or app based;
- Public Art Platforms;

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- Hoardings;
- Gateway locations such as community entrances, City entrances, or near major institutions (i.e. hospitals or schools).

c) The City will consider sites suitable for large-scale projects as well as smaller-scale projects and initiatives.

Public Art Project Planning

Arts Culture and Heritage staff will work with ACHAC and internal and external working groups to prepare Public Art Project Plans for projects entering development.

Public Art Project Plans should:

a) Address the policies and guidelines of the Public Art Program and its stated program goals and strategic directions.

b) Be drafted at the earliest possible stage to create a well-balanced plan, which can be successfully integrated with the timing of the overall civic, community or private development project, and adapted for a multi-phased development to offer a variety of artwork sites and opportunities.

c) Itemize and describe the selected Public Art site(s) and concept; budget allocations, partnership, co-production or sponsorship parameters, terms of reference for site and artist selection; schedule for a sequenced design process, construction, installation, and documentation; public participation proposed; progress reports; anticipated needs for property dedication or encroachment; and proposed maintenance plan.

City-initiated Public Art Projects

The following is the process for selection and prioritizing Public Art Capital Projects as well opportunities created through the Public Art Development and Arts Sector Advancement Program.

a) Capital projects are selected for each department through their regular capital planning process (annual, four-year or five-year cycles depending on the department?).
b) The department representatives of the Interdepartmental Public Art Working Group share their capital work plan, with a recommended shortlist of sites or projects that may be compatible with a Public Art Commission or and/or serve as an opportunity for artists to collaborate with architects, engineers and designers during the early stages of infrastructure design.

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c) The Interdepartmental Public Art Working Group and external Public Art Working Group meet to determine which sites, projects or initiatives they recommend to fit within the annual public art funding envelope.
d) Arts, Culture and Heritage staff will take the agreed list, consult as needed with Working Groups, and develop the Public Art Plan which will include the budget for Public Art for each site and the project approach
e) Arts, Culture and Heritage staff will take the recommendations to Interdepartmental Public Art Working Group, External Public Art Working Group, Arts Culture and Heritage Advisory Committee, and City Council for approval.
f) Arts, Culture and Heritage staff will manage Public Art projects, coordinating with the relevant department and Project Manager, for sites as approved by Council.

Community-initiated Public Art Projects

From time to time the Public Art Program will allocate funds specifically for Community- based Public Art Projects, such as Beautifications Projects and/or Special Projects where interested parties/Artists are invited to submit proposals for concepts and locations of their own choosing.

Any request for funding or permission for Public Art in a City building or space from an Artist, curator, community member and/or organization, to City staff or Council members should be referred to the Arts Culture and Heritage Division who will inform the party how and when to apply.

The following is the process for selection and prioritizing projects initiated by the community:

a) Arts, Culture and Heritage staff will initiate a call for artist/curator-initiated and community-initiated projects and collaborations.
b) Public Art Program staff will provide support and advise applicants on their proposal, in coordination with other departments as appropriate.
c) An Art Selection Committee will review applications against criteria outlined in this Procedure and based on the Public Art Policy, Program and City priorities, as well as technical input from relevant departments.
d) Successful applicants may receive assistance with permissions and other municipal procedures.

5.3 Public Art Acquisition and Commission Processes

Public Art Acquisitions and Commissions, including gifts of artwork are normally selected through a review process. The intent is to ensure that artists, proposals and initiatives are selected on merit by a process informed by expertise and community input. Acquisitions of Public Art rests with the Public Art Program within the Arts Culture and Heritage Division.

The Public Art Program will ensure a fair, informed and competitive process to identify Artists for Public Art Commissions, opportunities or special projects, or artworks for purchase or

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donations, and will only acquire artwork as part of the City's Public Art Collection with prior review by the ACHAC.

