

Corporate Policy

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Section:	Cultural Services	18
Sub-Section:	Public Art	7940
Title:	Art in Public Spaces	2024-01

Related Policies

Number	Title

Approvals

Approval Date:	Resolution #:
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Policy

This policy supersedes Corporate Policy – 18-7940-01 – Public Art.

The City of Port Moody defines Art in Public Spaces as any artform presented in a freely accessible public setting. This includes traditional public artworks, ephemeral artworks, community art projects, performances in non-traditional spaces, creative programming, and programs such as the StreetArts Banner and Artists in the Parks programs.

As City of the Arts, Port Moody is committed to providing a comprehensive, interesting, thoughtful, and diverse presentation of art in public spaces that enhances our quality of life, supports local artists, and contributes to economic prosperity, cultural interpretation and social cohesion.

The purpose of the Art in Public Spaces Policy is to provide a structure through which the City of Port Moody thoughtfully acquires, integrates and programs permanent and temporary public art into the public realm, and programs and presents temporary art experiences into public spaces.

The Policy guides staff in the development, management and stewardship of art in public spaces throughout the city by:

- establishing guiding principles to direct policy implementation;
- articulating clear funding mechanisms and project spending;
- ensuring the development of clear administrative procedures with consistent guidelines, processes, roles and responsibilities; and
- supporting responsible stewardship of all public art assets owned by the City of Port Moody.

The goals of this policy are:

- ensure the quality and integrity of the City's public art programming, acquisition, maintenance and management processes;
- value the role of artists and artisans in our city and reflect the city's diversity with the participation of all its community;
- incorporate and integrate art and artistic elements and creative programming into the planning, design and execution of civic projects in Port Moody as well as private projects;
- making space for arts and culture by supporting affordable, accessible and secure spaces;
- broaden the definition of public art to include temporary installations, artist led community engagement opportunities, and creative place-making to enhance a community's unique character
- use reserve funds to produce new works and creative programming throughout the city, including in underserved areas to strengthen a community's identity;
- make art accessible to the public through community-focused and interpretive programming; and

- protect public artwork assets through proactive maintenance, conservation, education and activation.

Definitions

Port Moody has four financial reserves supporting the arts:

1. Arts Reserve: The purpose of the Arts Reserve is to fund a wide variety of arts related projects and initiatives in Port Moody, including city and community-led initiatives.
2. Public Art Reserve: The public art reserve supports city-led public art projects.
3. Public Art Maintenance Reserve: Public Artworks are considered city assets and this reserve provides funds to ensure these assets are well cared for.
4. Arts Facility Reserve: This reserve funds the acquisition, expansion, renovation, and construction of arts facilities.

Procedures

1. Funding the Arts-Related Reserves

The City will provide annual funding to the four reserves in the following ways:

- a. a base annual City contribution of \$75,000 (2025), adjusted for inflation annually, to the City's arts-related reserves, allocated as follows;
- b.
 - i. 50% to the Arts Reserve;
 - ii. 20% to the Public Art Reserve;
 - iii. 10% to the Public Art Maintenance Reserve; and
 - iv. 20% to the Arts Facility Reserve.
- c. all major capital projects will allocate 1% of the construction budget for an integrated artwork specific to the project. Major capital projects are defined to be projects with a construction budget greater than or equal to three million dollars.

Developer contributions to the arts is voluntary and developers are encouraged to contribute 0.6% of their project's construction budget towards thoughtful, integrated public artworks and/or financial contributions to the City's reserves, based on the following guidelines:

For development projects contributing:

- a. less than or equal to \$400,000, the priority is placed on the integration of an artwork into their project, with a request that any unused funds be donated to the city's reserves;
- b. greater than \$400,000 and less than or equal to \$2.5M, developers are requested to allocate \$400,000 plus 60% of the balance of the total contribution towards the integration of one or more public artworks or artistic spaces into their project and the remaining 40% as a financial contribution to the city's arts-based reserves; and

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- c. greater than \$2.5M, developers are requested to allocate 60% towards the integration of one or more public artworks or artistic spaces into their project and 40% towards one of the following:
 - i. an Arts Trust Fund, under the developer's name and managed by the Port Moody Foundation, for the dedicated purpose of providing arts-related grants to Port Moody based arts, culture and heritage organizations and artists on an ongoing basis;
 - ii. the Arts Facility reserve, or towards a specific arts facility capital project;
 - iii.

