

**KING TOWNSHIP
CORPORATE POLICY
PUBLIC ART POLICY**



POLICY NO.:

###-###-###

Parks, Recreation & Culture Department

Issue Date: Insert Date

Issue No.: #

Next Revision: Insert Date

1 PURPOSE STATEMENT

The Township of King values Public Art as a key asset that enhances quality of life, community pride, public aesthetics, and contributes to cultural, social, and economic vitality. Celebrating our culture and heritage, reflecting diversity, expressing shared values, and defining our unique identity, Public Art aligns with the Township’s goal of creating an appealing, sustainable community.

2 POLICY OBJECTIVE

- 2.1 Establish a standardized and transparent process for the selection, acquisition, maintenance and de-accession of Public Art; and
- 2.2 Provide a sustainable funding model for the management of Public Art.

3 APPLICATION/SCOPE

- 3.1 This policy applies to all permanent or semi-permanent art installations established in any public space belonging to the Township.

4 DEFINITIONS

- 4.1 **Public Art** refers to original artworks, permanent or semi-permanent, of any medium acquired with the specific intention of being installed, sited on or staged in Public Space. Furnishings, such as benches, light standards, and signage, are not subject to this policy unless a design component is commissioned.
- 4.2 **Acquisition** refers to the process of accepting an artistic work into the Township’s collection of Public Art.
- 4.3 **Commission** refers to the process of requesting an art piece to be created by an artist or artists for a specific project for an agreed upon fee.
- 4.4 **Artist** refers to the designer/creator of an artistic work and can include, but is not limited to, a professional artist, graphic designer, collaborative team, architect, or landscape designer.
- 4.5 **De-accession** refers to the process of removing an artistic work from the Township’s collection of Public Art.
- 4.6 **Public Space** refers to space available for use by the public, and can include, but is not limited to, parks, boulevards, trail systems, open spaces, waterways, roads, bridges, gateways, street spaces, civic squares and exterior and interior public areas associated with buildings or structures owned, operated, occupied or used by or for the Township.

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5 ROLES

- 5.1 **Community Services Staff** will manage the public art program and are responsible for project development and monitoring, competition processes, collections management, internal and external communications and partnership creation.

- 5.2 **The Public Art Committee (PAC)** will be established and operated through Community Services Staff. The Committee will advise on the implementation of the program, review proposed project scopes and agreements for each new Public Art project, and promote communication and outreach. Additionally, the Committee will advise and recommend to staff on proposed gifts, donations, and bequests in accordance with established guidelines, and advise on the development and implementation of selection, acquisition, maintenance, and de-accession of artistic works to which this Policy applies.

- 5.3 **Council** will act as an advocate for art in Public Spaces in the Township, approve the Public Art Policy and approve any changes as needed. Council is required to approve all expenditures from the Public Art Reserve Fund as part of the annual budget process or by separate report.

- 5.4 **The Interdepartmental Public Art Planning Team (IPAPT)** will consist of representatives from across the Township including but not limited to Parks, Facilities, Planning, Finance, Communications, and Economic Development. Representatives may vary based on project needs.

6 POLICY

- 6.1 Through the Public Art Program, the Township acquires public art of excellent quality for the purpose of permanent or semi-permanent displays in public places such as civic buildings, streetscapes and open spaces (parks, trails).

- 6.2 Strategies and planning for the best use of funding and preferred sites based on specific criteria will be coordinated by the Public Art Committee in collaboration with the interdepartmental Public Art planning team. Criteria for preferred public art sites include high visibility locations, appropriate scale, ease of public access, relevance to the community, ease of maintenance, consistency with the Township’s Urban Design Guidelines, quality of the artwork, budget considerations and equitable distribution of sites and opportunities throughout the Township.

- 6.3 The program offers a choice of options for municipal public art projects:
 - a) Public art projects at civic sites and priority sites. All potential sites are assessed with the following criteria:

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- Ownership: The site should be owned by the Township or there should be assurance that an agreement for its use is attainable.
 - Public Exposure: If outdoors, the site should have complete public visibility and unrestricted access and offer easy surveillance to minimize opportunities for vandalism and easy access for maintenance. If indoors, the site can be used and/or enjoyed by the public on a regular basis.
 - Significance: Locations of historical significance or that function as gateways into urban areas, neighbourhoods or shared public spaces provide special opportunities for public art.
- b) Community public art projects that involve the community in the concept, ideation or creation of an artwork.
 - c) Purchase of works for the Public Art Collection
 - d) Promotion of the collection and public education.
- 6.4 Project planning: public art information is included in procurement documents for eligible construction projects. With this approach, public art is integrated earlier into the project for both efficiency and optimum results.
- 6.5 Public art may be acquired through a variety of methods to better serve the needs to the unique projects and situations and the overall mandate of the collection. Options may include open competition-generated commissions, invitational competition-generated commissions, direct purchases and donations.
- 6.6 The Township of King reserves the right to remove objects from its public art collection through a deaccession process, as outlined in the Public Art Procedure, under the following conditions:
- a) The work has been lost, stolen or damaged beyond repair
 - b) The work has deteriorated to non-restorable condition where the costs of conservation outweigh the value to the collection
 - c) Duplication: The object is a duplicate of another in the collection
 - d) The works non-conformity to the collection mandate or problematic changed cultural significance
 - e) Endangerment of public safety
 - f) Legal compliance (proof of ownership; maintenance of the integrity of public trust)
 - g) Site redevelopment

7 FUNDING

7.1 Public Art Reserve Fund

Funding to support this Policy will be provided through the establishment of a Public Art Reserve Fund. Funding will derive from a one percent allocation applied

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to civic projects with construction budgets greater than \$100,000, including public facilities, parks and trails, roads projects, and other public gathering spaces.

Eligible projects include new construction or construction that achieves major changes in the scope of a civic facility or public space, such as new programs, services, features or functions. This does not include projects where only routine maintenance is being carried out or building systems are upgraded. Projects that are funded using Grants and Developer Contributions are not eligible for selection as part of this program.

The maximum allocation at the one percent contribution is \$100,000 with a maximum amount to be kept in the reserve fund of \$250,000. Funds that are remaining in existing operating accounts may be reallocated to the Public Art Reserve Fund.

Funds in the reserve must be used exclusively for expenses directly associated with Public Art, including but not limited to acquisition, design, fabrication, installation, documentation, programming, governance and administration of the selection process, collection, inventory, insurance, staffing, legal requirements, deaccession of artistic works and the overall policy review.

Development contributions to the Public Art Reserve Fund will be encouraged through Section 37 of the *Planning Act*.

Township contributions to the Public Art Reserve Fund will also be used to leverage funding from other governmental and private sources.

7.2 Public Art Maintenance Budget

Maintenance costs for Public Art will be through the existing Public Art budget in the annual operating budget. Annual allocation and changes will be made as part of the regular Township operating budget process to address costs related to the ongoing maintenance and conservation of Owned Public Art.

7.3 Compliance

Staff implementing the policy must comply with federal, provincial and municipal laws and international conventions and treaties signed by Canada, including but not limited to:

- Township of King Official Plan
- The Municipal Act
- The Ontario Planning Act
- The Ontario Heritage Act
- The Copyright Act

