

City of Windsor Public Art Policy

Council Resolution Number: CR679/2005

Effective Date: November 7, 2005

Section 1 **Introduction**

- 1.1 Definition
- 1.2 Benefits
- 1.3 Guiding principles
- 1.4 Objectives
- 1.5 Limitations
- 1.6 How this Policy relates to the Community Strategic Plan

Section 2 **How the Objectives Will be Met**

- 2.1 The Odette Sculpture Park
- 2.2 Temporary Art in Public Places
- 2.3 Community Art in Public Places
- 2.4 Funding
- 2.5 Public Art Advisory Committee
 - 2.5.1. Responsibilities of the PAAC
 - 2.5.2 Code of Conduct
 - 2.5.3 General guidelines

Section 3 **The Role of Municipal Government**

Section 4 **General Management of the Collection**

- 4.1 Acceptance of Gifts, Donations and Bequests
- 4.2 Maintenance and Asset Management
- 4.3 Deaccessioning of Artwork

Section 5 **Overall Policy Review**

Section 6 **Acknowledgements**

Section 1 Introduction

The City of Windsor is fortunate to have such a widely diverse collection of Public art. Sculptures, monuments, murals, statues, fountains dot the landscape along the riverfront and carry on throughout the City in parks, buildings and offices. This integration of art into the fabric of the City enriches our lives and contributes to the physical attractiveness of the City.

The City of Windsor Public Art Policy has been established to:

- Guarantee an approved, fair and consistent public selection process of public art so that all the citizens of Windsor can access and participate in the cultural, economic and social developmental opportunities afforded by public art;
- Provide stewardship for public art and municipal collections;
- Ensure that public art is included in the planning and design of publicly accessible spaces;
- Ensure that public art continues to make our environment visually engaging, while reflecting our heritage and cultural diversity.

1.1 Definition of Public Art

Public art is an original artwork installed permanently or temporarily in such a way as to permit viewing by the public indoors or outdoors. It is intended to be integrated as part of its environment and/or interactive with its surroundings and encompasses a wide expression that may extend beyond traditional forms.

Examples of public art may include but are not exclusive to sculpture, statues, murals, functional art (seating, lighting, manhole covers, sidewalks, etc.), forms of landscaping, and the like.

This policy will apply to public art that is created, facilitated, owned or maintained by the City of Windsor.

1.2 Benefits of Public Art to the City of Windsor

Public Art:

- Provides a fresh, insightful interpretation of society that leads to a better appreciation of cultural heritage and encourages an investment in the City's future by innovative companies and creative people;
- Creates a clear sense of community pride and identity;
- Enriches the daily life of the City, enhancing the physical and cultural environment;
- Serves as a catalyst to economic development and tourism;
- Encourages mutual understanding of the diverse cultural nature of the City and act as a bridge between different groups and generations of people;
- Develops a more pleasant, safer and liveable community as part of the City's infrastructure;
- Interprets the City's collective values, social issues, political events and the cultural patterns that contribute to civic life;
- Demonstrates the City's responsibility to provide cultural opportunities for its citizens and presents a positive image to visitors and potential investors;
- Can provide opportunities for newcomers to access and contribute to their community and to meet with other residents.

1.3 Guiding Principles

The guiding principles of the Public Art Policy ensure that public art activities will:

- Be accessible to all citizens by providing opportunities for participation that are equitable and inclusive;
- Be flexible to encourage a wide variety of creative expression, art practice and art work;
- Be integral to the civic planning and development process;
- Be supported with adequate resources to create and preserve its significant public art works;
- Encourage excellence, quality and innovation;
- Demonstrate the significance of art in community life;
- Create cultural links through the promotion of opportunities for community development, community engagement and community partnerships.

