



# SMITHS FALLS

RISE AT THE FALLS

## Report #2024-83

To: Mayor and Council  
From: Julia Crowder, Manager Economic Development & Tourism  
Date: July 17, 2024  
Committee of the Whole Date: July 22, 2024  
Title: Public Arts Master Plan

For Direction  
 For Information  
 For Adoption  
 Attachments (27pgs)

### Recommendation:

THAT Council pass a bylaw to adopt the Smiths Falls Public Arts Master Plan;

AND THAT Council pass bylaw to adopt the Public Arts Policy;

AND THAT Council pass a bylaw to adopt the Terms of Reference for the Public Arts Advisory Committee and direct staff to establish the new committee;

### Purpose:

To present Council with the Public Arts Master Plan, Public Arts policy and terms of reference for the establishment of a Public Arts Advisory Committee (PAAC) for consideration and adoption.

### Background:

The 2021-2025 Cultural Plan recommends the municipality seek to leverage the community's cultural resources and guide initiatives to enhance our quality of life by;

- Fostering and building relationships with cultural stakeholders.
- Developing a plan for mural creation in key locations.
- Explore the development of cultural experiences.
- Develop and identify the vision for public art creation in Smiths Falls.

A number of individual actions of the cultural plan reference public art installations and/or activities and suggests support for the creation of a public arts plan in order to guide the vision and future initiatives in a thoughtful and coordinated approach based on public input.

In the Fall of 2022, staff started the process of public engagement for the creation of a Smiths Falls Public Arts Master Plan. The launch of the initiative was timed to coincide with the unveiling of Artscape Parkette project to continue to engage and inspire residents and visitors to take part in the plan's development. The processes of creating the Artscape Parkette also provided staff with great insights into developing future public engagement, policy framework and agreements related to public art acquisition, installation and maintenance.

Public consultation related to the development of the Plan included a number of in person consultations and survey initiatives to capture a broad range of responses from both the arts

community and the public. These included the Public Arts Forum held at the Station Theatre, the Online “I Heart Public Art” Survey, artist survey/public engagement during Rideau Artist of the Year Event and presentation and feedback session with SFDCI Art Students.

In 2023 and through early 2024, staff worked closely with the Smiths Falls and District Arts and Culture Council and MINC Designs, who provided expertise and knowledge of the public arts sector to develop the attached plan (Attachment A). Staff thought it important to not only create a Master Plan document but also take the time to craft the guiding policy framework (Attachment B) and establish the mechanisms for implementation, being a municipal advisory committee (Attachment C).

### **Analysis and Options:**

Public art is a visual art form including murals, sculptures, digital projection, theatre and music performance and art specific events which are specifically created to be enjoyed by the general public and has become a key part of Community “Place Making”.

The community through the process of developing the Cultural Plan identified the need and benefits of public art, however at the time its was established the community was lacking:

- A clear vision of what public art is in Smiths Falls;
- A formal process for procurement, installation and maintenance of public art;
- A complete database of public art assets (public and private);
- A clear vehicle to guide and support community public art; and
- Dedicated funding models or allocations.

As well, many older public art pieces that were aged and/or require repair or replacement, and ownership and maintenance responsibilities were largely unknown.

Since 2021, the Town has undertaken a number of projects to support the development of public art including:

- Downtown Revitalization Design Project created by Iron and Ivory which identifies cultural themes and locations of potential mural sites within the downtown core (2021).
- In partnership with the DBA, we received a Main Street Activator Grant for the creation of the Artscape Parkette (2022).
- Heritage House Museum’s Rideau Artist of the Year (RAY) Public Art Event annually supports and showcases the works of local and regional artists to the community (2022).
- Worked with Smiths Falls and District Arts & Culture Council to create a Town Hall Art Exhibit Space (2023).
- Included public art as an eligible expense through the CIP Façade Program (2023).
- Expansion of the Community Grants Program to support the Arts, including public art initiatives, programs/activities (theatre, live music, etc) and events (2023).
- Working with community partners to activate the new Town Square (2024).

Public art adds enormous value to the cultural, aesthetic and economic vitality of a community. It is principle of good urban design that contributes to a community's identity, fostering community pride and a sense of belonging, and enhances the quality of life for its residents and visitors.

The Public Arts Master Plan seeks to present the community with a vision of how public art can enhance public spaces, architecture, and landscapes and support economic and community development and tourism goals. The Plan sets out 16 Action Items to implement over the next 1-2 years which are intended to grow and support public art for the foreseeable future.

