



# Staff Report

## Administration

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**Report To:** Committee of the Whole  
**Meeting Date:** April 3, 2017  
**Report Number:** FAF.17.48  
**Subject:** Proposed Revisions to Public Art Policy POL.COR.12.15  
**Prepared by:** Karen Hilgendorf on behalf of the Public Art Committee

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### A. Recommendations

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THAT Council receive Staff Report FAF.17.48, entitled “Proposed Revisions to Public Art Policy POL.COR.12.15; and

THAT Council approve the proposed revisions to Public Art Policy POL.COR.12.15 as included in Staff Report FAF.17.48; and

THAT Council authorize the Mayor and Clerk to execute the Municipal Art Program - Art Loan Agreements following the annual Municipal Art Program (M.A.P.) Jury.

### B. Overview

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The purpose of this report is to seek Council approval of the revisions to the current Public Art Policy POL.COR.12.15 as proposed by the Public Art Committee.

### C. Background

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The purpose of the Public Art Policy, within the Town of The Blue Mountain’s Policy & Procedures, is to define the goals and procedures of the Town towards public art. In November of 2012, Council adopted the Public Art Policy POL.COR.12.15. The Policy states that Council will appoint a Public Art Committee the term of which will coincide with the Council term. The Committee has a number of responsibilities including the review of the Public Art Policy recommending changes to Council, once per term of the Committee, which is the purpose of this report. The Committee has reviewed the policy and is bringing forth their recommended revisions, as dictated by the review cycle.

## **D. Analysis**

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A copy of the current policy is included in this report as Attachment 1. As the policy template has changed to an accessible format, the content of the current policy was transferred to the new template. A copy of the proposed policy, in the new accessible template format, is included in this report as Attachment 2 with the proposed changes highlighted in yellow.

The majority of the revisions are related to slight changes in wording. The main change is the addition of a new section 2.1 under Procedures with four bullet points highlighting aspects of the Municipal Art Program (M.A.P.). The Committee felt that since the majority of their time is spent engaged in this annual program, of the selection of art for installation throughout Town hall, that the policy deserved more guidance. The current policy is silent except for the words "Administration of the M.A.P."

The proposed section 2.1 also gives guidance for the possibility of any artwork being sold during the loan period. See the second bullet point which is not in the current policy.

To help protect the Municipality the Public Art Committee (PAC) has been using the Art Loan Contract, see Attachment 3. When art is received, during the intake session of the M.A.P., the Artist must sign the Contract. Drafted in 2013, that contract requires updating which has been completed, see Attachment 4. Now referred to as an "Art Loan Agreement" it, among other things, removes the Municipality of any liability by having the artist acknowledge that any prospective sale of the loaned artwork will be handled directly between the artist and the purchaser. In the proposed policy under 2.1 Municipal Art Program it now notes the Town will enter into a loan agreement with each artist selected in the annual Municipal Art Program (M.A.P.) Jury.

## **E. The Blue Mountains Strategic Plan**

Goal #1: Create Opportunities for Sustainability

Objective #3 Promote a Diversified Economy

Goal #2: Engage Our Communities & Partners

Objective #2 Strengthen Partnerships

## **F. Environmental Impacts**

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None

## **G. Financial Impact**

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None

## **H. In consultation with**

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Public Art Committee  
Troy Speck, Chief Administrative Officer  
Corrina Giles, Clerk  
Ruth Prince, Director of Finance  
Shawn Everitt, Director of Community Services  
Serena Wilgress, Manager of Purchasing & Risk Management

## **I. Attached**

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1. Attachment 1 Current Public Art Policy POL.COR.12.15
2. Attachment 2 Proposed Revisions Public Art Policy POL.COR.12.15
3. Attachment 3 Current Art Loan Contract
4. Attachment 4 Proposed Municipal Art Program – Art Loan Agreement

Respectfully Submitted,

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Karen Hilgendorf,  
Executive Assistant