Competition Standards and Methods

Public Art Competitions are the means used to identify an Artist or Artist Team for a Public Art Commission, opportunity or initiative. Competitions can be one or two stages, depending upon the parameters of the project and competition objectives. For each stage, a schedule and requirements are outlined in a project terms of reference at the launch of the competition.

In keeping with the City of Peterborough's Procurement Policy, Art may be acquired, or Artists may be selected through open competitions, invitational competitions, or direct commissions. The appropriate competition method will be determined by Arts Culture and Heritage staff in consultation with ACHAC, and when necessary the Commissioner of Community Services or their designate.

Open Competition: Open competitions are a democratic way of engaging a wide range of artists to participate in a Public Art Competition. They are widely advertised requests for proposals or qualifications (RFP/RFQ).

Invitational Competition: An invitational competition shall be used where there is a short timeline and/or a specialized opportunity. A review panel or a curator may be asked to advise and recommend artists for an invitational call.

Direct Commission or Direct Purchase: This is Non-Standard Procurement method whereby an Artist may be selected and directly commissioned where they have very specific skills and experience applicable to a project. A review panel may be convened, or an external curator selected to review portfolios and confirm the artist or artwork selection. A direct Commission or direct purchase may also be facilitated for smaller projects by establishing a pre-approved Roster of Artists that are selected every two to three years through an open competition. After consulting with curators and/or other art professionals, and relevant working groups an invitation to submit a project proposal based on their past experience and skills is issued to a specific Artist or artist team.

Forms of Artist Calls

A Call to Artists is a document that describes a Public Art opportunity and invites artists to apply such as a request for proposals or qualifications (RFP/RFQ).

Request for Qualifications (RFQ): An RFQ will ask artists to submit a curriculum vitae; examples of previous work, and an expression of interest (EOI) or short narrative about why a site or project is important or interesting to them. The RFQ submissions will be reviewed by a Selection Committee. An RFQ process may be used for a single stage artist selection or the first stage of a two-stage selection process.

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Request for Proposals (RFP): An Artist call soliciting a concept proposal for a Public Art project. An RFP process may be used for a single stage selection or as the second stage of a two-stage selection process. In a two-stage process, the selection committee will compile a shortlist of artists based on their response to an RFQ. Short-listed artists will be invited to further develop and present their proposals in the second stage.

Two-stage Process A two-stage process builds time into the selection process, enabling Artists invited to Stage II to better understand, respect and respond to the site and the community and use that knowledge in the development of a detailed proposal and Maquette or schematic drawing. Each short-listed Artist will be compensated for the development of detailed proposals in response to the terms of reference in an RFP. Responses to an RFP are reviewed by an Art Selection Committee and a single Artist is selected.

Remuneration. It is the City's practice to pay Artists for their time where there is an Artist selection process of two stages. The CARFAC Minimum Fee Schedule will be used to determine an appropriate amount to be paid to all short-listed artists.

Inclusivity

The Public Art Program seeks to embody the values, policies and practices that ensure that all people—including but not limited to those who have been historically underrepresented based on age, race/ethnicity, gender, gender identity, disability, sexual orientation, socioeconomic status, geography, or religion—are represented in the planning and production of art in public places.

Restrictions

Anyone involved in a project development team is not eligible to apply to Artist Calls. Artists that are already under contract with the City in a Public Art project are ineligible for other projects until the current contract is deemed complete.

Public Art Selection Committees and Review Panels

All potential Public Art acquisitions or donations are reviewed by a Public Art Selection Committee or Review Panel representing a diversity of artistic and cultural practices and expertise.

Selection Committees or Review Panels typically consist of five voting members, with the majority being qualified art and design experts including: representation from ACHAC and Public Art Working Groups; three members from the community at large; and non-voting advisors as needed to supply technical information or community advice.

Depending on the scope of a project, the committee or panel composition will include recognized arts and design professionals such as practicing artists, curators, art critics, art

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educators, engineers, architects and/ or landscape architects. The review process may also provide for neighbourhood input or representation on the selection committee from a local association, business or resident. Art dealers will not be invited to participate in a review process due to potential conflict of interest.