1.4 Objectives

The Objectives of the Public Art Policy are:

1. To demonstrate through projects, that public art can significantly enhance the City;
2. To provide a fair, equitable selection process for the acquisition and installation of public art;
3. To ensure that through its selection process, qualified artists provide a variety of arts and cultural expressions that are compatible with development aspirations;
4. To encourage community members to participate in developing the resources of public art to reflect the diverse cultural nature of the City of Windsor;
5. To create a public education plan for learning and participation in arts, heritage and culture.

1.5 Limitations

The Public Art Policy will not cover:

- Heritage Buildings
- Privately owned works (except where they are located in public spaces)
- Community arts programmes (except where they result in an installation of public art (e.g. *CarTunes on Parade* community CarTunes)

1.6 How this Policy relates to the Community Strategic Plan

The Public Art policy relates to the City's community vision "*The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships.*"

Under Strategic Theme Vibrant Economy

- Enhanced tourism and hospitality

2.1 Improve the Visual impression of City to Visitors and Residents

- Identification sites for public art (sculptures, fountains)
- Introduction of techniques for enhancing unique features of Windsor
- Development of a public 'symbol' of Windsor (e.g. Chicago 'Cows', Toronto 'Moose')

2.3 Diversify the Economy and Maintain/Enhance Existing Strengths

- 2.3.1 Extensive publicly accessible waterfront/cultural diversity/proximity to large population in USA

Under Strategic Theme Safe Caring Diverse Community

- Celebrated culture and heritage
- Nurturing Environment
- Healthy community

3.4 Celebrate Cultural Diversity

- 3.4.2 ...go beyond traditional celebration of diversity to draw out broad community participation, capitalizing on a diversity of skills and resources.

Section 2 How the Objectives Will be met

A key feature of public art is the integration of art into the urban fabric of the city in order to enrich and enhance the physical and cultural dimensions of the city. Public art can transform and enliven public spaces, contributing several benefits, from the purely aesthetic, to economic and social benefits such as tourism, links with the City's heritage, and an appreciation of different cultures.

The City of Windsor has several examples of the integration of public art into the urban landscape: the mural programmes in Ford City, Wyandotte Business area and in the Postcards from Home program. Such integration can also result in functional art, such as the inclusion of lighting, seating and walkways in public places. Art enriches its natural environment, and provides lifelong opportunities for access to the arts, enhancing the quality of life of the community and for its visitors.

To ensure that artistic design becomes an ever-increasing component of the City of Windsor's urban fabric, the potential for integrating art (including functional art) into the design of public spaces should be an active consideration in all Council development projects in the City.

2.1 The Odette Sculpture Park

The Odette Sculpture Park was initiated through the generosity of the P&L Odette Foundation and its maintenance has been undertaken by the City of Windsor. The City is endeavouring to ensure the further development of the Sculpture Park, in large part through the establishment of conditions that will broaden its potential donor base.

2.2 Temporary Art in Public Places

An increased emphasis will to be given to promoting temporary public art works, which enliven our environment, raise awareness and engender debate about Public art. The proposed Public Art Advisory Committee, formed to implement aspects of this Policy, will have a role in actively promoting and facilitating temporary public art works. A list of possible sites where artists could locate public art works will be developed, and a process established for artists seeking to create a temporary exhibition/art work. There may be opportunities for promoting temporary public art works, possibly with a focus on regular temporary exhibitions.

2.3 Community Art in Public Places

Community public art aims to assist communities towards self celebration and self definition, through the expression of a sense of identity and the creation of community consciousness. It encourages active participation from community members while also developing audiences as in the case of the international art installation *CarTunes on Parade*. Other forms of community art expression may also include murals created by students around construction projects (e.g. 400 City Hall square). City Council will provide opportunities to continue to work with the community to support and develop community-based quality arts programmes and activities, including community-based public art.

2.4 Funding

The goal of Funding opportunities is to establish a sustainable funding mechanism that supports the City's commitment to spend existing and future funds more creatively.

