

COMMUNITY PUBLIC ART POLICY



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A. INTRODUCTION

Public art is essential to the healthy growth of a community. It creates a vibrant sense of place and contributes to a community's reputation and identity for both residents and visitors. It provides citizens with the opportunity for the exchange of ideas and expression through their involvement to the public art process and creates a sense of ownership and belonging. Public art involves artists in the building of community and its ongoing cultural evolution.

Background

In 2004, the Cultural Master Plan was adopted by formal resolution of Canmore Town Council. Goals within the Master Plan have a significant impact on the Community Public Art Policy and are referenced in this document. The document outlined the need to create a public art committee that would oversee the planning and placement of public art and initiated the development of a public art policy for the Town of Canmore. This initiative responded, in part, to various public art proposals, as well as to the emerging context of public art development in other resort communities and urban areas.

The 1% for Art Program within the Master Plan states that 1% of the value of municipal capital budgets for above ground projects and 1% of the budget for municipal building construction/renovation projects in excess of \$250,000 be dedicated to the purchase or commission and maintenance of public art to be integrated into or displayed in public areas (the 1% for Art Program will be the subject of a separate policy).

Other related programs are the Canmore Community Art Program (Art Trust) that dedicates \$1 per capita annually to funding public art through a biennial art competition. (est. 1996) and the Community Public Art Program that sees \$1 per capita annually put into a reserve fund. In the case of the Community Public Art Program an open competition may be held when adequate funding is in place. The competition parameters are outlined in this document and the budget and terms of the project will be recommended by the Community Public Art Committee and approved by Town Council.

Purpose of the Community Public Art Policy

- Enrich the public environment and promote awareness, understanding, access and enjoyment of art as part of everyday life for Canmore locals and visitors;
- Promote and encourage the development and public awareness of fine arts;
- Enhance the beauty of the Canmore community by placing quality visual art in highly accessible and visible public places for residents and visitors to enjoy;
- Develop a diverse, high quality public art collection that is diverse in style, scale, media and artists. Exploratory types of work as well as established art forms shall be encouraged;
- Identify and enhance the sense of community identity unique to Canmore, and to encourage artworks that reflect community and regional diversity, values, history, nature and culture;
- Create opportunities, challenges and encouragement for all types of artists and artistic expression, and for the creation of site specific works that promote relationships between the artwork and the public; and
- Create a visually and functionally superior environment for Canmore's residents and visitors.

Community Public Art Policy

The Community Public Art Policy will:

- Develop a coherent approach to public art in the community by providing fair and effective processes for selecting, purchasing, commissioning, maintaining and documenting public art that represents the best in aesthetic and technical quality;
- Create a framework for a sustained effort to develop public art in the Canmore Community;
- Encourage support for and inclusion of public art projects in private sector development;
- Provide a public art development process that encourages and is supportive to artists who wish to work in the public realm;
- Be a catalyst in the creation of significant public spaces that are beautiful, thoughtful and ingenious through the integration of art with community planning and community building projects, and by the integration of art into the fabric of neighborhoods throughout the Town;
- Ensure a high level of involvement by the community in the public art process that will encourage ownership and stewardship; and
- Integrate the creative work of artists into public projects to thereby improve the visitor's experience and the economic vitality of the Town through the enhancement of public spaces in general and the pedestrian landscape in particular.

Definitions

Public Art

The possibilities for public art projects are immeasurable therefore the definitions of public art vary in form and substance. The Town of Canmore defines public art in its broadest sense. Public art is any original creation of visual art that:

- Is acquired with public monies, a combination of public/private funding, donated or loaned to the Town's Public Art inventory or can be privately sponsored artwork that is located on publicly owned land;
- Responds to the character and context of a site;
- Engages people as viewers or participants; and
- Is within the public realm.

Examples of public art include, but are not limited to:

- Paintings of all media, including both portable and permanently affixed works such as frescoes and murals;
- Sculpture of any form and in any material or combination of materials. This includes statues, monuments, fountains, arches, or other structures intended for ornamentation or commemoration;
- Crafts and folk art works in clay, fiber, textiles, glass, wood, metal, mosaics, plastics and other materials; or
- Site-integrated artwork created by landscape designers and artists or artwork that is the result of a collaborative design team process where an artist is part of the team.