Relevant City staff and other experts may attend adjudication sessions, as applicable to the project, to act as a resource to the selection committee providing technical review and analysis of proposals as they relate to the ability of the City to maintain and/or accommodate the proposed artworks. Public Art Program staff will facilitate and chair the review process.

Terms of reference for each competition and selection committee composition will be set by Arts Culture and Heritage staff and ACHAC as early as possible in the project development stage.

Selection Considerations and Criteria

a) Evaluation Considerations

The selection committee's role is to select the best proposal by an Artist, architect or Artist Team that meets the competition's parameters as outlined in the project's call for proposal.

The selection committee's its technical advisors may take curatorial considerations, safety/liability, risk management, maintenance and conservation considerations such as the proposal's materials, construction, intended durability, public access, and environmental sustainability and the Public Art Collection a whole when evaluating Artists' proposals.

b) Selection Criteria

Artists and proposals will be selected for recommendation to staff by the selection committee's majority vote on the basis of:

- Artistic excellence;
- Artist's professional qualifications and relevant working experience;
- Artist's project management experience and capacity to work in demanding environments with communities and other design professionals where applicable;
- Artist's proven capability to successfully complete the project and potential to comprehend, assess and interpret relevant technical requirements;
- Appropriateness of the proposal to the project terms of reference and ability to advance the Public Art Program goals;
- Appropriateness to the site and community context;
- Technical feasibility, budget, timeline and probability of success;
- Maintenance and conservation considerations.

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Selection Process

a) The Art Selection Committee will be responsible for selecting an Artist for a commission or an artwork for purchase following the selection criteria.
b) A Selection Committee may determine that none of the submissions fulfill the project criteria. In this case, the selection process may, with the advice of ACHAC, be re-opened.
c) Public Art Program staff will report the Selection Committee's recommendation to ACHAC pending technical review.
d) All recommendations will remain confidential until the City announces the results.
e) Documentation of the selection process will be maintained in compliance with by-law 12-156, the City's by-law for record retention.

Technical Review

Arts Culture and Heritage staff will ensure all recommended proposals are reviewed prior to final project approval for accessibility, safety and liability, compliance with City by-laws and requirements, technical feasibility, environmental impact, cost, maintenance and other considerations as needed. The Technical Review Committee looks at feasibility, maintenance and other logistical details and does not make final decisions, nor do they review work on an aesthetic basis. Final selection will not be made or announced until any issues are resolved. If the City decides against selecting a proposal, City staff will notify the Arts Culture and Heritage Committee.

Final Project/Proposal Approval

The ACHAC will review the Selection Committee's decision along with City staff, and relevant Working Groups as needed, and prepare a motion for City Council. City staff will make a recommendation for consideration to City Council on the proposal and prepare a report with City Council's final decision.

Artist Contracts and Agreements

Artists selected for Public Art projects and initiatives will be required to enter into a contract with the City of Peterborough.

After final approval of a proposal**,** the City will write a formal contract outlining the scope of work and responsibilities of each party (the City, the artist and where applicable, outside contractors or collaborators). The contract will address and contain provisions including but not limited to project funding, insurance, siting, ownership, copyright, use, warranty, insurance, occupational health and safety, maintenance and conservation obligations, project supervision, vandalism, the right of removal or transfer, public safety and other issues as necessary.

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The City of Peterborough will permanently own the artwork and it reserves the right to move or alter the work to meet public safety or other City concerns. Any such change may be made after consultation with the artist. Subject to the contract, the Artist will retain the Moral Rights and Copyright.

Artwork Installation and Acceptance

The responsibility for installing Public Art will be identified, in the contract.