**Option 1 – (Recommended)** That Council adopt the public arts master plan and supporting policy and terms of reference as presented.

**Option 2** – That Council provide revisions to the draft documents and adopt as amended.

**Option 3** – That Council provide alternative direction to staff.

### **Budget/Financial Implications:**

The cost to develop community public art tools and guidance was \$5,000 and funded through the 2023 operational budget.

The plan recommends that dedicated funds be allocated to support new public art initiatives and future maintenance through the establishment of a Public Arts Reserve and suggests an annual allocation of up to 1% of the tax generated revenues. Based on current tax revenues, 1% is estimated at approximately \$190,000.

### **Link to Strategic Plan:**

- 3.1 “Placemaking” – activate and link waterfront areas (parks and paths) to entice and attract visitors and residents to the waterfront at all times of day and all year round.
- 3.5 Support and implement the downtown revitalization programs included in the Community Improvement Plan

### **Existing Policy:**

- Smiths Falls Cultural Plan 2021-2025
- Municipal Corporate Sponsorship, Advertisement, and Donation Policy (BY-LAW No. 10095-2019)

### **Consultations:**

- Smiths Falls and District Arts and Culture Council
- Public At Large
- Senior Leadership Team

### **Attachments:**

- Smiths Falls Arts Master Plan
- Smiths Falls Public Art Policy
- Public Art Advisory Committee Terms of Reference

**Notes/Action (space for Council Member’s notes):**

Respectfully Submitted:

Originally Signed by

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Julia Crowder,  
Manager, Economic Development & Tourism

Approved for agenda by CAO:

Originally Signed by

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Malcolm Morris, CMO  
Chief Administrative Officer



# SMITHS FALLS ARTS MASTER PLAN

Prepared by Margo Hébert, Arts Consultant, MINC Designs for The Town of Smiths Falls in Partnership with the Smiths Falls District Arts and Culture Council

May 2024



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*“The artists, writers, musicians, actors, and creators keep the fabric of our community alive through the five senses. It’s imperative to remain committed to the contributions of our arts and cultural sector.”*

Smiths Falls Cultural Plan 2021 – 2025, Strategy 3

## EXECUTIVE SUMMARY

### Incorporating visual storytelling in our community

The Smiths Falls Arts Master Plan (AMP) is a high-level document to inform the Town of Smiths Falls' Public Art Policy. Guided by extensive input through community consultation, the Master Plan's 17 actions in support of the Smiths Falls Cultural Plan (2021 – 2025) provides the framework for staff and the community for implementation of the Public Art Policy and for guiding the strategic investment for new public artworks within the Town of Smiths Falls.

The AMP serves as a reference document for public art planning purposes and includes recommendations for public art installation sites, themes and forms, maintenance, and defines the program's initiatives over the next two years. As a guide for public art planning, the AMP includes the objectives for the public art program, collection management and maintenance, establishes a funding and stewardship mechanism, and the processes by which the program responds to donations and gifts and how the private development public art program operates.

## BACKGROUND

*It has been recognized that the study and enjoyment of the arts contributes to long-term health benefits whether through acting, singing, playing musical instruments, writing, painting, watching, or listening to another's performance. Both active and passive participation in the arts support physical and mental well-being, social inclusion; acceptance; and community building.*

In 2021, the Town of Smiths Falls adopted the Smiths Falls Municipal Cultural Plan 2021-2025, which highlights the role art and culture plays in helping the Town meet its goal of enhancing and maintaining the quality of life for residents and visitors. The plan is based on five key strategies:

- Cultivate Connection & Build Community Pride
- Ignite Inclusivity
- Support our Local Creative Sector
- Honour our Heritage & Learn from our Past
- Optimize Existing Landscape & Spaces

The five-year Smiths Falls Cultural Plan identifies opportunities and actions the Town of Smiths Falls can take to achieve its objectives of enhancing its travel and tourism sector while creating a stronger creative economy.

### **Strategy #4:** Support Our Local Creative Sector

**ACTION:** Create experiences that relay our story including developing a plan for mural creation in key locations featuring historic storytelling themes.

**Strategy #5:** Optimizing Existing Landscapes and Spaces to focus on utilizing available spaces throughout Town while providing enhanced visibility and accessibility to residents and visitors ensuring these spaces are used to their ultimate potential.

