



CITY OF  
ST. CATHARINES

## Corporate Report

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**Report from** Parks, Recreation and Culture Services, Programs and Cultural Services

**Date of Report:** August 11, 2015

**Date of Meeting:** September 14, 2015

**Report Number:** PRCS-236-2015

**File:** 68.31.99

**Subject:** Relocating the Day of Mourning Tribute to Workers Memorial - Follow-up

### Recommendation

That Council direct the Public Art Advisory Committee to work with the Niagara Regional Labour Council to consider location options for the Day of Mourning Tribute to Workers Memorial and finalize a location that best serves the purpose of the Memorial; and

That staff report back to Council with the recommended location seeking their approval in time for the memorial's relocation before April 28, 2016. FORTHWITH

### Summary

This report describes the process and criteria within the St. Catharines Public Policy to determine a location for a memorial within the Civic Art Collection. The Public Art Advisory Committee (PAAC) has met with a representative of the Niagara Regional Labour Council, which is requesting that the memorial be moved to City Hall. Using the criteria and direction within the Public Art Policy, the PAAC are recommending that other locations be considered instead, with the goal of increasing public awareness of the importance of the Memorial's intent.

### Background

In 2012, the City was informed by the Niagara Region that a memorial in the Civic Art Collection would need to be moved to accommodate construction of the Burgoyne Bridge. The Day of Mourning: Tribute to Workers Memorial was originally located on the east side of McGuire Street across from Merritt Park. The memorial was unveiled at this location on April 28, 1995, in recognition of Canadian workers killed or disabled / by injury or disease in the workplace and to increase awareness of the importance of safety in the workplace. It was sponsored by a series of partners who are now represented by the Niagara Regional Labour Council.

On April 13, 2013, staff reported to City Council that the memorial had been moved to a temporary location in Memorial Park (Appendix 1). Council approved the following motion:

“That Council direct staff to gather feedback from the military community on the selection of Memorial Park as a permanent site for the Day of Mourning Tribute to Workers Memorial; and

That staff report back to recommend a permanent location for the memorial.  
FORTHWITH”

Staff gathered feedback from Royal Canadian Legion Branch #24, which confirmed that Memorial Park would not be supported by the military community as a suitable site for recognition of a non-military nature. A number of additional site options were presented to the Niagara Regional Labour Council (NRLC), including a return to the original site near the end of the Burgoyne Bridge. At the time, the NRLC requested the memorial be installed on the grounds of City Hall, although if this were not approved they determined that the memorial’s original site would be the second best alternative.

Since that time plans for the end of the Burgoyne Bridge have been finalized, and the Tribute to Workers Memorial could be included in the landscaped area at the end of the bridge nearest downtown.

## **Report**

On May 5, 2015, City Council passed the following motion:

“That staff report on the costs, requirements and process to permanently relocate the Day of Mourning Monument to city hall in time for the Day of Mourning ceremony in 2016; and

That the Public Art Advisory Committee be included in the discussion.”

At a delegate meeting on June 10, 2015, the Niagara Regional Labour Council unanimously passed a motion that “Be It Resolved That the NRLC works with St. Catharines City Council and St. Catharines City staff to relocate the Workers Monument currently located on St. Paul Street West to a prominent location at City Hall.” The NRLC has sponsored eight similar memorials across the Niagara Region, and two are installed at City Halls: in Niagara Falls and at Niagara Regional headquarters.

## **Process for Determining Memorial Location**

Management of memorials and artwork owned by the City is governed by the Council-approved Public Art Policy: Section I, City of St. Catharines Art Collection Management Policy and Guidelines (Appendix 2). The Public Art Advisory Committee is the advisory body designated by the Policy to make recommendations to Council in relation to acquisitions and major collection management issues, such as relocating a memorial.

Within the policy, City Hall is distinguished from all other City-owned properties: “City Hall represents the political and social centre of the City and is a primary showcase for the City’s art collection.” (Section 5.1 in the Public Art Policy)  
It lists the types of artwork and commemoratives that are suitable for indoor spaces at City Hall. The list does not account for outdoor art and memorials.

