



Policy No. 13.4  
Adopted October 26, 2009  
Amended March 25, 2013

## ***Municipal Arts Program Policy, 2009***

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### **Policy Statement:**

The purpose of this policy is to provide a framework for the acquisition, placement, management, protection and care of public art in all disciplines, while aesthetically enhancing Sooke's public spaces, enriching the cultural life of the community, and improving the visibility of art and local artists.

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### **1.0 Definitions for the purpose of this policy:**

- 1.1 **Commission** means an order for a work of art produced specially for the District of Sooke, which may be for permanent or temporary works of art.
- 1.2 **Competition** means a contest based on specific requirements which offers artists the opportunity to compete for the commission of a work of art produced specially for the District of Sooke.
- 1.3 **De-accessioning** is the process of removing an object permanently from the art collection.
- 1.4 **Program** means Municipal Arts Program;
- 1.5 **Public Art** means any permanent or temporary creative works in any discipline, in the public or private domain that are accessible to the public, and includes original or limited editions of visual works of decorative or functional purpose which include, but are not limited to:
  - Sculpture in any material or combination of materials;
  - Murals, mosaics, fibre works, glass works, photography, paintings, or other art forms in any material or combination of materials;
  - Tableaux, vignettes or creative displays of an artistic/informational nature which interpret the heritage significance of a building or site;
  - Architectural embellishments such as street inlays, or landscaping features with artistic intent;
  - Performing arts; Dance, music, theatre and literary arts.
- 1.6 **Public Space** means interior or exterior spaces frequented by the public, or within public view, and accessible to or visible by the public during normal business hours or longer. Such areas may be in the public or private domain.

## **2.0 Art Projects**

- 2.1 Art projects that are initiated by the District of Sooke must be approved by Council.
- 2.2 The District of Sooke encourages participation and partnership with land owners, businesses and organizations to provide *public art* in privately owned spaces accessible to the public (ie, murals on privately owned buildings, the Logger's Pole, etc).
- 2.3 Assistance may be given to landowners, businesses and organizations wishing lists of artists, or advice on selection criteria, and/or material or siting of art works, upon request.
- 2.4 Sponsors of *public art* projects may be the District of Sooke, other governments or government agencies, non-profit organizations or the private sector.

## **3.0 Administrative Structure and Decision Making**

Two separate bodies shall administer public art for the District of Sooke, including:

- (1) District of Sooke Council, responsible for policy and the administration of the Sooke Arts Reserve Fund ("SPA Reserve Fund") and overall coordination of projects and selection of public art less than \$5000 in project value, and
- (2) Temporary Public Arts Juries, which will select art for large public art commissions where the project is equal or greater than \$5000 in project value.

### **3.1 Role of Council:**

- a) Administer the SPA Reserve Fund for the purpose of public art projects approved by Council.
- b) Establish an annual action plan for public art projects, including an operating budget.
- c) If the project has a value of \$5000 or greater, Council shall appoint a temporary Public Arts Jury to select the public art. Council has the discretion to appoint a temporary Public Arts Jury for any art project they deem appropriate regardless of project value.
- e) Promote and communicate the value of the Municipal Arts Program to the community.
- e) Develop and maintain partnerships with the cultural and business sectors to implement the Municipal Arts Program Policy.

### **3.2 Temporary Public Arts Jury**

Temporary Public Arts Juries will be appointed by Council when a competition or commission is open for a piece of public art, i.e. Artwork where the project is equal to or greater than \$5000.

- a) Invitations shall be sent to potential jury members, whose responsibility shall be to choose among submissions for public art commissions and competitions, as outlined in this policy.
- b) The Corporate Officer, or designate shall, where practical, support the implementation of all public art commissions.
- c) Each jury will consist of three members of the public.
- d) Juror names shall be kept confidential until after the close of the project to avoid potential undue influence.
- e) Selection of Public Art: Jury members shall:
  - i) Review the submissions prior to the jury meeting;
  - ii) Rank the top three submissions;
  - iii) Listen openly to the assessment by all Jury members; and
  - iv) Vote on a final recommendation to Council.
- f) When public art is selected by a Jury, Staff shall provide a report to Council advising of the selection.