The artwork will remain the Artist's responsibility until the installation is complete. All Public Art will be inspected by City staff within a reasonable period of time after installation. If any aspect of the artwork, in the City's reasonable opinion, is inadequate, or requires correction, the Artist shall make the necessary corrections at its own expense.

Project Delay

If a project is delayed or prevented by an event which the Artist or the City cannot control, then the time period for completion will be extended for a reasonable period of time. In this circumstance, there shall be no claim for damages or extra costs by either party for any such prevention or delay.

Artwork Documentation and Registration

At the completion of the Public Art project and acceptance of an artwork, Public Art Program staff will ensure the following documentation is recorded in the City's Public Art Collection and Public Art State of Infrastructure Asset Management registers and added to the City's GIS Public Art Story Map. For continuity, the accession numbering structure that the Art Gallery of Peterborough currently utilizes has been adapted for the Public Art Collection. Documentation procedures will conform to standard museum practice citing and include:

Artist's name and biographical details of the artist(s) including contact information, website and curriculum vitae;

a) Title of artwork, and the of completion provenance;

b) Artist statement and/or brief description of the work, including a statement on how it relates to its site, community, environment, and/or area history, as applicable;

c) Specifications of the artwork including medium, dimensions, method of construction and installation, site conditions, context of work and location;

d) Historical value (purchase/commission price and insurance value upon acquisition);

e) High resolution digital images showing the artwork close-up, details, and in context;

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f) Published materials about the artwork; and other related materials to reveal the artwork and/or artist intentions (e.g. film, video clips, book works, etc.);

g) Any warrantees, and a copy of the Artist's maintenance plan, including method, materials and frequency of inspections or maintenance and person or organization responsible for maintenance.

h) Contact information (including mailing address, telephone, e-mail address) for the following as applicable:

- Owner (e.g. Developers' company name or City of Peterborough);
- Donor;
- Selection Committee;
- Project partner and or Sponsor;
- Artist;
- Fabricators.

Artwork Identification and Promotion

After final acceptance of the artwork, the City shall prepare and install, at the Public Art site or in the surrounding area, appropriate acknowledgement of the artwork that identifies the Artist, the title of the artwork and the year of completion The City shall reasonably maintain such notice in good repair against the effects of time and the elements.

Additional strategies to engage the community and to promote the awareness and access to the Public Art Collection may include but are not limited to:

- educational events or workshops;
- developing an artwork trail/walking tour;
- outreach campaigns to encourage the use of City's GIS Public Art Story map for self-guided Public Art walking or cycling tours.

5.4 Acceptance of Gifts, Donations, or Bequests

Under exceptional circumstances donations and gifts may be accepted into the Public Art Collection. Under such circumstances proposed gifts, donations and bequests of Public Art will be evaluated in in a manner similar to all Public Art proposals and in accordance with the selection criteria identified in this Procedure. Each gift, donation and bequest shall be reviewed by a review panel to assess artistic merit, site suitability and durability and maintenance requirements, financial implications, public safety and liability. The City shall retain the right to accept or decline donations and gifts of other artworks.

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Donation Criteria

All donations are to be referred to the Arts Culture Heritage Manager/ Commissioner of Community Services or delegated authority. The following information must be provided by the potential donor when submitting a donation proposal:

- Information about the artwork including photographs of the artwork;
- Maintenance and conservation plan, including the condition of the work and any repairs needed;
- Site and installation requirements of the artwork;
- Projected budget for installation and ongoing maintenance of the artwork; and
- Legal proof of the donor's authority to donate the work.

The following criteria will be used by the review panel assembled to assess proposed donations:

- Artwork acquisition criteria (see Public Art Selection Considerations and Criteria)
- Compatibility with the Public Art Policy, Public Art Collection and the objectives of the Public Art Program;
- Authenticity and provenance;
- Absence of restrictive conditions imposed by the donor and any conflicts of interest; and
- The physical condition, durability and maintenance requirements of the artwork.