The Tribute to Workers Memorial falls into the category of “outdoor art and memorials” (Section 5.3). The policy states: “All outdoor art will be assessed for appropriateness by the Public Art Advisory Committee according to stated criteria. Special attention will be given to the significance of the individual, group or event being memorialized and the reasons to merit such an honour. On an aesthetic level, memorials should possess timeless qualities and have relevance for future generations (Section 5.3.b).

Location of a memorial requires an evaluation using the following criteria (Section 5.4.a):

- visibility
- public safety
- interior and exterior traffic problems
- suitability to location/site (form, content, materials)
- function of the existing facility or site
- users and interaction of users with the memorial through:
  - appropriateness to the physical characteristics of the site;
  - relationship to the social and cultural identity of the immediate local community;
- landscape design
- environmental assessment
- public accessibility

## **Public Art Advisory Committee Review**

A representative of the Niagara Regional Labour Council was invited to present at the Public Art Advisory Committee meeting of July 17, 2015. At that meeting the Committee passed the following motion:

“That the Committee request that Council delay approval of City Hall as the site for the Tribute to Workers Memorial in order to allow the Public Art Advisory Committee to evaluate optional sites more suitable to the goals of the Niagara Regional Labour Council, within the guidelines of the St. Catharines Public Art Policy.”

The Committee thought the message of the Memorial was important, and it would ideally be located at a site where as many residents as possible would see and read it. The only feasible location at City Hall is the Church Street lawn, as the NRLC holds a ceremony in front of the memorial each year. While the Church Street lawns provide plenty of space, the Committee thought the pedestrian traffic would be limited and the memorial would likely be set back in a location that would make it inaccessible to most passers-by.

The nature of the memorial was also commented on: it is a two-tiered granite plinth, similar to a gravestone (Appendix 3). This structure ensures the memorial is sombre and appropriate to its intent, but would provide little aesthetic value to the City Hall landscape.

The Committee was sympathetic to the goals of the NRLC and a member of the PAAC volunteered to attend a meeting to further discuss locations for the memorial.

## **Financial Implications**

The cost of relocating the Day of Mourning: Tribute to Workers Memorial can be accommodated within the Parks, Recreation and Culture Services approved budget for 2015.

Moving the Memorial will require installation on a concrete footing to ensure its stability. The Memorial can be installed by city staff. The total cost to move and install the Memorial is estimated at approximately \$1,000.

## **Conclusion**

The Public Art Advisory Committee would like to find a permanent home for the Memorial that will allow its message to resonate with the public, thus increasing community awareness of the importance of workers' safety. The Public Art Policy supports this direction.

## **Notification**

That staff notify Chris Grawey, Vice President of the Niagara Regional Labour Council, P.O. Box 42, Stn Main, Thorold, ON, L2V 3Y7.

### **Prepared by:**

Rebecca Cann, Cultural Services Supervisor

### **Submitted by:**

Phil Cristi, Manager, Programs and Cultural Services

### **Approved by:**

David Oakes, Director, Parks, Recreation and Culture Services

## Corporate Report

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**Report from** Recreation and Community Services, Programs and Cultural Services

**Date of Report:** March 13, 2013

**Date of Meeting:** April 22, 2013

**Report Number:** RCS-077-2013

**File:** 68.31.99

**Subject:** Relocating Tribute to Workers Memorial

### Recommendation

That Council direct Staff to gather feedback from the military community on the selection of Memorial Park as a permanent site for the Day of Mourning Tribute to Workers Memorial; and

That Staff report back to recommend a permanent location for the memorial.  
FORTHWITH

### Summary

This report contains information about the relocation of the Day of Mourning Tribute to Workers Memorial that commemorates the National Day of Mourning each April 28<sup>th</sup>. In January, the memorial was moved to a temporary location in Memorial Park to ensure its safety during the Burgoyne Bridge construction. Staff, with input from the Public Art Advisory Committee, are recommending that the St. Catharines and District Labour Council's second choice of Memorial Park, which is located at St. Paul St. West and McGuire Street, be explored with the military community as the permanent site.

### Background

On April 30, 2012, Council approved the following motion:

"That Staff be directed to prepare a report before the 2013 National Day of Mourning, on possible locations for the monument at Merritt Park."