### **3.3 Role of Staff**

- a) Conduct regular reviews of and make recommendations to Council for improvements to policies and bylaws pertaining to arts.
- b) In consultation with the Sooke Region Museum, ensure the maintenance of an inventory of the existing art collection.
- c) Determine suitable public places and spaces for the display of public art, and develop a list of potential local and regional artists to produce or assist in the production of appropriate art works.
- d) Upon request, provide practical assistance to land owners, organizations and business owners in the display of art in new and existing developments and public spaces.
- e) Coordinate acquisition and de-accessioning of public art as per this Policy.
- f) Coordinate artistic competitions, and make decisions on public art work with a project value of less than \$5000.
- g) Ensure that copyright, ownership, publication, exhibition, and jury feedback are appropriately considered and fulfilled in accordance with any legal requirements.

### **4.0 Commissions, Competitions & Selection Criteria**

Competitions, commissions or the acceptance of gift commissions for *public art* may be conducted by the District. The following will provide the guidelines for competitions and commissions on behalf of the District of Sooke:

#### **4.1 Competition and Commission Guidelines**

- a) Background - on the District and the reasons for the competition (e.g. to promote cultural exchange, to interpret the District's history to visitors, to beautify a part of specific building).
- b) The Project – description of the nature of the project, the purpose of the competition, and whether it will be purchased or it will be commissioned (possibly on site).

- c) The Site - description of the proposed site including light sources, adjacent buildings, walkways, landscaping features and general ambiance of the site. Photographs may also be provided.
- d) Budget - a statement of who will pay the commission fee, the amount of the fee for purchase and identify which copyrights are included. If travel, or other component (shelter, food, materials) is included, it should also be indicated.
- e) Presentation Requirements - details of presentation requirements such as height, width, framing, materials, indoor, outdoor high/low temperatures, winds, sun, humidity, safety features, tipping, falling and sharp surfaces. The piece should be finished in a specific number of days or by a specific date.
- f) Procedural Details - information on time frames (submission dates, notification dates and completion of project dates), information on dedications (which is information about the individuals or occasion to which the work of art is dedicated) and specific of any promotion or advertising.
- g) Submission Specifics - details of what the artists may be asked to submit such as:
  - a fee for materials handling
  - photographs, video tapes or transparencies of recent works.
- h) Selection Process - details the weight for each component of the submission.
- i) Additional Provisions - details procedures that can be followed to clarify proposals or assessments, if required.

#### 4.2 General Selection Criteria

The following general selection criteria will be used in the selection of artworks and artists. Each criteria will receive a weighting but the weighting will be determined on a project by project basis. For example, in certain circumstances the “relevance of theme to Sooke and local context” or “residency in the District of Sooke” may weigh higher in one given project than in another. In certain circumstances the District may wish to establish “supporting young and emerging artists” as opposed to “experience in delivering projects of similar scope” as a more important criteria based on the objectives of the specific project.

#### EXAMPLE OF PUBLIC ART PROJECT WEIGHTING

Description	Weight
Compliance with submission requirements and budget	Pass/Fail
Artistic Merit, imagination and innovation	40
Experience in delivering projects of similar scope	20
Feasibility of construction	15
Relevance of theme to Sooke and local context	10
Durability and ease of long term maintenance	10
Residency	5
TOTAL POINTS	100

- a) **Compliance with submission requirements and budget:** The submission must comply with the parameters of the Competition and Commission Guidelines. If it fails to comply with the parameters contained in the Competition and Commission Guidelines in a way that is not remediable, it is declined.