City cultural staff will identify ways of encouraging the community to play an active role in supporting and facilitating public art opportunities within the City of Windsor and in developing partnerships with other cultural organizations, corporations, small business, residents and community groups to:

- Recognize achievements in the arts
- Provide financial support for community programs
- Contribute to scholarships for arts education
- Contribute exhibit space
- Establish a Civic Public Arts Endowment Fund for the long-term maintenance, preservation, conservation and acquisition of public works of art.

The City of Windsor will examine the feasibility of implementing a *Percentage for Public Art strategy*. *Percentage for Public Art* is a flat rate of 1 % of the total construction cost of selected capital projects funded in full or in part by the City. The flat rate would not apply to non-construction components of identified projects (e.g., architects and consulting fees, City permits, etc.). Projects may include selected buildings, aboveground structures and civic amenities in consultation with civic staff when it is determined that they have visual impact and public accessibility.

2.5 Public Art Advisory Committee

A Public Art Advisory Committee (PAAC) will be established by City Council to advise on the implementation of the Public Arts Policy. PAAC will be facilitated by City staff through Client Services.

Members of PAAC should demonstrate significant knowledge in the field of public art and be familiar with the City of Windsor. Members will be residents of the City of Windsor and Canadian Citizens.

- PAAC will be composed of nine community members that may include representation from a variety of backgrounds and disciplines.
- PAAC reports to Council through a City staff member, (General Manager, Client Services and designated staff) appointed to act as official liaisons.
- Members of PAAC are appointed for a three year term and may not serve for more than two consecutive 3-year terms.

- PAAC will hold regular monthly meetings. PAAC shall meet on a more frequent basis if required to supervise individual projects as they emerge.
- PAAC will appoint a Chair to call and preside at meetings, to set an agenda.
- Meetings are to be set in advance and project deadlines are to be established.
- In the event the Chair is unable to attend, PAAC is to appoint a Deputy Chair as an alternate.
- Five members of PAAC shall constitute a quorum for the transaction of business.

2.5.1 Responsibilities of the PAAC

With the assistance of City staff, the Public Art Advisory Committee (PAAC) will:

- Advise Council on all matters concerning public art;
- Review all proposed public art projects, and ensure the application of established procedures and guidelines on a project-by-project basis;
- Advise Council on communication and outreach to the community regarding public art;
- Advise Council on the implementation and maintenance of a civic public art inventory and the implementation of the accessioning and de-accessioning components of the Public Art Policy;
- Advise Council on proposed artwork gifts, bequests and donations to the City of Windsor according to the established guidelines;
- Advise Council and ensure that the proper maintenance program of public artworks is in place and practised, in collaboration with municipal staff;
- Encourage the development of private sector public art and public-private partnerships for public art.

2.5.2 Code of Conduct

To ensure the fair and equitable treatment of all participants in the public art process, members of PAAC are disqualified from directly or indirectly benefiting from their participation in the Public Art Policy Committee during their tenure. City policy for conflict of interest will apply.

2.5.3 General Guidelines

In keeping with the guidelines of other civic public art advisory committees, PAAC should:

- Operate with an autonomous status, reporting its recommendations to City Council;
- Ensure the provision of opportunities for direct and informed public involvement in the direction and selection of public art work;
- Ensure that governance of the policy is mindful and informed;
- Ensure that Federal laws will apply including those regarding censorship and obscenity;
- Recognize that although public art work may occasionally cause controversy, the guidelines provide a responsible public selection process, which in turn ensures that secured art work is supportable by the community and not subject to ephemeral movements;
- Ensure that primary to the activity of the PAAC is its responsibility to provide regular opportunities to share information and provide community education on the public art program.

Section 3 The Role of Municipal Administration

To implement and maintain the Public Art Policy, it is critical that City staff be designated to work directly with PAAC. The mandate and guiding principles of the Public Art Policy seek to foster the relationship between the City, developers, and artists and provides consultation that is current, informed and professional. Therefore, City cultural staff of the Client Services Department should lead in the creation of an inter-departmental team for ongoing, long-term public art planning, working in conjunction with PAAC.