On April 28, 1995, the Tribute to Workers Memorial was dedicated in recognition of Canadian workers killed or disabled /by injury or disease in the workplace. It was sponsored by the Labour Councils of St. Catharines and District, Welland and District, Port Colborne and District, Niagara Falls and District, and by the Workers Health and Safety Centre. The memorial was installed on McGuire St. directly across from Merritt Park. It was confirmed in 2012 that the memorial would need to be moved during construction of the Burgoyne Bridge.

## Report

To determine when the memorial would need to be moved staff contacted the Niagara Region for the Burgoyne Bridge construction timelines. It was indicated that construction would commence in fall 2013 and, as such, a target of summer 2013 was set to relocate the memorial. In January of this year construction-related activity at the downtown end of the bridge extremely close to the memorial was identified. To ensure its safety, the memorial was moved to a temporary location in Memorial Park, in the northeast side of the park.

The St. Catharines and District Labour Council was contacted and options for permanently relocating the memorial were discussed. As well, criteria for site selection were provided to the Labour Council, from the City's Public Art Policy, as follows:

- visibility
- public safety
- interior and exterior traffic problems
- suitability to location/site (form, content, materials)
- function of the existing facility or site
- users and interaction of users with the memorial through:
  - appropriateness to the physical characteristics of the site;
  - relationship to the social and cultural identity of the immediate local community;
- landscape design
- environmental assessment
- public accessibility

Several sites were suggested for the Labour Council to consider, including: returning the memorial to near its original location once the Burgoyne Bridge is completed; the St. Catharines Museum and Welland Canals Centre; near the Skyway Workers Memorial which is beside the Welland Canal just north of Queenston St.; and Memorial Park, pending review by the military community.

Members of the Labour Council met to review the options presented by City staff and responded with a request to have the memorial relocated to City Hall grounds, or in Memorial Park as their second preference. They noted they wished to have maximum visibility for the memorial and also noted that waiting three years to relocate the memorial to its original location was not preferred.

City Hall is the political and social centre of St. Catharines and as such must represent all interests in the community in as equitable a fashion as possible. Installing the Tribute to Workers at City Hall could lead to similar expectations in future from other community groups with worthy memorials. The City may not be able to accommodate all future requests for permanent installations on its property. At present, the only memorials on City Hall property are those honouring war heroes.

The City currently has several memorials permanently installed in its parks system. Ideally all memorials would be associated with a park or site that is relevant to the subject being recognized. The site of the Skyway Workers Memorial is most suitable as

it is a site where workers lost their lives: however, since it is in a very isolated location, the Labour Council's reservations about this as a site are appreciated.

Staff have been in touch with Royal Canadian Legion Branch #24 to inform them of the temporary relocation of the Tribute to Workers to Memorial Park and they have been asked to review with their members the request to make the location permanent. They have noted they can have feedback available by mid-April. The Public Art Advisory Committee noted that if the military community supports the memorial in this location, the needs of the Legion for Remembrance Day Ceremonies would need to be accommodated.

The upcoming Day of Mourning ceremony on April 28 will take place at the temporary location in Memorial Park.

### **Financial Implications**

Transportation and installation costs are estimated between \$600-\$1,000 and landscaping will be less than \$3,000. Installation can be accommodated in the 2013 Recreation and Community Services (RCS) Operating Budget.

The final site for the monument will affect costs. If Memorial Park is selected then transportation costs will not be applicable and all landscaping can be accommodated within the RCS 2013 Operating Budget, as a related project to the cenotaph improvements at Memorial Park. If an alternate site is selected then transportation costs will apply and landscaping will need to be budgeted in 2014.

### **Conclusion**

The Day of Mourning Tribute to Workers marks a serious concern to the workers of Niagara as it emphasizes the importance of health and safety in the work place. Honouring those who lost their lives in the workplace is a somber, public responsibility. The preferred site offers considerable exposure to support the purpose of the monument.

### **Notification**

It is in order to notify Bruce Allen, St. Catharines and District Labour Council.