For the purpose of further definition, the following elements are not considered works of art:

- Directional elements, signage, or colour coding except where these elements are an integral part of a work of art;
- Objects that are mass-produced in a standard design, such as playground equipment, benches, drinking fountains and light fixtures;
- Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, printmaking, sculpture editions or other media arts;

- Artwork that serves as advertising for a business (such as a mural depicting the services of the business). This type of commercial art is considered to be advertising and is reviewed as signage; and
- Artwork that is displayed in booths as part of an arts festival.

Public Art Inventory

The public art inventory refers to a comprehensive database describing art which is in public view and has been commissioned by various agencies, public and/or private, or is on loan to the Town from another collection.

The inventory will detail the following, if known: artist, title, location, material, installation date, project initiator, current custodian and current conservation agency. The inventory will be updated with information about new commissions and changes in locations of existing works.

B. PUBLIC ART SUPPORT & PROCEDURES

1.0 Community Public Art Committee (CPAC)

In October 2004 Council approved the Terms of Reference for the Community Public Art Committee. CPAC will oversee development of public art, and the Committee will represent the interests of the community in the public art process. The Community Public Art Committee (CPAC), when looking for guidance and direction on new endeavors and program goals, will refer to this Policy. The Community Public Art Committee is a recommending body and acts in an advisory role. Town Council grants all final approvals for programs, budgets, competitions and acquisitions.

2.0 CPAC Staff Liaison

In order to facilitate the work of CPAC the Town will allocate a staff liaison to the committee to coordinate meetings, public art projects, other functions related to the promotion and implementation of public art and to ensure the ongoing development of public art.

The Role of the CPAC Liaison is to:

- a) Review projects to identify, and reasonably address, potential hazards. Artists commissioned by the municipality will similarly be required to give due care to public safety in the design, fabrication and installation of public art projects. External technical reviews may be necessary.
- b) Continue to refine and apply a standardized contract for public art commissions, to ensure the interests of the Municipality, and the artist, are protected, and to ensure a standard of professionalism is applied in the implementation of public art projects.
- c) Work with other Town departments to ensure the successful implementation and use of the Public Art Policy.

3.0 Municipal Support for Public Art

Municipal Commitment to Funding - The Municipality is committed to the long-term development of public art and will provide adequate funding depending on financial priorities as determined by Town Council. Public art projects and acquisitions will be planned as part of the yearly budget process and there must be sufficient funds available before any art project can be started.

4.0 Funding Mechanisms

a) Direct Town of Canmore Funding Programs

- The Canmore Community Art Program (Art Trust) that dedicates \$1 per capita annually to funding public art through a biennial art competition. (est. 1996).
- The Community Public Art Program that sees \$1 per capita annually put into a reserve fund. In the case of the Community Public Art Program an open competition may be held when adequate funding is in place. The competition parameters are outlined in this document and the budget and terms of the project will be recommended by the Community Public Art Committee and approved by Town Council.
- Town Council may create new funding mechanisms in order to allocate funding to public art projects.

b) Temporary Donations of Art

Temporary donations of artwork from the Alberta Foundation for the Arts, the Canada Council or other sources contribute short-term gain to a community's art inventory.

c) Donations and Gifts

Donations and gifts can help fund or provide for public art in the Town. Donations of art will be considered under the terms of this policy.

d) Fundraising and Grants

Grants for the commissioning of public art can be applied for through the provincial (Alberta Foundation for the Arts, Community Initiatives Program, etc) and federal government (i.e. Canada Council) and various foundations. Corporate or private funding can also be sought to augment the monies reserved for the commissioning of public art.

5.0 Communication

a) The Community Public Art Committee and CPAC Staff Liaison will collect and share information related to public art projects, policies and issues, so as to develop a resource library, and to anticipate opportunities and potential problems that may impact the future of Canmore's public art program.

b) The CPAC Staff Liaison will ensure that CPAC's initiatives are shared with Town Council, Town Administration, and that all departments are encouraged to consider opportunities for the appropriate integration of public art.

6.0 Public Relations

Community Involvement

The community will be involved in various stages of the public art process.