Staff will be responsible for facilitating PAAC regular meetings, circulating information, providing guidance, arrange for the recording of minutes in co-ordination with City staff, and assisting through the development and management of annual operating budgets approved by City Council. Staff will maintain a public art inventory and negotiate and manage the day-to-day internal support for civic capital projects.

Section 4 General Management of the Collection

With the establishment of a Public Arts Policy for Windsor, the City accepts and has consideration for the professional practice of art documentation through appropriate inventory, annual maintenance and long term care of works in public places. It is in the City's interest to preserve the integrity and security of a work of art. As such, an inventory of current City owned public art works and significant private works placed at publicly accessible private sites will be created and maintained through the Public Art Policy. This inventory will provide information on materials, construction, location, and site conditions and other information about the artwork and artist.

The City will ensure the development of collection management systems and associated policies, with documentation standards and procedures modelled on museum practices and with an ongoing program of maintenance and inspection of works of art in public places through the professional practice of civic cultural staff and/or contract specialists as required.

The costs of maintenance and insurance of public art and privately owned art (in publicly accessible locations) will be incorporated into the purchase, donation, gifting, or legal agreements deemed appropriate to ensure the long-term maintenance of the public art work.

If an artwork needs to be moved or altered in any way, consideration will be given to the rights of an artist of the Copyright Act.

4.1 Acceptance of Gifts, Donations and Bequests

The Public Art Policy must oversee the process for determining acceptance for all gifts, donations and bequests of public art work made to the City. These items may be in the form of an existing artwork or a proposal for an installation of public art on civic property, to be chosen through an objective art selection process.

Through the Public Art Policy, the guidelines and criteria for acceptance of gifts, donations, bequests, the placement of artwork, acceptance of time limited loans, the procedures of documentation and the authentication of proposed artwork to professional standards are all to be developed by civic cultural staff and PAAC, following museum practices.

PAAC will inform City Council on a regular basis of any donation, gift or bequest of artwork that is suggested to the City.

4.2 Maintenance and Asset Management

The City is responsible for maintaining its public arts to a reasonable and safe standard. An Asset Management Plan for Public Art, already in progress, will be completed and regularly updated as required to represent a complete register of Public artworks that the City has responsibility for, and will provide a conservation management plan that details the condition and maintenance requirements of each work.

4.3 Deaccessioning of Artwork

PAAC will advise on the deaccessioning procedure following the guidelines of the collections policy to be developed. Deaccessioning is the procedure for the removal of an artwork from the public collection. It is a serious and seldom utilized procedure. Any actions or set of procedures that result in the cessation by the City of its ownership and possession of the work is possible, provided that disposition of the artwork is not contrary to the terms on which the City received it.

Deaccession guidelines cover the relocation, removal, destruction or disposal of public artwork. Considerations for deaccession may include:

- Beyond restoration
- Duplication with another work on public display
- Copies, forgeries or reproductions
- Irrelevance
- Accidental loss (disappearance or theft)

Section 5 Overall Policy Review

PAAC will review and recommend revisions of the Public Art Policy to Windsor City Council on an annual basis or as required, providing feedback on:

- Content
- New acquisitions
- Asset review
- Funding requirements
- The number of development projects approved by Council that have integrated public art
- Public response to art

Section 6 Acknowledgements

- Windsor City Centre Public Art Resource Team
- Art Gallery of Windsor
- Arts Council Windsor & Region
- Common Ground Gallery
- University of Windsor Visual Arts Department
- Windsor Endowment for the Arts
- Artcite
- Media City
- Green Corridor Project
- City of Surrey, B.C.
- City of Toronto, ON
- City of Winnipeg, MB

- City of Vancouver, B.C.
- City of Wellington, NZ
- City of New York, NY