### **Submitted by:**

Phil Cristi, Manager of Programs and Cultural Services

### **Prepared by:**

Rebecca Cann, Cultural Planning Supervisor

### **Approved by:**

Rick Lane, R.D.M.R., Director of Recreation and Community Services

# PUBLIC ART POLICY

## SECTION I

### CITY OF ST. CATHARINES ART COLLECTION MANAGEMENT POLICY & GUIDELINES

*June, 2003*



*Relief of Mount Fuji Takehiko  
at City Hall*



*The Muir Brothers Dry Dock  
installation in Rennie Park*

# **PUBLIC ART POLICY**

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## ***PART A     City of St. Catharines Art Collection***

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### **1.0     Introduction**

Public Art is defined as physical works of art and cultural property installed in the public realm. These works of art can be temporary or permanent, and may be installed within buildings, or outdoors on public lands. This document is the first part of the City of St. Catharines' Public Art Policy, and provides a vision, purpose and goals for the City's relationship with all public art, while specifically addressing management guidelines and policy for the art collection that currently exists.

Future additions to this policy will develop guidelines for public art programmes and potential strategies for financing the programme.

### **1.1     Vision**

Visually beautiful cities stimulate a sense of pride and commitment. Through its Public Art Policy the City of St. Catharines strives to create vibrant public spaces that reflect the diversity of our community, and engage its residents and visitors with quality works of public art.

The City of St. Catharines seeks to encourage all those who care about the community to participate in making art, collecting it and commissioning it.

### **1.2     Goals**

1.     Provide access to art in public places for all of St. Catharines' citizens.
2.     Enhance St. Catharines' desirability as a community by creating appealing environments in which to live, work and play.
3.     Honour, preserve and encourage our cultural heritage and artistic diversity.
4.     Promote civic identity through awareness and preservation of the community's history, cultures and living arts.
5.     Support effective urban planning, economic development and cultural tourism opportunities.

All public art projects and acquisitions will be assessed and developed according to the above goals.

### **1.3     Purpose**

The purpose of this policy is to provide:

- an effective mechanism for determining appropriateness and method of placement of public art, be it temporary or permanent, within buildings, or outdoors on public lands belonging to the City of St. Catharines;
- the criteria for the review and selection of public art to be displayed within buildings, or outdoors on public lands;
- criteria for the acquisition of public art;
- guidelines for the management, preservation, interpretation, development and promotion of the City's art collection;
- a foundation on which to develop programs that allow St. Catharines' residents and visitors to experience art in public places.

#### **1.4 Community Context**

This policy has been developed with consideration for other public institutions in the city with mandates pertaining to art collections<sup>1</sup>. It is the intent of the City to operate in partnership and cooperation with, and mindful of, these institutions. For the residents and workers of St. Catharines to be best served, the management of the City's art collection shall be responsive to each of these institutions and, where reasonable, neither repetitive nor competitive.

<sup>1</sup> See Appendix 2 for copies of mission statements of St. Catharines Museum, St. Catharines Public Library, Rodman Hall Arts Centre and Brock University.

## 1.5 Art Collection

### 1.5.1 Ownership

The City of St. Catharines owns a collection of art work and items of moveable and fixed cultural property. It is an accumulation of material from varying sources and provenance brought together through various means, legally owned by the Corporation and retained on a permanent basis. It is understood that the ownership of the collection by the City is free and clear, without any limitations placed upon its use.

### 1.5.2 Definitions

For the purpose of this policy the following definitions apply. The term “art collection” or “collection of art” will be used to include both elements unless specified.

a. **Works of art** include “*items of artistic interest, such as:*

- *paintings and drawings, produced entirely by hand on any support and in any material (excluding industrial designs and manufactured articles decorated by hand);*
- *original prints, posters and photographs, as the media for original creativity;*
- *original artistic assemblages and montages in any material;*
- *work of statutory art and sculpture in any material;*
- *works of applied art in such materials as glass, ceramics, metal, wood, etc.*<sup>2</sup>“

b. **Cultural property** comprises tangible evidence of human history, tradition, culture and knowledge, such as:

- memorials, plaques and commemorative tablets;
- arches, ornamental gateways, foundation stones and other structures of a permanent or fixed character intended for ornament or commemoration, both interior and exterior;
- a combination of landscaping and landscaping design such as rocks, fountains, reflecting pools, benches and other types of street furniture;
- decorative arts (limited to the furniture and furnishings of the public

<sup>2</sup> UNESCO Recommendation for the Protection of Moveable Cultural Property, 1978, Article I (1): (vi) For further information refer to the article *Comparison of Definitions of Cultural Property In Different International Instruments* and the Getty Institute’s *Art and Architecture Thesaurus On-Line* [www.getty.edu](http://www.getty.edu)

- rooms of city owned buildings);
- artifacts comprising memorabilia or ceremonial objects;
- historical components;
- official gifts from visiting officials;
- gift exchanges from twin city relationships.