Promotion

- a. The Town of Canmore with the assistance of the Community Public Art Committee will complete and distribute a biennial brochure that promotes public art and public art initiatives in Canmore;
- b. Through liaison with community groups, public art will be represented at appropriate cultural events, such as arts festivals;
- c. As part of public art competitions, the public exhibition of artist proposals will be staged for public viewing;
- d. The Town of Canmore IT Department will include on the Town's website a virtual walking tour of public art in Canmore based on the Public Art inventory; and
- e. All Town owned public art pieces will be identified as such with consistent recognizable signage in the form of a free-standing or attached plaque.

7.0 Public Art Policy Procedures

- a) **Design review and approval** – No Town of Canmore sponsored artwork shall be erected, removed, or altered without the prior approval and review of Town Council. The review process is based on the recommendation of CPAC and should reflect professional judgment and sensitivity to the interests of the public. Public Art that poses an immediate safety hazard will be dealt with by staff immediately and an update given to Council and CPAC.
- b) **Gifts of artwork or privately sponsored artwork proposed for a publicly owned or privately owned sites within public view**
 1. *Meeting with CPAC Staff Liaison* - Prior to a formal filing of an application, the applicant is encouraged to meet with the CPAC Staff Liaison to obtain information and assistance concerning the review process. Topics of discussion may include the following:
 - a) Review procedures for Public Art gifts and donations
 - b) The type of artwork and proposed site for the project
 - c) Conditions of the gift as well as any copyright or deaccessioning requirements
 - d) Submittal requirements
 2. *Submittal requirements*: The project proponent shall submit the following material to the CPAC Staff Liaison, unless the liaison determines that some of the following material is not required. A completed application may include:
 - a) A written description of the proposal, which includes background on the artist and details on the specific artwork to include material, colours, media, dimensions and supporting structure.
 - b) Photograph, model, or drawing of the specific artwork
 - c) Any conditions of the gift
 - d) The applicant may propose the project for a specific site or the applicant may also propose to have a rotating display of artwork on a permanent site. The following information may also be required:
 - Site Plan
 - Survey
 - Landscape Plan
 - Lighting
 - Photos of the proposed site
 - Preliminary budget for the project to address installation costs, identification plaque, maintenance program and schedule for artwork and site, insurance costs
 - Site preparation costs including grading, landscaping, seating, lighting and signage
 3. *Staff/Committee procedure* – The CPAC Staff Liaison shall check the submittal for its completeness. The liaison may find that additional information is required to complete and properly review the proposal. When the application is found to be in compliance with the Community Public Art Policy submittal requirements the Committee will review the project. If the application is not in compliance, the application and materials shall be returned to the applicant with an explanation of the CPAC Staff Liaison's findings with notice to Council and Administration.

The CPAC Staff Liaison will also submit the project to the appropriate Town of Canmore departments so the following factors may be reviewed: Public Safety, interior and exterior vehicular and pedestrian traffic patterns and impacts on operational functions of the Town such as snowplowing, traffic control, environmental impacts and planning issues.

- a) CPAC will review the application and supporting material and if the project is found to comply with the policy, CPAC will make a recommendation to Council.

If additional information is required, the Committee may postpone their decision. If the application is tabled, the Committee will specify the conditions and additional and /or modified materials, which must be submitted by the applicant to CPAC, including any changes in the submittal. The applicant may also table the application to a future meeting for any reason.

- b) If the application is found to conflict with the policy, the Committee will disapprove the proposal. Any disapproval shall be in writing and will specifically describe the criteria that are not met.
- c) CPAC may recommend to Town Council the appointment of a jury to review a specific project if deemed appropriate.

4. *Final Acceptance* - Final acceptance of gifts and loans will be recommended by CPAC and approved by Town Council. Final acceptance of gifts will require:

- a) An executed contract transferring title of the artwork and clearly defining the rights and responsibilities of all parties;
- b) Complete records of accession including, but not limited to, a signed deed of gift, acknowledgment of receipt, registration information, location card, exhibition record, photographs or slides, and independent appraisal;
- c) Verification that the work is unique and an edition of one (unless stated to the contrary in the agreement and accepted by the Town);
- d) The establishment of an endowment fund if the Town's existing maintenance budget is not sufficient or if the potential maintenance is deemed excessive; and
- e) In general, works of art will be acquired without legal restrictions as to future use and disposition, except with respect to Provincial or Federal laws on preservation, copyright, and/or resale of works of art

5. *Selection of Artists and Artworks* - Commissioned or direct purchase artwork that is funded by Town of Canmore - The public art collection should evolve from a process that is fair and that yields the best art. For initial projects, the Municipality has applied the best available information to ensure that the selection process is fair and suited to the circumstances of the project.