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Troy Speck  
Chief Administrative Officer

For more information, please contact:  
Karen Hilgendorf  
ea@thebluemountains.ca  
519-599-3131 extension 233

TOWN OF THE BLUE MOUNTAINS

POLICY & PROCEDURES

Subject Title: Public Art Policy

Corporate Policy (Approved by Council)	<input checked="" type="checkbox"/>	Policy Ref. No.:	POL.COR.12.15
Administrative Policy (Approved by CAO)	<input type="checkbox"/>	By-law No.:	N/A
Department Policy: (Approved by Mgr.)	<input type="checkbox"/>	Name of Dept.:	Administration
Date Approved: November 19, 2012		Revision Date:	N/A

Policy Statement

The Public Art Policy will serve to define the overall goals and procedures of the Town of The Blue Mountains towards public art. The strategies are formulated to provide a framework for art policy decision-making in regard to all public art for the municipality.

The aims of the Public Art Policy are:

- to serve the members of the community who are artists by providing an opportunity to showcase their work;
- to bring art to the public in a way that engages, educates, enlivens and enriches their experience of the Town;
- to demonstrate the municipality’s commitment to contemporary art and culture as one of the pillars of “Our Sustainable Path”; and
- to provide an opportunity for a broad exchange of creative endeavours between the public, municipal staff and the arts community.

Purpose

The purpose of this policy is to ensure that art in or on municipally-owned public space is consistent with the Policy statement outlined above.

This policy provides guidelines for:

- the Municipal Art Program (M.A.P.); and
- the administration, acquisition, safe-keeping, and de-accessioning of permanent art (herein called the Collection).

Application

This public art policy applies to all art that is displayed in or on municipally-owned public space.

The policy has application for those involved with the M.A.P. and Collection.

Those persons and groups include, but are not limited to: Council, Staff, the Public Art Committee, artists and donors of art.

This policy will be used as a reference tool for the Public Art Committee (see Section 4.0). The policy will be approved by Council and monitored and adhered to by Staff.

### **Definitions**

**Acquisition** is defined as obtaining ownership. Acquisition can take the form of donated art, purchased art or commissioned art.

**Artist** is defined as a person who possesses skill, training and/or expertise in an artistic discipline, is active in and committed to his or her art practice and has a history of public presentation.

**Collection** (also referred to as the Permanent Art Collection) is defined as art works owned by the Town of The Blue Mountains.

**Commissioned Art** is defined as a work of art created by a selected artist and for a specific site.

**De-accession** applies to art that is currently owned by the municipality, referred to as the Collection, and is defined as:

- The return of public art to the artist or donor of the art;
- The sale of a piece of art;
- Gifting of a piece of art to another institution
- Destruction of a piece of art;
- Disposition of a piece of art in a manner which has been agreed to in writing at the time of acquisition by the Town from the artist or the donor of art.

**Donated Art** is defined as art given to the Town in the form of a bequest or a gift.

**(Monetary) Donation** is defined as gifted monies donated to the Public Art Fund Reserve, for which a tax receipt for charitable donation is issued as per the Town's guidelines.

**Municipal Art Program (also referred to as M.A.P.)** is defined as an initiative designed to showcase the work of regional artists. Submissions are solicited from regional artists for a juried selection. Selected art works are on temporary loan for a period of one year and installed throughout the Town Hall.

**On-loan Art** is defined as:

- Art loaned to the Town through the M.A.P.;

- Art loaned to the Town outside of the M.A.P. and subject to other written terms and conditions.

**Public Art (also referred to as Art)** is defined as art that is part of the Collection or M.A.P. for the purpose of making the art accessible to the public in or on municipally- owned public space.

**Purchased Art** is defined as art that is bought by the Town from an artist, gallery or through another direct method.

**Safe-keeping** is defined as reasonable and best efforts to care for art, whether part of the Collection or M.A.P. including site selection, installation, maintenance, storage and insurance.