Detailed descriptions of the different classifications of art and types are included in the ***Art Inventory Report***<sup>3</sup>.

### 1.5.3 Scope

In keeping with the stated purpose and goals, the scope of the collection will include:

- works by artists who have been born, live or lived in St. Catharines;
- views of the City;
- representation of the community's civic history;
- representation of the community's cultural and artistic heritage;
- St. Catharines' specific content;
- items from community organizations, and other municipalities and countries that are presented as official gifts.

<sup>3</sup> Murphy, Judith *City of St. Catharines Art Inventory* Final Report, April 3, 2002. See Appendix 3.

## **PART B   *Management Guidelines***

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### **2.0   Role of Municipality**

#### **2.0.1   Governance**

City Council is the steward of the City's art collection and as such holds it in trust for the citizens of the City of St. Catharines. Council will maintain and develop the art collection in keeping with the vision statement and goals of the ***Municipal Cultural Policy for the City of St. Catharines***<sup>4</sup> and the ***Public Art Policy***.

#### **2.0.2   Management**

Council designates the custody of the art collection to the Recreation and Community Services Department. The management of the collection will be the responsibility of the Cultural Services Supervisor who will:

- ensure the development of a collection management system, with documentation standards and procedures modeled on museum practices and with an ongoing system of maintenance and inspection;
- develop, maintain and promote the art collection and oversee the provision of fiscal resources for this purpose;
- preserve the physical integrity and security of the art collection and the provision of adequate facilities and resources for its long term care;
- arrange for the installation and placement of the art collection in public spaces;
- develop programmes and public education opportunities related to the art collection's use and promotion.

#### **2.0.3   Staff**

The Cultural Services Supervisor will manage the City's art collection. Additional professional services will be provided by contract as required.

#### **2.0.4   Municipal Departments**

<sup>4</sup> *Municipal Cultural Policy for the City of St. Catharines*, October 18, 1999. Available on Request.

Policy implementation impacts on a number of City Departments. Most departments have both an active and consultative function. Responsibilities will include, but are not limited to:

**a. Corporate Services**

- appropriate distribution of communications pertaining to public art;
- cross-referencing of archives with art collection as necessary;
- exploration of management efficiencies between archives and art collection;

**b. Economic Development and Tourism Services**

- promotion and consultation in the development of cultural tourism opportunities;

**c. Legal Services**

- legal consultation related to donations and operational issues as required;

**d. Planning Services**

- opportunities to incorporate arts/aesthetics in the planning process;
- encouragement of public art in private development;
- encouragement for the integration of art within the city's built environment;
- cooperation in the design and installation of heritage plaques.

**e. Recreation and Community Services**

- staff and administrative support;
- coordination for the planning, development and installation of outdoor art including memorials, plaques, sculptures;
- development and implementation of an art maintenance schedule.

**f. Transportation and Environmental Services**

- assistance in the planning, transport and installation of art works from the collection as required;
- opportunities to incorporate art into the design process for all above ground development;
- support for the arts/aesthetics as an intrinsic component of engineering and architectural design.

## **2.0.5 Advisory Committee**

A committee will be appointed by Council to serve in an advisory capacity to

Cultural Services staff. The composition of the committee will aim to reflect the diversity and neighbourhoods of the community.

## 2.1 Public Art Advisory Committee

a. **Composition.** The Advisory Committee will be selected from the following:

- 1 member of City Council;
- 1 member of the Culture Committee;
- 1 staff person - Cultural Services Supervisor;
- 1 working visual artist or craftsperson, resident in St. Catharines;
- 1 person from the visual arts community i.e. curator, arts education person, arts administrator.