- a) The process for the selection of artists and artwork should be fair, objective and based on current best practices.
- b) The selection procedure will involve a jury or selection panel.
- c) CPAC may limit eligibility to designated geographic regions or artistic disciplines, on occasion, to achieve specific project objectives.
- d) The artwork selection process will strive to achieve:
 - artistic excellence;
 - appropriate response to site context;
 - timelessness of design; and
 - durability of materials and adherence to maintenance considerations.

- e) Artists selected to develop a concept (prior to commission) may be compensated, at the recommendation of CPAC, and based on the budget approved by Council.
- f) Jury members may be paid an honorarium in special circumstance at the recommendation of CPAC and based on the budget approved by Council.

6. *Exceptions*

The following will be exempt from the formal review and acceptance procedure:

- Gifts presented to the Town by foreign governments or by other political jurisdictions. Permanent placement of any such artworks will be discussed with appropriate Town departments and recommended by CPAC to Council for final approval;
- Art or exhibitions loaned for display on public property for 90 days or less. Review and approval in these instances will be the responsibility of the Community Services Division in conjunction with the department with jurisdiction over the site of the display or exhibition; and
- Privately owned artworks displayed in private offices or in non-public areas of town facilities.

Notwithstanding the requirements of Section 7.0, the Community Public Art Committee is a recommending and advisory body only. The committee may identify when it is financially appropriate to hold a competition or acquire a piece of art. The committee will submit the budget and terms for the competition or acquisition to Town Council for final approval.

8.0 Public Art Collection

1. *Relocation of existing Town of Canmore owned artwork*

- a) Submittal Requirements – CPAC, Town Administration, and Town Council, the Artist or concerned citizens may initiate a request to relocate an artwork. The CPAC Staff Liaison is responsible for compiling a summary report that lists all the background information on the artwork, any special legal conditions that relate to the artwork, artists' rights, information on the new location for the artwork, property owner's approval for the new location, time frame for relocating the artwork, a review by the Town's Lawyer outlining any legal issues related to the request and communicating the findings to Town Council.
- b) Staff Liaison/Committee Procedure – The CPAC Staff Liaison will schedule the proposal on the agenda for the next appropriately scheduled Committee meeting. It will be reviewed with respect to the policy to determine if relocation is appropriate for the artwork with the approval granted by a majority vote of the Committee. Once the Committee has voted to give final recommendation to the relocation, the Staff Liaison will seek Town Council approval. Following necessary approvals, the Staff Liaison, the Committee and the Town lawyer are responsible for implementing the relocation of the artwork.

2. *Deaccessioning Town of Canmore owned artwork*

- a) Submittal Requirements – CPAC, Town Administration and Town Council, the Artist or concerned citizen may initiate a request to deaccession an artwork. The CPAC Staff Liaison will be responsible for compiling a summary report that reviews how the artwork was acquired, conditions of acquisition, artists' rights, and review from the Town of Canmore lawyer identifying legal issues related to deaccessioning the particular artwork and communicating the findings to Town Council.

b) Staff Liaison/Committee Procedures – once the Staff Liaison has completed the written summary relating to the artwork, the Staff Liaison will put the deaccessioning proposal on the agenda of a regularly scheduled CPAC meeting. The proposal will be reviewed with respect to the policy to determine if the deaccession of the artwork is appropriate. Once the Committee has voted to give a final recommendation to the deaccession, the Staff Liaison will seek Town Council approval. Following necessary approvals Administration, the Committee and the Town lawyer are responsible for implementing the deaccession of the artwork.