Developers may request to use 100% of their contribution towards public art and/or arts and culture spaces within their development. Requests will be considered on a case-by-case basis and presented to Council for approval. Requests must demonstrate that they meet two or more goals identified within this policy.

Developers may choose to solely make a financial contribution to the City's arts-based reserves. For smaller development projects and in cases where public art is not appropriate or possible, staff will recommend that 100% of the funding go towards the City's arts-based reserves.

Financial contributions from developers to the city's arts-based reserves will be allocated as follows:

- a. 50% to the Arts Reserve;
- b. 20% to the Public Art Reserve;
- c. 10% to the Public Art Maintenance Reserve; and
- d. 20% to the Arts Facility Reserve.

2. Allocation and Spending of Reserve Funds

Arts Reserve: the arts reserve funds numerous arts-related projects and initiatives, including but not limited to:

- a. Artist Grant stream of the Community Grant Program;
- b. Arts, Culture, and Heritage Grant stream of the Community Grant Program;
- c. arts-related capital purchases;
- d. seed funding to support new or one-time arts initiatives;
- e. increasing the funding envelope of the Festival and Special Event Assistance Program, as required to support new and existing events;
- f. activation of public spaces;
- g. supporting the City's arts programs;
- h. funding staff artist projects;
- i. smaller arts-related capital purchases and improvements (i.e., buskers canopy at an outdoor space, projector, etc); and
- j. engaging an artist for an art project in the community.

Public Art Reserve: The public art reserve funds city-led public art projects, with the exception of major capital public art projects which are budgeted for within the overall project. A public art project may be suggested by Council, staff, community organizations, and residents. Proposed projects will be submitted through the annual budget process when possible and brought to Council outside of the budget process as may be required. Projects approved by Council will follow the selection process outlined below.

Public Art Maintenance Reserve: Public Artworks are considered city assets and this reserve provides funds to ensure these assets are well cared for. General operating projects funded from this reserve will be established through the city's budgeting process to provide funding for maintenance. Specific maintenance/repair projects will be established as required, when additional funds are required.

Arts Facility Reserve: This reserve funds the acquisition, expansion, renovation, and construction of arts facilities and has a long-term goal of expanding cultural facilities. Examples of suitable projects include the expansion of an existing arts facility and the construction, renovation or acquisition of a new arts facility (i.e., the purchase and renovation of a warehouse, theatre or amphitheatre expansion, new cultural centre, etc.).

3. Selection of Public Artworks

City-Led Public Art Projects will follow these steps, once a project scope and budget has been approved by Council:

- a. Staff will prepare and post all public art calls for expressions of interest.
- b. All calls will be open calls, geographically limited appropriately to the project scope.
- c. All projects will include an aspect of community participation or collaboration between the artist and an identified community determined by staff and artist (i.e., youth involvement with mural theme and design at SK8 Park or public input on bear planter sculptures)
- d. Staff will assemble a selection panel composed of two members from the Arts, Culture and Heritage Committee and three invited members of the public, with backgrounds and experience suited to the specific project. Members from outside Port Moody may be invited to participate when specific knowledge is not found within Port Moody.
- e. Meetings will be chaired by the Community Arts Coordinator, or other designated staff (approved by the Manager of Cultural Services), and will be a non-voting member.
- f. Other city staff members will be invited to provide input as appropriate and in a non-voting capacity (i.e., Engineering and Parks).
- g. Artwork selection panel members will be provided with an honorarium for their active participation.
- h. Artists will be shortlisted based on qualifications, prior work, and on the diversity they and their work bring to the community. In general three artists will be

- shortlisted to prepare a detailed design proposal. The number of artists selected may vary should specific circumstances require it.
- i. The selection panel will select an artist design to proceed to the construction/fabrication and installation phase.
 - j. The selection panel may reject all proposals should they feel that no proposal meets the goals of the project. In this case staff will work with the panel to determine next steps which may include, shortlisting additional artists to develop a proposal or reissuing the call with any necessary adjustments.
 - k. A jury panels final artwork selection will be presented to Council for approval.
 - l. All public art projects will include an opening/unveiling event.