**ACTION:** Increase usage of the Rideau Canal for tourism/cultural services by exploring the addition of cultural elements at central canal locations such as informational plaques, public art, or interactive displays that relay the story of the canal in Smiths Falls

**ACTION:** Develop a Program Plan for Town Square by including the addition of Public Art at Town Square and seek RFPs for its addition.



The creation of the Smiths Falls Arts Master Plan (AMP) builds on initiatives from the Culture Plan with more focus on the creation of public art in all forms. The plan is comprehensive and was developed through various communication channels with participation of Town staff, key partners, and the general public.

In 2021, The Town of Smiths Falls Economic Development and Tourism Department worked with consultants Iron & Ivory to develop downtown façade examples to assist property and business owners visualize aesthetic improvements to enhance the character of our downtown. This project also included a look into public art concepts in the form of murals, to further enhance and create public realm spaces. The project developed three key mural themes and identified four potential downtown locations for installation.

In 2022, The Town in partnership with the Downtown Business Association obtained a provincial grant for the creation of new public realm space in the downtown core. Location #2 (right) was the chosen site. The result was the Artscape Parkette featuring a mural designed by Dominic Laporte was installed on the Russell Street Parkette (close up on cover).

A thought-out public arts plan can greatly impact the community through inventiveness, imagination, and positive transformation. It bolsters communication and activities through the private and public sectors while focusing on artistic talent and the public environment. The Smiths Falls Arts Master Plan delivers a strong vision to the whole community and showcases how public art improves the quality and value of streetscapes, architecture, green space and other public places.



FACES OF SMITHS FALLS

This mural option takes a look back to the most prominent and integral citizens of Smiths Falls. A series consisting of artistic depictions of their faces as a way to remember their contribution to the city.

ABSTRACT AND COLORFUL

Reaching forward towards a vibrant tomorrow, this mural direction would be geometric, bright, and dynamic. Youthful colors and playful geometries would make a photogenic and brilliant impact on any facade.

LAYERED STORYTELLING

Smiths Falls has such a rich history worth capturing and retelling. This mural direction would take a layered approach, creating a depth and intensity through collage. The narrative of historical ups and downs would be recorded throughout time.

Town of Smiths Falls | 996 Concept Design | January 22, 2021 | IRON & IVORY

LOCATION 1  
SIDE OF REXALL



LOCATION 2  
SIDE OF SHOPPERS MART



LOCATION 3  
SIDE GERBOS



LOCATION 4  
SIDE OF SMOKE EFFEX



Town of Smiths Falls | 996 Concept Design | January 22, 2021

## PUBLIC CONSULTATION

*The Smiths Falls Arts Master Plan consultation process was completed in partnership with the Town of Smiths Falls and The Smiths Falls and District Arts & Culture Council. Events and public engagements were designed to be creative and interactive.*

### **RIDEAU ARTIST OF THE YEAR (RAY) & SUMMER ARTISAN MARKET**

August 6 & 7, 2022 Heritage House Museum (Over 250 Participants)

Town Staff at the Heritage House Museum hosted the Rideau Artist of the Year and Summer Artisan Market. This two-day event featured an art competition where artists used the scenery on the grounds of Old Slys, the Rideau Canal, and the Heritage House Museum as subject matter. During the competition, artists and artisans were invited to engage in one-on-one interviews and surveys on the importance of public art.

### **PUBLIC ARTS FORUM**

September 28, 2022 – The Station Theatre (50 Participants)

A Public Arts Forum was held to engage Smiths Falls' citizens, as well as community arts and culture organizations on the proposed AMP. To kick off the consultation process, the event included a presentation from The Town to provide participants with an overview of this new project and capture thoughts and inspire ideas looking through a public art lens. The City of Kingston presented a look into what a successful plan can achieve in a community. Participants then made their way through various engagement stations to capture ideas, concerns, and opinions on what public art means in Smiths Falls and where it should be located.

### **SFDCI YOUTH ENGAGEMENT**

October 19, 2022 (35 Students)

The Town of Smiths Falls made a presentation to engage secondary school art students to gain a youth's perspective of public art. Students were very interested in using the skate park to create and share artwork and to add interest to the park itself. They envisioned a painted apparatus or a large ground mural that could incorporate ramps and other structures. They also wanted to see blank canvases throughout the park where youth could create and display art on a rotating basis.