9.0 Initiating Projects

- CPAC, with the assistance of the CPAC Staff Liaison, will develop an ongoing inventory that identifies key sites and types of projects, so as to plan the long-term growth and placement of the public art collection.
- CPAC should act as an advocate in promoting public art initiatives on private land. The Committee and CPAC Staff Liaison may serve to assist private sector initiatives by reviewing proposals, and offering suggestions and referrals to other sources of information.

10.0 Site Selection Criteria

Prior to selecting a site for an artwork, CPAC, with the assistance of municipal staff, will take into consideration the following factors:

- a. The visibility of the site by the general public;
- b. Public safety;
- c. Interior and exterior vehicular and pedestrian traffic patterns;
- d. Relationship of proposed site to existing or future architectural features and to natural features;
- e. Facility for users and/or interaction of users with proposed artwork;
- f. Future development plans for the area;
- g. Site design, including landscaping, drainage, grading, lighting and seating considerations;
- h. Relationship of proposed artwork to existing artworks with the site vicinity;
- i. Noise or light associated with the artwork;
- j. Public accessibility to the artwork, particularly handicap access;
- k. Impacts on adjacent property owners' views; and
- l. Impacts on operational functions (i.e. snowplowing) of the Town.

11.0 Rights and Responsibilities

With completion of contractual requirements and final acceptance of the project, the municipality will take ownership of the artwork. Notwithstanding transfer of ownership, both the artist and the municipality retain rights and responsibilities that extend beyond the period of the contract or warranties. Such rights and responsibilities concern changes to the artwork, as well as reproduction rights.

The Canadian Copyright Act ensures that the artist retains rights in the artwork, other than ownership and possession.

- The artist will warrant that the work is unique, and the result of their own creative effort.
- The artist retains ownership of drawings and other design and presentation materials. Such materials are to be returned to the artist. The municipality may retain reproductions of these materials.
- The municipality may make non-commercial, photographic or graphic reproductions of an artwork to enable promotion of the public art program.

- Typically, an artist, the municipality or others will not make exact duplicates of an artwork, as the public art program seeks to create unique, site specific art.
- Circumstances may arise where a change to an approved artwork or design may be proposed by the artist, or may be necessitated due to site conditions or damage.
- Changes to an approved artwork design may be proposed by the artist, prior to transfer of ownership. The contemplated change must be submitted in writing to the municipality for the approval of Town Council on the recommendation of CPAC.

12.0 Collection Management - Routine Care and Maintenance

Town of Canmore assumes the responsibility for the ongoing conservation of artworks belonging to the Town. The Community Services Division will identify the maintenance requirements and conservation of all artworks in the Town's collection. Routine labor and maintenance costs, supplies and materials will be the responsibility of the applicable department. Extraordinary and consulting costs will be paid for out of the public art fund.

1. Artist or Donor Responsibilities

When the Town acquires an artwork, whether by commission or donation, the artist or donor shall have certain responsibilities including, but not limited to, the following:

- As part of the contractual arrangement for the creation of artworks, the artist or donor will provide the municipality with warranties with respect to materials and workmanship.
- Within the terms of the contract acquiring any specific artwork, the artist or donor will guarantee and maintain the work of art against all defects of material or workmanship for a period of one to five years following installation or acquisition.
- Within the terms of the contract, the artist or donor will provide the Community Service Division with detailed instructions regarding routine maintenance of the artwork including a maintenance manual and maintenance schedule.
- Within the terms of the contract, all repairs and restorations that are made during the lifetime of the artist will have the mutual agreement of the Town and the artist where feasible. To the extent practical, the artist will be given the opportunity to accomplish such repairs.

2. Town Responsibilities

CPAC Staff Liaison will:

- Review with the artist design proposal and the artwork with respect to maintenance, and will provide recommendations that reduce the potential maintenance burden without compromise to the integrity of the art.
- Provide adequate insurance for the protection of the Public Art collection.
- Review maintenance manuals to ensure the prescribed maintenance schedules are followed.
- Maintain an inventory of the public art collection, inspect and prepare a report on each work of art in the Town collection every year which will include the following: present location of the artwork, present condition of the artwork and recommendation regarding needed maintenance or repairs.
- Notify the artist where damage to an artwork, changing site conditions or other reasons necessitates deaccessioning the piece. If the sale or disposal of an artwork is contemplated, the artist will be given the first option to purchase the piece.