Donor Release, Donation Appraisal, Tax Receipts and Acknowledgement

Please refer to the**….** for information related to appraisals, tax receipts and acknowledgements.

Associated Donation Costs

Unless waived by the City, the donor is responsible for all costs including, but not limited to:

- Appraisal or evaluation by a certified specialist;
- Photographs for inventory and insurance purposes;
- Transporting the donation;
- 10% of the value of the donation to cover future maintenance and conservation or (more for artwork deemed to be subject to a high maintenance cost); and
- Any costs associated with the engineering, site planning and preparation and installation of the artwork.

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5.5 Collections Management

Several types of artworks are represented in the Public Art Collection: Accessioned permanent works of art; Temporary or transient works of art, and architectural or landscape elements—each having different conservation needs.

The City is responsible for maintaining the Public Art Collection to reasonable and safe standards. Public Art Program staff will regularly update a Public Art Collection Management Plan interfaced with the City's State of Infrastructure Asset Management Plan to represent a complete register of Public Artworks that the City has responsibility for. The plan will provide a coherent program of maintenance, conservation and preservation, and a management strategy that details the location, condition and maintenance requirements/procedures of each work. This information will be accessible to relevant departments as needed.

As owner of the artwork, the City has the right and responsibility to relocate, alter or De-accession the work to meet public safety or other City concerns. De-accessioning is a serious and seldom utilized procedure to remove an object permanently from the Civic Collection. All reasonable efforts shall be made to rectify problems or appropriately re-site an artwork before an it is de-accessioned.

Maintenance and Asset Management

Artworks in the Public Art Collection, by nature of composition and location, will be subject to the ravages of nature, pollution, vandalism and time, or be intentionally defaced by persons unknown, and as a result, may need to be repaired, refreshed, touched-up or refurbished.

Artwork in the Public Art Collection will be maintained and conserved by the City of Peterborough as per the Maintenance Plan created by the artist at the time of acquisition. Public Art Program staff will conduct an annual condition inspection to identify issues and develop a Work Plan suited to each work.

a) Permanent artworks, both Stand-alone and Integrated are typically made of durable materials and have been acquired by the City with the understanding that they be maintained and preserved over the long-term or in perpetuity.
b) Temporary or transient works are intended to activate a space and engage the public over a short period of time; it is understood that these pieces have a shorter lifespan and long-term conservation efforts are not applicable. Temporary Public Art, Street Art, Public Art Platforms, and Community Arts are maintained as part of the Public Art Collection for the timeframe identified at the time of Acquisition and/or for agreed upon increments thereafter.

c) If developed in partnership with the Public Art Program, any artwork created as part of a Beautification Project lead by community members will be maintained by the City.

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d) Public Art created through private development, the Community Benefit Provisions* of the Planning Act or through gift/donation will only be maintained in the Public Art Collection in cases where the City has agreed to acquire the piece within the collection and/or where the art is sited in a City-owned public space or building.

Where Public Art is to be included in the Public Art Collection, 10% of each of the following will be directed towards the Public Art Maintenance Operating Fund for maintenance and conservation of the Public Art Collection as a whole.

- The cost of all municipally developed Public Art;
- The value of any public artwork acquired by the City through the development process/ Community Benefit Charges * /Provisions of the Planning Act and
- The value of a Public Art acquired or accepted as a donation.

Stand-alone Art

Public Art Program staff will be notified if vandalism occurs or if an artwork requires other maintenance. Costs for maintenance and conservation of the Stand-alone Art in the Public Art Collection will be covered through the Public Art Maintenance Operating Fund.

Art Integrated into a Building or Space

Architectural or landscape elements are typically cared for with grounds maintenance procedures and specialized conservation efforts are not necessary.