In addition, when applicable, the following individuals are to be included:

- 1 staff person from Parks Division, and/or
- 1 staff person from other Municipal Departments, Boards, Commissions or Committees, and/or
- 1 person from a relevant community organization or neighbourhood.

b. **Role.** The role of the Advisory Committee will be to consult with staff, review materials and make recommendations, regarding potential acquisitions and the disposition of works from the collection. They will also advise in the development of public art projects and any matters related to the development, promotion and use of the art collection.

c. **Terms of Reference** will be developed for the Advisory Committee which will detail process and reporting structure as per standard City procedure.

## 2.2 Code of Conduct

- a. The ***City of St. Catharines Employee Code of Conduct*** and the ***Municipal Conflict of Interest Act***, as amended from time to time, will apply to ensure fair and equitable treatment of all participants in the development and maintenance of the City's art collection.
- b. Any participant in the City's art collection process including staff and members of the Advisory Committee must declare any direct or indirect benefit to themselves, their families, employers or associates which may arise from the acquisition/ deaccession of any art work or related programmes/activities, and will be required to remove themselves from those processes.

## 2.3 Budget

- a. A specific budget for the art collection will be developed as part of the operating budget for Cultural Services.
- b. External sources of funds from the private sector will be explored as well as government grants and public funding programs.
- c. Special accounts such as Reserve Funds or Trust Funds will be investigated.

## 2.4 Facilities

- a. Appropriate facilities will be allocated for the administration, maintenance and storage of the City's Art Collection.
- b. The collection, when not on public display, must be stored in a secure area designated solely for this purpose.

## 2.5 Insurance

- a. Insurance coverage will be provided for the art collection as a distinct entity. The policy must protect the collection against all risks of direct physical loss or damage, while in transit and at all City owned/leased locations, and while in storage or on display.
- b. The Committee members will be covered by the municipal insurance policy which indemnifies them against legal responsibilities for their actions, providing that they are not guilty of wrongful acts or gross negligence.

## 2.6 Policy Review Cycle

This policy will be subject to review by the Public Art Advisory Committee from time to time in a manner consistent with the City's policy review procedures.

## 2.7 Implementation

- a. This policy will be implemented by Cultural Services staff.
- b. A ***Procedures Manual*** will be developed which will detail specific activities contained within this document.

## ***PART C Guidelines for the Acquisition of Public Art***

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### **3.0 Integrity**

To ensure the integrity of the process of acquiring public art, the following criteria have been developed for reviewing proposed projects, offers of sale and offers to donate to the City's collection. In addition, it is the aim of this policy to ensure assistance is provided to all community members who seek to donate or sell works of art or cultural property to the City.

### **3.1 Acquisitions**

#### **3.1.1 Sources**

The Corporation may acquire material for the permanent collection through any of the following methods:

- gifts/donations;
- bequests;
- trades/exchanges;
- purchases;
- transfers;
- commissions.

#### **3.1.2 Donations**

a. A donation of public art includes:

- an offer from an individual or organization to donate to the City an official gift of public art (either an existing art work or funds to purchase or commission a new art work);
- a commemoration to the City of St. Catharines;
- or the installation of a public tribute or major public recognition.

b. Donations of all works of art submitted to City Council will be forwarded to Cultural Services staff. Cultural Services staff will contact the donor and gather any information relevant to the process. Staff will also endeavour to provide the donor with an outline of the review process, and any issues that may be associated with the offer.

c. Any items presented to a City Council member in the performance of their

civic duty is considered a gift and therefore the property of the City of St. Catharines and will be reviewed by the Public Art Advisory Committee for consideration for permanent retention within the City's art collection.

- d. Donations of funds for the purchase of art or the planning, design, manufacture and installation of outdoor art including memorials will be referred to the Public Art Advisory Committee for consultation, review and recommendations for further action as required.

### **3.1.3 Purchases**

All purchases and requests for proposal shall abide by the City's Procurement Policy and Procedures and follow the approval process as described below.

### **3.1.4 Approval Process**

- a. The offer of all material identified from any source for potential acquisition into the permanent collection must be forwarded to Cultural Services staff for submission to the Public Art Advisory Committee. All offers will undergo a complete approval process.
- b. The Public Art Advisory Committee will meet to review the request according to the criteria outlined below. A report with the Committee's recommendation to accept or decline the gift will be submitted to the Director of Recreation and Community Services for referral to City Council. Council will then consider the recommendation.
- c. The approval process comprises both consultation and review. Potential acquisitions must meet the scope of the collection and demonstrate:
  - artistic merit;
  - compatibility to the vision, scope and goals of the collection;
  - municipal relevance and appropriateness;
  - authenticity and provenance;
  - ethical and legal suitability;
  - conservation implications including maintenance and storage.