13.0 Collection Requirements

Works of art will not be accepted or otherwise acquired for the community collection unless the following conditions are met:

- A legal instrument of conveyance, setting forth an adequate description of the artwork involved and the precise conditions of transfer will accompany all gifts and purchases and will be kept on file at the Town of Canmore Civic Centre. In the case of purchases, commissions and conditional gifts, the seller, artist or donor must sign this document and

by an authorized Town representative; in the case of unconditional gifts the donor must only sign it; and

- Title to all artworks acquired for the collection should be obtained free and clear, without restrictions as to use or future disposition. If artworks are accepted with restriction or limitations, the conditions shall be stated clearly in an instrument of conveyance, and shall be made part of the accession records for the artworks, and shall be strictly observed by the artist and the Town.

14.0 Procedures

Project Planning

- On a project-by-project basis, the experiences of other projects, completed in this region or elsewhere, should be researched by CPAC, the CPAC Staff Liaison or the Artist, so as to learn what materials or methods may work or fail in this climate, or in areas subject to high use;
- During project planning, staff from appropriate Town departments should be consulted; and
- Prior to final acceptance of a project, inspections should be conducted to ensure the artwork will be durable and free of hazards.

15.0 Exhibits, Loans and Art Events

- The display of public art may include creation and management of a portable collection. The portable collection would be subject to the normal art selection procedures, and establishment of the collection would include consideration of appropriate sites and pieces for rotating exhibits, as well as storage requirements.
- The display of temporary exhibits and art events on municipal property is subject to review by the Community Public Art Committee and municipal staff, and approval by Council.
- A requirement of approval of the display of privately owned art on public property will be the proponent's provision of adequate insurance, as well as provision for loading, care, the protection of public property and control of potential hazards.

16.0 Private Sector Projects

Private property owners, developers and community organizations may wish to include public art projects as part of improvements to private property that is within the public realm. Alternatively, the private sector may wish to fund, or work with the municipality to develop public art projects on municipal land. A private sector art project will fall under the same application process as other proposed art projects.

C. IMPLEMENTATION

1.0 Methods of Artist Selection

Four basic methods of artist selection have evolved. The specific selection process will be reviewed for each project. Methods can be adapted and modified to situations.

1) Open Competition

- An open call is held to elicit proposals for a public art project. Information includes site, budget, and other parameters. Range and type of publicity is contingent on the Artist Eligibility Guidelines selected for the project.
- A project prospectus is developed for the project and is available to anyone responding to the call for artists.
- Proposals are accepted from all artists.
- No proposal development fee is paid.

- Selection panel meets once to recommend an artist.

2) Limited Two-Stage Competition

- Expressions of interest are elicited for a public art project. This may be through an open call or invitation.
- A small number of artists, subject to the Artist Eligibility Guidelines, are selected based on slides and documentation of past work. Short listed artists are paid a fee to develop a proposal for the project.
- The applicant may wish to have a conceptual review of his/her proposal by the Community Public Art Committee. A conceptual review gives the applicant the opportunity to discuss the proposal with the Committee. The Staff Liaison will schedule the conceptual review request on the agenda of the next appropriately scheduled Committee meeting. There are no submittal requirements for a conceptual review. CPAC will not vote on conceptual presentation.
- Selection panel meets once to recommend an artist.

3) Invitation

- Based on reputation and experience, an artist is invited and paid to develop a proposal for a site.

4) Direct Purchase

Submission materials and requirements will change for each project and will be outlined in detail in the project prospectus. Generally, artists will be asked to submit slides of recent artwork, an updated resume, and a letter of interest or intent. In the commissioning of a new work, artists may be asked to prepare artwork proposals. For design team projects, finalists will be interviewed. Direct purchases may be selected from the submitted slides of existing artwork, and/or through studio visits.

Criteria for the Selection of Artworks - Standard of Quality for Artworks

- Artistic excellence
- Appropriateness to site
- Safety of the artwork
- Durability of design and materials relative to theft, vandalism and the environment
- Maintenance requirements and resistance to vandalism
- Demonstrated community support
- Publicly visible
- Accurate budget
- Short and long-term maintenance and conservation requirements are defined
- Maintains a variety of style, medium, size, and type for Town collection
- Selection of the artwork is subject to the artist(s) completing a contract as set forth by the Town of Canmore.