- b) Artistic merit, imagination and innovation:** This is an assessment of the application of artistic principles made to the project. The assessment is made in the best judgement of each member of the Jury based on their experience in working with the artistic community.
- c) Experience in delivering projects of similar scope:** This is an assessment based solely on the written submission or portfolio submitted by each artist. The Jury will look at the history, scope and nature of the artist's work. Submissions include resume, project work and often includes slides of previous work. This criteria will not apply in cases where "supporting young and emerging artists" is a more paramount objective.
- d) Supporting emerging and young artists:** This criteria will apply to projects where the development of young and emerging artists is a more important factor than "experience in delivering projects of similar scope". It applies not only to young artists, but artists who have not participated in a public art process before. Artistic merit, and other factors, however, remain critically important. This criteria supports community building and provides ability to engage the public and artists in a developmental process.
- e) Feasibility of construction:** This is an assessment based on the materials and construction methods submitted by each Artist. It also looks at the feasibility of the construction as it relates to public safety.
- f) Relevance of theme to Sooke and local context:** This criteria judges how the artwork relates to the chosen theme, the linkages with the community and the ability of the project to resonate with the public and convey the messages of the project. These can be assessed on the basis of a short written description of the theme of the piece submitted by the Artist. References, for example, to local geography, history or other characteristics of the District of Sooke would be considered. These criteria would likely be weighted differently from project to project depending on how important the geographical or historical elements are.
- g) Durability and ease of long-term maintenance:** This criteria measures how the artwork will fare against environmental elements. It is particularly important in outside pieces. Careful consideration must be made in developing a maintenance and conservation program to ensure the integrity of the piece and to adhere to the highest standards of conservation and maintenance.
- h) Residency:** One of the key objectives of the Municipal Arts Program Policy is to showcase and support local artists. At the same time this policy has identified providing access by the public to the widest possible artistic experience from around the province. Residency weighting, therefore, will be determined on a project by project basis, depending on the objective of each project.

## **5.0 Acquisition of Art**

- 5.1 The District of Sooke can acquire works of art in the following ways:
- a) By donation
  - b) By purchase
  - c) By purchase as a joint project with another organization
  - d) Amenity contribution
- 5.2 Appropriateness of the donation to the collection will be determined, as per this policy, and the District of Sooke will have the right to decline the acceptance of any donation. The following general considerations should be undertaken when considering a donation:
- a) The physical condition of the artwork should be documented. Special storage, display and loan requirements should be noted.
  - b) The artwork should enhance and strengthen the District's collection.
  - c) Absolute ownership of the work of art must pass to the District, and determination of copyright is essential.
  - d) The donation must demonstrate the appropriate ownership and comply with all laws and statutes of the Province of British Columbia, Canada and international agreements.
  - e) Donations will not normally be accepted where a condition of donation requires permanent exhibition of a work of art
- 5.3 The District will attempt to honour a request that a work of art be placed in a specific location. Such requests will be considered at the time of acquisition by the District.
- 5.4 All works of art shall be insured by the District.

## **6.0 De-Accessioning Art**

- 6.1 A work of art can be de-accessioned under any of the following conditions:
- a) It has no relevance to the collection or serves no exhibition function.
  - b) It is a duplicate which is not considered useful.
  - c) It is in seriously deteriorated condition.
- 6.2 Staff will provide a report to Council as to the de-accessioning of a work of art.
- 6.3 When de-accessioning works of art:
- a) It must be ascertained that there are no legal restrictions against its disposal.
  - b) Memorial gifts should be accepted and de-accessioned with great caution.
  - c) All terms of sale and sales negotiations shall be the responsibility of the District.
  - d) All proceeds realized from the act of de-accessioning must be credited to the SPA Reserve Fund.
  - e) All items which are de-accessioned should be publicly recorded.
  - f) No work of a living artist should be subjected to de-accessioning of art unless an exceptional condition or reason for disposal is found to exist.
  - g) If a living artist has a piece of artwork being considered for de-accessioning, the artist must be contacted and given right of first refusal for the artwork.