- d. In the case of gifts, additional criteria include:
- nature and value of gift;
  - occasion at which gift is presented;
  - presenter and recipient of the gift;
  - opportunities for display.
- e. Specific guidelines for outdoor art and memorials have been developed. Refer to Part E.
- f. If the decision is favorable, a formal agreement will be drawn up outlining the responsibilities of each party. The agreement will address all relevant issues such as project funding, fabrication, siting, installation, maintenance, transfer to title, identification labels, deaccessioning. In all cases only unrestricted donations will be considered. If the donation is accepted, the donor must submit a legal instrument of conveyance of title.

### **3.1.5 Appraisal for Tax Receipts**

All donated items for the art collection should be appraised at the time of donation to determine fair market value. Acceptable appraisals will be from certified members of either the Professional Association of Art Dealers in Canada or the Certified Appraisers Guild of America. The donor is responsible for this cost. An official receipt for income tax purposes will be issued by the Finance Department as per regulations of the Ministry of Revenue.

## ***PART D Collection Management Guidelines***

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### **4.1 Loans**

- a. Requests for loans from the collection by a third party may be considered provided that the borrower guarantees that appropriate standards and terms be met.
- b. At this time, no provision has been made in this policy for the borrowing of works by the City. Guidelines for this process will be developed.

### **4.2 Disposition**

- a. Disposition includes both the process of deaccessioning material from the collection and its subsequent disposal or physical removal. No art work will be deaccessioned and disposed of without consultation of the Public Art Advisory Committee.
- b. Criteria for deaccessioning includes:
  - condition of art work and/or cost of maintenance/conservation;
  - current location of art work is no longer suitable or available;
  - nominated "life span" has expired;
  - art work does not meet the terms of the policy;
  - suitability to the collection;
  - loss of artistic integrity;
  - long term implications including legal ramifications.
- c. Disposal of art work can include any one of the following:
  - return to the donor or artist, or offered to the family if donor or artist is deceased;
  - offer of gift or trade to another cultural institution;
  - sale with the proceeds used for maintenance or collection development;
  - destruction of the work with appropriate notification.

### **4.3 Inventory**

All art work is to be catalogued and included in the inventory along with all information on installation, maintenance schedule, correspondence, contractual agreements and research.

### **4.4 Documentation**

All works will be entered in a permanent computerized register which will comprise the art collection database. All documentation is a matter of public record. Venues for public access to the database will be developed.

#### **4.5 Research**

Research provides a greater understanding and appreciation of the works in the collection and to the development of Canadian art. Research may be conducted in the following areas:

- history and provenance of the existing works of art in the collection;
- history and provenance on potential acquisitions;
- biographical information on artists;
- background information for programme development.

#### **4.6 Care/Conservation**

- a. The collection should be maintained in good condition and, where relevant, the surroundings related to the outdoor component of the collection in a manner which:
  - is consistent with the design intent of the work;
  - does not significantly alter the intended perception of the work by viewers;
  - is in accord with instructions from the artist where applicable.
- b. The physical management of the art collection comprise its care and handling, maintenance, monitoring its condition and the recognition for conservation treatment when required. Appropriate measures should be developed to achieve this including:
  - provisions for proper upkeep, maintenance and security including the requirement for cost planning and identification of needs;
  - preparation of Condition Reports for all new acquisitions, prior to installation or display, during regular inventories and when any damage occurs or is noticed;
  - establishing a regular maintenance schedule based on the nature and needs of the art work;
  - the handling of all art work in a manner conducive to ensuring its safety and recognized as proper handling techniques;

- arranging for conservation and/or restoration treatment as required to be undertaken by a professional Conservator and when possible at a level of minimum intervention.

#### **4.7 Promotion**

Strategies to promote public awareness and access to the art collection can include:

- appropriate acknowledgement of the art work i.e. labels and signage;
- programmes, tours and other activities based on the collection;
- a range of brochures and publications.