- The relevant department shall clean and maintain the artwork as per the artwork's Maintenance Plan. Maintenance to be equal to the service level of the rest of the facility.
- The department shall contact Public Art Program staff where there are any questions regarding appropriate maintenance and cleaning procedures for Integrated Art.
- Costs for regular maintenance of the Integrated Art in the Public Art Collection will be covered by the department responsible for the building/space.
- Costs for conservation of Integrated artworks in the Public Art Collection will be covered through the Public Art Maintenance Operating Fund.
- Where a building/space that includes Integrated Art is undergoing renovations or redevelopment, the relevant department shall alert Public art Program staff.

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Alteration or Relocation

As the city grows and develops, the location of an artwork may eventually no longer be appropriate to the original site or context, and the City may determine that the artwork be relocated. Where this is the case, the City will notify the Artist of any proposed significant alteration to the Public Art site or any relocation of the artwork that would affect the intended character and appearance of the art. Any such change will be made in consultation with the Artist and sponsor, Arts Culture and Heritage Division staff, the ACHAC, and internal and external working groups as required.

Public Art De-accession

The potential De-accession of an artwork from the Public art Collection is considered and may be recommended when:

- The ongoing maintenance and/or security of the artwork cannot be reasonably guaranteed or is not feasible;
- The item has deteriorated or has been damaged beyond conservation efforts or repair;
- The artwork endangers public safety;
- The quality or authenticity of the artwork is in doubt and is subsequently justified;
- Redevelopment of the site causing the artwork to lack appropriate context;
- The work is no longer relevant to the Public Art Collection.

De-accessioning Process

De-accessioning recommendations will be evaluated by a review panel. The de-accessioning process will be in accordance with standard procedures used by Canadian museums and art galleries. Any pre-existing contractual agreements between the Artist and the City shall be honoured. The review panel assembled will recommend one of the following actions to de-accession artwork:

- Donation to another collection or non-profit organization;
- Placement in an art auction;
- Destruction of work deteriorated or damaged beyond repair and deemed of negligible value;
- Sale or Trade.

Where an artwork has been approved for De-accession through sale, the City may endeavour to obtain a return which approaches market value**.** Proceeds from the sale of the artwork shall

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be allocated to the budget for Public Art Reserve Fund.

Documentation of the de-accessioning process will be maintained in compliance with the City's Records Retention Policy.

5.5 Monitoring of the Public Art Policy and Program

The Arts Culture and Heritage Division in consultation with the ACHAC and relevant internal and external experts, will monitor the Public Art Policy and Program implementation to determine if:

- The assumptions underpinning the policy and program continue to be valid;
- Policy and Program priorities remain constant;
- The Policy and Program are being carried out as intended
- The Policy and Program are having the desired outcome.

5.6 Public Art Policy and Procedure Review

The City of Peterborough will review the Public Art Policy and this Procedure every five years or in response to significant changes and emerging practices.

6.0 Appendix, Related Documents & Links

Note: All references refer to the current version, as may be amended from time to time.

6.1. Pertinent Resources:

- Municipal Cultural Plan (2012)
- Official Plan – Draft (ongoing)
- Greater Peterborough Area Community Sustainability Plan (2012)
- Municipal Act, 2001
- 18-084 - Procurement Policies By-Law
- Report CSACH09-007 Public Art Policy
- Appendix A to Report CSACH09-007 Public Art Policy (Draft Policy)
- Committee of the Whole Report No. 7 of a meeting of April 6, 2009
- Minutes of the City Council Meeting of April 14, 2009

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6.2 Related Policies:

- Policy 0012, Public Art Policy
- Policy 0036, Sponsorship, Naming Rights and Advertising Policy
- Policy 0038, Asset Management Policy

6.3 Related Procedures:

- Procedure 0038-P01, Asset Management Procedure

6.4 Related Forms: (Under Development)

- Form ####-P##-F#, Name of Form
- Form ####-P##-F#, Name of Form

7.0 Amendments/Reviews

Date (yyyy-mm-dd)	**Section # Amended**	**Comments**

Next Review Date:	

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