### **ONLINE "I ♥ PUBLIC ART" SURVEY**

September 1 – November 30, 2022 (113 Participants)

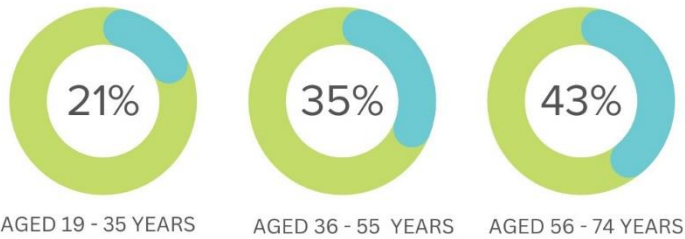
With the ongoing challenges brought on by the COVID pandemic the Economic Development and Tourism Department established an online survey through Speak Up Smiths Falls to reach a wider audience for consultation. The campaign marketed as "I Heart Public Art" allowed Smiths Falls residents, business owners, and key partners a chance to participate anonymously and give their feedback on the curation, installation, and funding for public art.

The importance of having a community lead initiative, with support and direction from the Town of Smiths Falls, will ensure that art installations of all forms are developed through a consultation process. Implementation should also seek input from the community with a focus on Smiths Falls artists where possible.

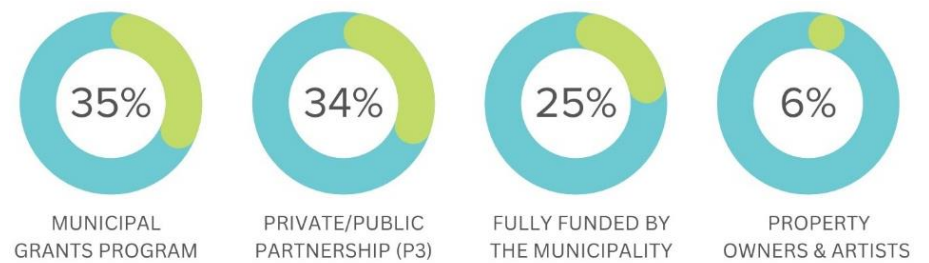
# PUBLIC CONSULTATION RESULTS

Through the Public Arts Survey and other consultation, residents responded to a series of questions including: What is the role of public art? What role do you feel the Town should play in fostering and supporting Public Art? Here are select highlights of responses:

Age range of respondents



How respondents think public art should be funded



Respondents view of the Town's role in public art



Locations where respondents would like to see public art



Importance of having public art in our community



# PUBLIC FEEDBACK

*Captured from the community, artistic groups, and staff during public and private consultation meetings:*

- Seek clarification and permission from Parks Canada regarding temporary and permanent art installations in proximity near or on federally owned land and waterways
- Public art installations should enhance the natural beauty of an area while inspiring creativity along waterways, local parks, and the downtown
- Public art should not be limited to one theme or style and should include a wide variety of elements that celebrates our heritage and tells a story of Smiths Falls in a way that is contemporary and inclusive
- Public art should be interactive, when possible
- Support for local emerging artists and arts groups should be through a variety of art forms
- The need for involving the community in creative place-making decisions including the acquisition and commissioning of new public art
- Town staff identified a need to create clear rationale for allocating public art investments and resources including mechanisms and criteria for prioritizing capital projects to be selected for a public art component
- Town staff recognized the need for a clear maintenance and deaccession plan for public art and the need to address current neglected primary locations
- When possible, artists hired to do the installations should be local and the public should be involved when deciding on public art installations.

## PURPOSE AND SCOPE OF AMP

The purpose of the Smiths Falls Arts Master Plan (AMP) is to evaluate the Town's obligation of its past, present, and future and to deliver a practical timeframe to be utilized over the coming year(s).

Specifically, the AMP seeks to present the community with a vision of how public art can enhance public spaces, architecture, and landscapes. Additionally, it delineates the procedures for the ongoing implementation of Smiths Falls' Public Art Policy.

## THE ROLE

As identified in the Public Survey, the role public art plays within a municipality is multi-faceted. At its genesis, it supports artists and artistic creation. Artwork may activate social change and further inspire creativity. A robust public art plan supports economic and community development and tourism goals through neighbourhood beautification and place making.

## KEY OBJECTIVES OF AMP

The production or appreciation of art contributes to the rich and unique history of the Town and is a catalyst for community engagement, activation, tourism, and partnerships.