The City waives city issued permit fees relating to a city-led public art project, including but not limited to:

- Business license for the artist;
- Building permit; and
- Highway Use Permit

Developer-Led Public Art Projects will be encouraged to consider the following when developing a public art plan:

- a. begin planning for public art early in project process. Engage an artist(s) early to develop an artwork or artistic elements so that the art is best connected and integrated within the development.
- b. Staff will work with each developer to determine if a project would benefit from the expertise of a public realm consultant.
- c. Consider a process that involves some community participation.
- d. Consider an open call process, unless a case for an invited call be made.
- e. Consider artists that bring diversity to the community.
- f. Staff will recommend community members for consideration of appointment to the selection panel. Recommendations will be for individuals best suited to the specific project, and who are independent of the development (i.e., with no perceived conflict of interest).
- g. Artwork location(s) should factor in visibility for pedestrians and should consider close proximity to high pedestrian activity areas or recognized pedestrian routes, places of public gathering, and public open spaces and accessible to the public all year round,
- h. A comprehensive Public Art Master Plan should be developed for significant artworks or when multiple artworks/locations are being considered.
- i. A simple Public Art Plan should be developed for smaller projects or in cases where only one artwork is being proposed.
- j. Allocate 10% of the overall budget towards maintenance
- k. A statue that commemorates/memorializes a specific person(s), animal, location or event will not be accepted as a public art contribution under this policy.

4. **Inventory and Maintenance**

An inventory of all public art (permanent and temporary) in Port Moody will be maintained and presented on the City website.

As with any asset, public artworks are assets that needs to be maintained to maximize their lifespan. Maintenance and conservation of all permanent public artwork assets shall be provided for through a public art maintenance program.

Murals are considered temporary artworks with an approximate lifespan of five years and will not be maintained by the city during this time, unless the artwork is vandalized. Restoration or replacement of a mural will be considered after five years and in consideration of its condition.

Public art pieces which meet the financial threshold for insurance shall be added to the City's insurance policy with the premium for such coverage added to the Cultural Services' operating budget.

The City of Port Moody will uphold the Government of Canada's copyright guidelines as outlined by the Canadian Intellectual Property Office.

5. **Promotion and Education**

The City of Port Moody will provide opportunities for the public to learn about and become involved with the art in their city through:

- a. publicized artist competition calls;
- b. public art unveilings;
- c. when possible and appropriate, an artist talk will be coordinated;
- d. participation on the Arts, Culture, and Heritage Committee;
- e. participation in community art programs, i.e. StreetArts Banner Program;
- f. opportunities to participate in community art projects;
- g. a public art map in GIS mapping system; and
- h. city website documenting the artwork.

6. **Artwork Lifespan and Deaccessioning**

The following lifespan guide will be used to determine how long an artwork will be maintained and eventually considered for de-accessioning.

Properly maintained public artworks will have a long lifespan; however, with all assets artworks may need to be deaccessioned. Deaccessioning an artwork may occur under the following circumstances:

- an artwork has deteriorated beyond reasonable repair and maintenance;
- an artwork has become unsafe and poses a safety hazard to the public;
- must be removed due to renovations or other types of construction work; or
- an artwork is deemed to cease to have local relevance and/or aesthetic value.

Staff will monitor all artworks and determine when an artwork must be considered for de-accessioning. Prior to considering deaccessioning, staff will explore other opportunities to reuse/reinstall the artwork, such as by installing it in a new location. When deaccessioning is deemed to be necessary and/or appropriate the following process will take place:

1. De-accessioning considerations will be reviewed by the Arts, Culture, and Heritage Committee and a recommendation forwarded to Council for approval.
2. Every effort will be made to contact the artist to advise them of the need to de-accession their artwork, and where relevant, the artist and other institutions will be advised of the availability of the piece for return, exchange, or sale.
3. If appropriate, an appraisal of the work will be conducted to assess the market value of the piece for exchange or sale purposes.
4. With respect to First Nations or Indigenous works, consultation will take place with the Indigenous Relations Manager, the original artist(s), the First Nation represented, and/or consultants with expertise in deaccessioning processes for Indigenous works to ensure community and cultural protocols are observed.
5. Any proceeds from the sale of an artwork will be deposited into the Public Art Reserve.
6. If no further options remain or an artwork is deemed to be beyond repair, the piece will be disposed of.

De-accessioning of short- and/or long-term temporary installations are approved and processed by staff.

Monitoring/Authority

Cultural Services and Council