## **Procedures**

### 1.0 ADMINISTRATION

The Corporation of the Town of The Blue Mountains, Administration Services, Communications and Economic Development Designate will provide administrative services for all matters relating to the M.A.P. and Collection. From time to time, other members of Staff may be involved in the aforementioned, for example the Director of Recreation as it relates to outdoor public art space.

### 2.0 PUBLIC ART COMMITTEE

Council will appoint a Public Art Committee of Council. The term of which will coincide with the Council Term.

The Public Art Committee shall consist of up to a maximum of 5 members of the community-at-large.

The Public Art Committee shall be responsible for the following:

- Evaluate proposed donations, with appropriate proposals passed on as recommendations to Council;
- Make recommendations to Council on the acquisition, safe-keeping, and de-accessioning of public art in the Collection;
- Administration of the M.A.P.;
- Review of the Public Art Policy, recommending changes and providing updates to Council, as dictated by the policy review cycle; and
- Meet bi-monthly, or at the request of the Chair, Council or the staff designate.

### 3.0 LOANED ART

Loaned art is acquired through the M.A.P.

In special circumstances, loaned art may be acquired outside of the M.A.P. and subject to other written terms and conditions.

### 4.0 ACQUIRED ART

Art may be acquired through donation, purchase or commissioning and is acquired exclusively as part of the Collection.

The permanent indoor collection of the Town of The Blue Mountains is now complete. No additional art will be accepted. The focus of any new acquisitions will be in the form of outdoor art.

#### 4.1 DONATION

Individuals who wish to donate a work of art to the Town will make a submission to the Public Art Committee, in writing, for the Committee's consideration.

A recommendation from the Committee to accept a work of art into the Collection will be done in a manner which ensures that the piece is appropriate for the environment.

Only that art deemed to be appropriate by the Committee will be recommended to municipal Council. The donor will be notified by the Town with respect to the outcome of their submission.

##### 4.1.1 DONATION AGREEMENT

If art is accepted into the Collection, an agreement will be signed by both parties; arrangements will be made for the Town to receive the piece; tax receipts will be issued if the donor supplies an independent 3<sup>rd</sup> party appraisal; and the piece will be installed.

#### 4.2 COSTS ASSOCIATED WITH ACQUISITION

Site selection, installation, maintenance, storage and insurance are costs to be considered on a case-by-case basis and detailed at the time of acquisition.

#### 4.3 SITE SELECTION

Through a decision of Council, the Town of The Blue Mountains will coordinate site selection of art in or on municipally-owned public space.

#### 4.4 INSTALLATION

Installation of public art will involve a member of staff, the artist and any contractor required for the installation of the piece. Contractual requirements with an artist or contractor will be overseen by the Town.

#### 4.5 STORAGE

Long-term storage is limited to the Collection of the Town of The Blue Mountains.

#### 4.6 DE-ACCESSIONING

De-accessioning is relevant to the Collection only.

The reasons for de-accessioning of art may include but are not limited to the following:

- the art in question is no longer relevant to the Town's public art inventory; and/or
- the public art installation has become unsafe or has been deemed unsafe by existing or new policies or legislation.

#### 4.7 REVENUE FROM DE-ACCESSIONING

Revenue realized through the sale of de-accessioned public art will be placed into a newly formed Public Art Fund Reserve for future art projects and programs.

#### 5.0 INSURANCE

All art in the Collection and in the M.A.P. will be insured under the Town's insurance policy and budgeted for accordingly through the Town's annual budget process.

#### **Exclusions**

Corporate awards, plaques and equivalents are excluded from the policy. However, the Public Art Committee will make itself available to consult and advise on the placement of such items.



The Blue Mountains Public Library, the Craigleith Heritage Depot and enclosed administrative office space within Town Hall are excluded from this policy.

**References and Related Policies**

None.

**Consequences of Non-Compliance**

None.