### THE AMP WILL ACHIEVE SEVERAL KEY OBJECTIVES, INCLUDING:

- (1) Providing staff with a structured framework for creating and maintaining public art within the municipality, with a focus on fostering community engagement.
- (2) Coordinating collections management to ensure a cohesive approach to acquisitions, and de-accessioning.
- (3) Establish consistent standards for Public Art in civic initiatives, public realms, and private sector projects, ensuring an enhanced artistic presence throughout the Town.

Adherence to AMP will ensure that the Town of Smiths Falls will actively promote artistic expression, cultural diversity, and an inclusive environment. Additionally, it can stimulate community participation, making sure that Public Art becomes an integral part of the city's identity and urban development.

## THE BIG PICTURE

### WHAT IS PUBLIC ART?

Public art is a visual art form in any media created by an Artist with the express consent to be installed and displayed in a public site to be incorporated into the community through engagement. It is work that is specifically created to be enjoyed by the general public and has become a key part of community "Place Making".

### ADDING VALUE

Public art adds enormous value to the cultural, aesthetic, and economic vitality of a community. It is principle of good urban design that contributes to a community's identity, fostering community pride and a sense of belonging, and enhances the quality of life for its residents and visitors.

### SOME KEY CHARACTERISTICS

Common characteristics of public art are public access and accessibility, community involvement in the design, and process (including public funding). Works can be permanent or temporary.

### PERMANENT ART

Art installations intended to remain for years at a time and have a planned maintenance schedule. Types of permanent art include sculptures, monuments, and integrated artworks.

### TEMPORARY ART

Art installations intended for a brief duration of time, typically not exceeding 2 years. Types of temporary art include performance art, banners, street art, and festivals.

## VISION

To animate the Town of Smiths Falls into a vibrant cultural and artistic community through promoting and supporting artistic engagement and visibility of artists, while building on community pride, and enhancing the local economy and beauty.

## MISSION

Public Art plays a vital role in the continued growth of Smiths Falls' economy and contributes to an enhanced quality of life. The Smiths Falls Arts Master Plan will identify creative placemaking mechanisms to encourage, support and celebrate local Art and Culture that benefit artists, residents, and visitors alike.

## GUIDING PRINCIPLES

The Town of Smiths Falls Arts Master Plan summarizes the Guiding Principles for public art in Town:

- Utilizes the landscape or nature and existing infrastructure
- Prioritizes areas in need of art enhancements
- Being accessible and understanding of community needs, wants, and desires
- Being inclusive, innovative, and tell stories relevant to the community
- Highlight local artists across all art forms
- Be showcased in accessible locations
- Foster artistic creativity within the Town.

## STRATEGIC FOCUS

Public art will incorporate the following project parameters and can include murals, sculpture, performances, and arts events:

### PUBLIC ART CAPITAL PROJECTS

Public Art Capital Projects to be included in the Town's capital planning and budgeting process taking new and refurbished facilities, parks, and infrastructure into consideration. Artwork will be accessioned into and deaccessioned from the Town's Collection.

### ART IN PUBLIC PLACES

The Town will create opportunities to foster diverse cultural expression in municipally owned spaces, public areas, and neighborhoods by commissioning and displaying temporary public artwork in various art forms, including temporary art and street art. These works will not be integrated into the Town's Collection.

### COMMUNITY ARTS, PUBLIC ENGAGEMENT, AND EDUCATION

Involving the local community will help shape the Town of Smiths Falls' commitment to fostering place making throughout the Town. Residents will be encouraged to actively participate in public and community arts initiatives through attendance, artistic creation, public consultations, educational activities, and promotional efforts. Projects aimed to support community arts, public engagement, and education will not be included in the Town's Collection.

### DEVELOPING ARTISTS AND THE ARTS AND CULTURAL SECTOR

To foster the growth of local artists, curators, and cultural workers through training programs, mentorships, and workshops for emerging artists across diverse disciplines. This aims to enhance the quality, frequency, and diversity in cultural programs. In turn, this will support employment opportunities for the cultural sector and help to retain working professional artists within the Town.

### PUBLIC ART INCLUSION PROGRAM

Promoting the integration of public art into major building developments by infusing the concept in urban design and land use planning procedures. Municipal staff will provide support to private developers and other public entities in procuring, funding, and the care of public art.