#### **4.8 Programmes**

- a. Programmes are an important means of involving the community with the art collection and provide opportunities for the public to increase their understanding and enjoyment of one of the City's cultural assets. A range of public programmes and activities should be researched and developed by Cultural Services staff.
- b. Community partnerships and sponsorships will be explored in the development of such programmes.
- c. Types of programmes can include, but are not limited to:
  - special exhibitions highlighting works or artists from the collection;
  - walking tours of outdoor art throughout the city and city parks;
  - lectures on topics based on works in the collection, e.g. war memorials;
  - education kits for students to be made available for distribution as a teaching resource;
  - informational database to provide a source of public access to the community;
  - adopt-a-monument.

## ***PART E Guidelines for Installation and Placing of Public Art and Memorials***

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### **5.0 Public Spaces**

To maximize the potential for the public to enjoy original works of art, installation is limited to defined public spaces. For the purpose of this policy, these areas would be considered those frequented by the general public and which are in the public domain. They include, but are not limited to:

- City Hall;
- interiors of City-owned buildings;
- exteriors of City-owned buildings;
- parks and trails;
- squares.

### **5.1 City Hall**

City Hall represents the political and social center of the City and is a primary showcase for the City's art collection. Public spaces within City Hall are significant areas for the installation of art work for the enjoyment of the general public. These spaces include: Council Chambers, the anteroom, the atrium, committee rooms, public hallways, stairwells and corridors, areas designed for public ceremony, reception areas and conference rooms.

In the designated public spaces only the following may be installed:

- art work from the City's collection including those items under the aegis of the library board and the museum board;
- photos or paintings of civic officials;
- framed archival materials including documents and photographs which are owned by the City and relate significantly to the City's heritage;
- commemorative plaques of broad community significance;
- art work on temporary loan from a reputed institution or art collection;
- art work on temporary loan from local artists as a means to showcase their work;
- those items which are necessary for the operation of a department such as maps, awards etc.

#### **5.1.1 Non Public Spaces**

Offices which are non designated areas for original works of art, may be supplied with a selection of reproductions and related items. Prints are for the enjoyment of all employees, and may be utilized for staff offices. These items will remain the property of the City.

## **5.2 Interiors of City Owned Buildings**

- a. Art work appropriate to the site may be installed in public spaces in the interior of other civic buildings.
- b. The same criteria apply for non public areas within city owned buildings as written for City Hall.

## **5.3 Outdoor Art and Memorials**

- a. Art which is intended for installation in outdoor public areas as well as vestibules and entrance ways can be classified as “outdoor art”. It falls into several overlapping categories and includes:
  - sculpture and other works of art (aesthetic interest);
  - memorial art (both aesthetic and memorial);
  - functional memorial (benches, tables, trees, gardens);
  - functional art (pathway, clocks, fountains);
  - memorial plaques (simple and adorned);
  - artifacts and historical components.
- b. All outdoor art will be assessed for appropriateness by the Public Art Advisory Committee according to stated criteria (see Section 4.1.4). Special attention will be given to the significance of the individual, group or event being memorialized and the reasons to merit such an honour. On an aesthetic level, memorials should possess timeless qualities and have relevance for future generations.

## **5.4 Placement and Installation**

- a.** The installation and removal of art work must be conducted in an approved manner. Refer to Section 5.2. The installation of all art will have regard for:
- visibility;
  - public safety;
  - interior and exterior traffic problems;
  - suitability to location/site (form, content, materials);
  - function of the existing facility or site;
  - users and interaction of users with works of art through:
    - i. appropriateness to the physical characteristics of the site;
    - ii. relationship to the social and cultural identity of the immediate local community;
  - landscape design;
  - environmental assessment;
  - public accessibility.
- b.** The following steps must be undertaken in the planning for the installation of outdoor art and placement of memorials:
- i. technical review requirements of the work;
  - ii. technical review requirements of the proposed site;
  - iii. analysis of the design and any social issues;
  - iv. consultation requirements and process with appropriate departments;
  - v. verify that all civic codes and requirements be met;
  - vi. analysis of all associated cost factors.
- c.** Works may not be removed from their designated location without approval of the Cultural Services Supervisor or their designate who is responsible for notifying the appropriate municipal staff which pieces are to be installed or removed.