Artist Selection Procedures

The goals of the artist selection process are:

- To implement the goals of the project through appropriate art selection;
- To seek quality and integrity in the artwork;
- To choose an artist(s) who will best respond to the unique characteristics of the site; and

- To choose an artist with the ability to work closely and compatibly with the project architect(s), engineers, committees, administration and community members.

Artist Eligibility Guidelines

The public art policy is committed to a wide diversity of types of art, artists, and points of view for art in public places. For this reason, limits may be recommended for eligibility of artists on certain projects.

- CPAC may recommend limiting the eligibility for certain projects to designated geographical regions or artistic disciplines.
- CPAC may recommend the development of specific projects to reach applicants who have not previously been commissioned or who maintain a certain area of artistic expertise.

2.0 Selection Panels / Juries

The CPAC Staff Liaison and the Community Public Art Committee will maintain a list of qualified persons that may be called upon to serve upon selection panels or juries. These groups may be comprised of individuals with qualifications similar to those specified for CPAC. Persons serving on a selection panel may be paid an honorarium. The honorarium and other panel related expenses would be part of the project budget.

Appointment of Selection Panels/Juries

CPAC may choose to appoint a jury to review artwork. Council must approve all juries.

The size of the jury is determined by CPAC

Jury members shall serve at the discretion of the Committee and the Committee may remove members upon approval of Council. The Town of Canmore Staff Liaison shall serve as the nonvoting resource person for each selection panel/ jury and shall be responsible for project management.

Jury Advisors

The jury may solicit comments and advice from individuals whose comments the jury may find helpful in the development of the project concept and actual selection of a particular artwork. It shall be especially important for the jury to seek comment from those persons who because of the location of their residence or business will be in frequent contact with the artwork selected. Advisors do not vote.

Consultants to the Jury

Occasionally professional consultants may be needed to advise and/or assist the jury with specific projects for such purposes as:

- a. Professional appraisal of art work
- b. Performance of feasibility studies, specific to execution of proposed art works
- c. Packing and shipping of art works
- d. Review of engineering specifications
- e. Conservation and maintenance
- f. Collection documentations
- g. Installation design
- h. Presentation assistance
- i. Landscape architecture design

Jury Voting Rights

Each juror has one vote and no juror has the right of veto. If the jury cannot reach a consensus, then the majority vote carries the decision. The jury has the right to make no selection if there is no proposal judged to be of sufficient merit.

Documentation of the Jury's Decision-making Process and Accession of the Artwork

The CPAC Staff Liaison shall be responsible for keeping accurate records and minutes of the decision-making process and criteria used to select each CPAC project. The Jury shall review these records for their accuracy. The jury must approve the records by a majority of its members.

Conflict of Interest Concerning Any of the Review Bodies

Any artist selected to serve on the Selection Jury is precluded from having his/her work considered for inclusion in the same project during his/her term of service. Conflict of interest guidelines specified for the Community Public Art Committee would apply to selection panels.

Persons other than artists who would receive financial gains from the selection of work are ineligible for jury appointment (gallery owners, art brokers, artists' representatives, etc. on a project by project basis).

3.0 Authority

Public art is not specifically addressed by legislation, such as the Municipal Government Act. The Municipality will exercise control over artworks developed on properties it owns or holds an interest in. For development permit applications that include public art, as defined in this policy, as a component of the project, the Town of Canmore will exercise control of exterior artwork developed on private land and visible within the public realm.

Efforts to control or regulate public art may be subject to the Canadian Charter of Rights and Freedoms, and specifically the freedom of thought and expression.

4.0 Periodic Policy Review

Over time, the experiences of public art creation and the needs of the community may warrant changes in the public art policy. The policy should be monitored to ensure its relevance and appropriateness, particularly during the initial period of implementation.

CPAC will review the Public Art Policy in the second year following adoption by Council. Subsequently, the policy should be reviewed by the Community Public Art Committee and Administration on a biennial basis or as directed by Council.