**Review Cycle**

The review cycle for this policy is once per term of the Committee.

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(Signature)



# Public Art Policy

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POL.COR.12.15

- Policy Type:** Corporate Policy (Approved by Council)
- Date Approved:** November 19, 2012
- Department:** Administration
- Staff Report:** PAEC.12.2 – Public Art Policy, November 13, 2012  
FAF.17.48 – Proposed Revisions to Public Art Policy POL.COR.12.15, April 3, 2017
- By-Law No.:** N/A

## Policy Statement

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The Public Art Policy will serve to define the overall goals and procedures of the Town of The Blue Mountains towards public art. The strategies are formulated to provide a framework for art policy decision-making in regard to all public art for the municipality.

The aims of the Public Art Policy are:

- to serve artists in the region by providing an opportunity to showcase their work;
- to bring art to the public in a way that engages, educates, enlivens and enriches their experience of the Town;
- to demonstrate the municipality’s commitment to contemporary art and culture as one of the pillars of “Our Sustainable Path”; and
- to provide an opportunity for a broad exchange of creative endeavours between the public, municipal staff and the arts community.

## Purpose

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The purpose of this policy is to ensure that art in or on municipally-owned public space is consistent with the Policy statement outlined above.

This policy provides guidelines for:

- the Municipal Art Program (M.A.P.); and
- the administration, acquisition, safe-keeping, and de-accessioning of permanent art (herein called the Collection).

## Application

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This public art policy applies to all art that is displayed in or on municipally-owned public space.

The policy has application for those involved with the M.A.P. and Collection.

Those persons and groups include, but are not limited to: Council, Staff, the Public Art Committee, artists and donors.

This policy will be used as a reference tool for the Public Art Committee (see **Section 2.0**). The policy will be approved by Council and monitored and adhered to by Staff.

## Definitions

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**Acquisition** is defined as obtaining ownership. Acquisition can take the form of donated art, purchased art or commissioned art.

**Artist** is defined as a person who possesses skill, training and/or expertise in an artistic discipline, is active in and committed to his or her art practice and has a history of public presentation.

**Collection** (also referred to as the Permanent Art Collection) is defined as art works owned by the Town of The Blue Mountains.

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**De-accession** applies to art that is currently owned by the municipality, referred to as the Collection, and is defined as:

- The return of public art to the artist or donor of the art;
- The sale of a piece of art;
- Gifting of a piece of art to another institution
- Destruction of a piece of art;
- Disposition of a piece of art in a manner which has been agreed to in writing at the time of acquisition by the Town from the artist or the donor of art.

**Donated Art** is defined as art given to the Town in the form of a bequest or a gift.

**Municipal Art Program (also referred to as M.A.P.)** is defined as an initiative designed to showcase the work of regional artists. **This work is to be installed throughout the Town Hall or other municipally owned public space.**

POL.COR.12.15  
Public Art Policy

**On-loan Art** is defined as:

- Art loaned to the Town through the M.A.P.;
- Art loaned to the Town, outside of M.A.P.

**Public Art** (also referred to as Art) includes art that is part of the Collection or M.A.P. for the purpose of making the art accessible to the public in or on municipally-owned public space.

**Purchased Art** is defined as art that is bought by the Town from an artist, gallery or through another direct method.

**Safe-keeping** is defined as reasonable and best efforts to care for art, whether part of the Collection or M.A.P. including site selection, installation, maintenance, storage and insurance

## Procedures

### 1.0 Administration

The Town will provide administrative services for all matters relating to the M.A.P. and the Collection.

### 2.0 Public Art Committee

Council will appoint a Public Art Committee of Council. The term shall coincide with the Council Term.

The Public Art Committee shall consist of up to a maximum of 5 members of the community-at-large.