# SMITHS FALLS ARTS MASTER PLAN IMPLEMENTATION

## A. Create a structured framework to expand and preserve public art within the municipality.

### RECOMMENDATIONS:

- A1. Adopt a Public Art Policy that provides the municipality with guidelines to acquire, manage, and maintain and/or decommission public art assets.
- A2. Establish a Public Arts Advisory Committee (PAAC) that will implement the Arts Master Plan Policy, make recommendations for future public art initiatives and programs and review and make recommendations of public art installations related to the CIP Façade Improvement Program.
- A3. Develop public art commissioning guidelines and associated templates for proposal submissions, evaluation and approval, and includes public engagement opportunities as part of the acquisition process.
- A4. Develop a Master List of current (and future) Public Art Assets to identify ownership, assess and monitor condition, and maintenance requirements and agreements.
- A5. Establish a Public Art Deaccession Management Plan and include Public Art Assets into the Municipalities Asset Management Plan.
- A6. Work with Planning and Building Department staff to increase the percentage for public art integration as part of its planning approval policies and processes.

## B. Foster and support placemaking through public art investments.

### RECOMMENDATIONS:

- B1. Collaborate with artists, arts organizations, and other arts partners including local schools and organizations to grow opportunities for digital-based and performing arts initiatives (outdoor LED screens, digital projection/animation of monuments/buildings, buskers, outdoor theatre, etc.).
- B2. Develop a project list and costing for short term and long-term public art installations and project.

- B3. Explore the use of and support for pop-up, temporary, functional and integrated public art, including but not limited to tactical urbanism, street art, hoarding art, streetscaping, utility boxes, street banners, light posts, benches, and digital platforms.
- B4. Research, benchmark, and analyze viable options for alternate sources of public art funding include grants, partnerships, and/or sponsorships.
- B5. Integrate public art assets into tourism offerings and develop marketing and promotional materials.
- B6. Work with Public Works and Community Services Departments to identify opportunities for public art in capital and infrastructure improvements (benches, play equipment, manhole covers, water tower, bridges, retaining walls, lighting, etc.).

## C. Establish financially conscious and structured approaches to supporting public art in Smiths Falls.

### **RECOMMENDATIONS:**

- D1. Review and make amendments to the Town of Smiths Falls Municipal Corporate Sponsorship, Advertisement, and Donation Policy (BY-LAW No. 10095-2019) to align with the needs of the Public Arts Policy.
- D2. Investigate a dedicated program budget and cost sharing opportunities to fund temporary and public art projects and events that animate public spaces and/or showcase artworks for a limited period of time.
- D3. Establish a Public Arts Capital Reserve to support future acquisitions, maintenance and deaccession of municipal Public Art assets.
- D4. Collaborate with public and private partners to identify opportunities for joint initiatives, to leverage additional capital funds, and to ensure the technical feasibility of new public art projects. These partnerships could include higher institutions of learning and creative industries.





**SMITHS FALLS**

RISE AT THE FALLS



## **Public Art Policy**

**DRAFT FOR DISCUSSION**

May 2024

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## SECTION 1 – PURPOSE AND SCOPE

### 1.1 PURPOSE

The Town of Smiths Falls Public Art Policy serves as a guiding document for Council, staff, the arts community, with its primary objectives as follows:

- i. Facilitating the commissioning, acquisition, and management of public art in municipally owned spaces or on municipally owned land.
- ii. Establishing a framework for privately owned public art on privately owned commercial and residential property, that is funded in full or in part by the Municipality.
- iii. Creating a funding and stewardship mechanism to align with the Town's commitment to fostering and supporting community public art.
- iv. Providing guidance to the public on the purpose, processes, and procedures of the finalized Public Art Master Plan.

### 1.2 PRINCIPLES

The Public Art Policy ensures that Public Art is:

- i. selected through a competitive process that is fair, consistent, and transparent.
- ii. contributes to and enhances the Town's unique history, culture, land, and building scape.
- iii. represents a variety of professional artistic expressions and practices that emphasize innovation, aesthetic, and technical merit.
- iv. a catalyst for community engagement, activation, tourism, and partnerships.
- v. accessible to all and encouraged throughout the Town.
- vi. planned for and integrated into all departments within the Town, where appropriate.