The Public Art Committee shall be responsible for the following:

- Evaluate proposed donations, with appropriate proposals passed on as recommendations to Council;
- Make recommendations to Council on the acquisition, safe-keeping, and de-accessioning of art in the Collection;
- Administration of the M.A.P.;
- Review of the Public Art Policy, recommending changes and providing updates to Council, as dictated by the policy review cycle; and
- Meet monthly or at the request of the Chair, Council or the staff designate.

### 2.1 Municipal Art Program

- Submissions will be solicited from regional artists for a juried selection. Selected artworks are on loan for a period of one year and installed throughout the Town Hall.

Revised date:

POL.COR.12.15  
Public Art Policy

- The Town will enter into a Municipal Art Program – Art Loan Agreement with each artist selected in the jury process.
- In the event any such selected artwork is sold by the artist during the loan period, the Public Art Committee may conduct a juried selection for the replacement piece.
- Submissions may also be solicited from regional artists for installation on other municipally-owned public space.

### 3.0 Loaned Art

Loaned art is acquired through the M.A.P.

In special circumstances, loaned art may be acquired outside of the M.A.P. and subject to other written terms and conditions as may be determined by Council.

### 4.0 Acquired Art

Art may be acquired through donation, purchase or commissioning and is acquired exclusively as part of the Collection.

The permanent indoor collection of the Town of The Blue Mountains is now complete. No additional art will be accepted. The focus of any new acquisitions will be in the form of outdoor art.

#### 4.1 Donation

Subject to the provisions of Article 4.0, individuals who wish to donate a work of art to the Town will make a submission to the Public Art Committee, in writing, for the Committee's consideration.

A recommendation from the Committee to accept a work of art into the Collection will be done in a manner to ensure that the piece is appropriate for the environment.

Only that art deemed to be appropriate by the Committee will be put forwarded for consideration by Council. The donor will be notified by the Town with respect to the outcome of their submission.

##### 4.1.1 Donation Agreement

If art is accepted into the Collection, an agreement will be signed by both parties; arrangements will be made for the Town to receive the piece; tax receipts will be issued if the donor supplies an independent 3rd party appraisal; and the piece will be installed.

#### 4.2 Cost Associated with Acquisition

Site selection, installation, maintenance, storage and insurance are costs to be considered on a case-by-case basis and detailed at the time of acquisition.

POL.COR.12.15  
Public Art Policy

#### 4.3 Site Selection

Through a decision of Council, and upon the recommendation of the Public Art Committee, the Town will coordinate site selection of art in or on municipally-owned public space.

#### 4.4 Installation

Installation of acquired art will involve a member of staff, any contractor required for the installation of the piece, and may involve the artist. Contractual requirements with an artist or contractor will be overseen by the Town.

#### 4.5 Storage

Long-term storage is limited to the Collection of the Town of The Blue Mountains.

#### 4.6 De-accessioning

De-accessioning is relevant to the Collection only.

The reasons for de-accessioning of art may include but are not limited to the following:

- the art in question is no longer relevant to the Town's public art inventory; or
- the public art installation has become unsafe or has been deemed unsafe by existing or new policies or legislation.

#### 5.0 Revenue Received

Revenue realized through the sale of de-accessioned public art or received by donation or bequest designated for public art will be placed into a fund for future art projects and programs, in conjunction with the recommendation of the Public Art Committee, advice of the Director of Finance and upon approval of Council.

#### 6.0 Insurance

Public Art will be insured under the Town's insurance policy and budgeted for accordingly through the Town's annual budget process.

#### Exclusions

Corporate awards, plaques and equivalents are excluded from the policy. However, the Public Art Committee will make itself available to consult and advise on the placement of such items.

The Blue Mountains Public Library, the Craighleith Heritage Depot and enclosed administrative office space within Town Hall are excluded from this policy.

#### Consequences of Non-Compliance

None

Revised date:

### **Review Cycle**

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The review cycle for this policy is once per term of the Committee.

DRAFT

**ART LOAN CONTRACT**

I, \_\_\_\_\_ (name-please print) understand that I have had art work chosen for display as part of the Municipal Arts Program. The art work will be on display in the Town Hall building located at 32 Mill Street, Thornbury, Ontario.

I warrant that the art work on loan to the municipality is represented accurately in the attached photograph which I have initialed.

The work is on loan to the program for a period of 12 months. At the end of that time I will be contacted and it will be my responsibility to make arrangement for the pick up of work at the specified time on the specified day.

I acknowledge and agree that the artwork specified in this agreement cannot be removed for the 12 month loan period. I also acknowledge that any prospective sale of the loaned artwork will be handled directly between myself and purchaser with no involvement of the municipality.

The work will be insured once it is received by the M.A.P. personnel and will be covered while it is in the possession of the Town.

The artist's contact info will be included in the Artist's Registry electronically on the Town's website and in print form.

I agree to the above conditions for the display of work.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Artist Information:**

Name:

Address:

Telephone Number:

Email Address:

Artwork Title

Value

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





Town of The Blue Mountains  
P.O. Box 310, 32 Mill Street  
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Email: [info@thebluemountains.ca](mailto:info@thebluemountains.ca)  
Website: [www.thebluemountains.ca](http://www.thebluemountains.ca)

### Municipal Art Program - Art Loan Agreement

I, \_\_\_\_\_ (please print) understand that I have had artwork chosen for display as part of the Municipal Art Program (MAP).

**I agree to the following conditions for the display of art work:**

Title: \_\_\_\_\_ Size: \_\_\_\_\_ Medium: \_\_\_\_\_ Price: \_\_\_\_\_

Title: \_\_\_\_\_ Size: \_\_\_\_\_ Medium: \_\_\_\_\_ Price: \_\_\_\_\_

Title: \_\_\_\_\_ Size: \_\_\_\_\_ Medium: \_\_\_\_\_ Price: \_\_\_\_\_

1. I agree artwork specified in this agreement is on loan to the program for a period of 12 months.
2. I acknowledge and agree that the artwork specified in this agreement cannot be removed for the 12 month loan period, except in the event of a sale. I acknowledge that any prospective sale of the loaned artwork will be handled directly between myself and purchaser and removal coordinated with the Town (allowing a minimum of 3 weeks' notice). I agree to submit alternative pieces of similar size for jury selection to replace the sold piece from the MAP Exhibit. The display location of any replacement art will be at the recommendation of the Public Art Committee and approved by Council.
3. I warrant the artwork on loan to the municipality is represented accurately in the image/s submitted. I confirm the artwork has been inspected by me and a member of the Public Art Committee and that the artwork has been provided to the Municipal Art Program on an "as is" basis, subject to any imperfections at intake as noted below:

\_\_\_\_\_  
\_\_\_\_\_

Artist's (initials) \_\_\_\_\_ PAC (initials) \_\_\_\_\_

4. I consent to the use of electronic images of the artwork specified in this agreement for the purpose of Municipal Art Program (MAP) publicity.

Artist's signature \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_ Telephone \_\_\_\_\_

Website \_\_\_\_\_

How did you hear about MAP? \_\_\_\_\_

**The Town of The Blue Mountains agrees to:**

1. Display the artwork listed in the Town Hall building located at 32 Mill Street, Thornbury, Ontario for a period of one year, except in the event of a sale, as noted above. At the end of the loan period, the artist will be contacted to make arrangements for the pickup of artwork at the specified time on the specified day.
2. Artwork will be insured while it is in the possession of the Town.
3. Artist contact information will be adjacent the artwork and will be included on the Town's website.

\_\_\_\_\_  
Date: \_\_\_\_\_

Mayor

\_\_\_\_\_  
Date: \_\_\_\_\_

Clerk

Artist's signature acknowledging pickup upon completion of the loan period

\_\_\_\_\_  
Date \_\_\_\_\_

Public Art Committee (Initials) \_\_\_\_\_ Date \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_