### 1.3 STRATEGIC FOCUS AREAS

As such, the Public Art Program for the Town of Smiths Falls encompasses five key areas:

#### **Public Art Capital Projects**

Public Art Capital Projects to be included in the Town's capital planning and budgeting process taking new and refurbished facilities, parks, and infrastructure into consideration. The artwork will be accessioned into and deaccessioned from the Town's Collection. Capital Projects include those commissioned and maintained by the municipality, or those commissioned by community members to be installed on or in municipal property or facilities and would become a piece of the Town's Collection. Such installations must be vetted through and recommended by the Public Arts Advisory Committee and approved by Council.

#### **Art in Public Places**

The Town will create opportunities to foster diverse cultural expression in municipal owned spaces, public areas and neighborhoods by commissioning and displaying public artwork in various art forms, including temporary art, street art (including crosswalks and or commissioned graffiti) and private public art donations. These works may or may not be integrated into the Town's Collection and will be assessed on the individual proposal.

### **Community Arts, Public Engagement and Education**

Involving the local community will help shape the Town of Smiths Falls' commitment to fostering place-making throughout the Town. Residents will be encouraged to actively participate in public and community arts initiatives through attendance on the advisory committee, artistic creation, public consultations, educational activities, and promotional efforts. Projects aimed to support community arts, public engagement and education will not be included in the Town's Collection unless recommended by the Public Arts Advisory Committee and approved by Council.

### **Developing Artists and the Arts and Cultural Sector**

Fostering the growth of local artists, curators, and cultural workers through training programs, mentorships, and workshops for emerging artists across diverse disciplines. This aims to enhance the quality, frequency, and diversity in cultural programs. In turn, this will support employment opportunities for the cultural sector and help to retain working professional artists within the Town.

### **Public Art Inclusion Program**

Promoting the integration of public art into major building developments by infusing the concept in urban design and land use planning procedures. Municipal staff will leverage existing and explore new planning tools that support the inclusion of public art in development projects.

## **1.4 SCOPE AND USE**

The Public Art Policy serves as the foundational document for the Public Art Master Plan, offering understanding and implementation guidance to staff and the community. The scope of this Public Art policy encompasses the following principles:

- i. the Policy shall not be interpreted in a manner that exempts any individual(s) from fulfilling the obligations set forth in any Town of Smiths Falls' By-law, any Provincial or Canadian law, or from acquiring any necessary license, consent, permit, authorization or approval mandated by this or any other Corporation By-law, unless explicitly specified otherwise herein.
- ii. the Public Art Policy supersedes all other policies, arrangements, installed by the Municipality prior to the date of enactment of this Policy.
- iii. the Public Art Policy should be taken into consideration by all commercial and residential property owners who wish to include, display, and/or commission Public Art on their property.
- iv. the Public Art Policy does not include:
  - Art exhibitions and presentations held within galleries, museums, or traveling exhibitions under the management of the Town of Smiths Falls.
  - Special events, festivals, and temporary art installations on private property.
  - Management of any archaeological, archival, historical, and museum collection or

exhibition under the Town of Smiths Falls' care.

- Commemorations and memorials not commissioned or created by artists and not situated in municipal public spaces.
  - General graffiti removal and its management.
  - Art initiatives curated or installed on privately owned property, unless funded in whole or in part by the municipality
  - Public Art installed on leased property or licensed to third parties. These works are the responsibility of the occupying organization or individual(s).
- v. this Policy supports the Public Art Master Plan for the Town of Smiths Falls and takes effect on the day it is enacted.

### **1.5 TOWN AUTHORITY AND EXCEPTIONS**

- i. All submissions for commissioned Public Art must comply with the stipulations set forth by the Town of Smiths Falls, the Ontario Building Code, the Ontario Fire Code, and the Municipality's Building By-law, along with any other pertinent Municipality By-law.
- ii. The Town reserves the right to terminate any Public Art project at its discretion, should it be deemed unsafe, inappropriate, detrimental to the Town's reputation, or not representing the artist's originally proposed concept as approved by the Town. In such an exceptional circumstance, the artist(s) would be responsible for remediation of the site at their own expense.

## **SECTION 2 – ADMINISTRATION**

### **2.1 GENERAL ADMINISTRATION**

- i. The administration of this Policy falls under the purview of the Department of Economic Development and Tourism and will undergo periodic reviews and updates.
- ii. Public Art projects submitted for Town consideration through the application process must adhere to municipal requirements and criteria, in compliance of municipal, provincial, and federal laws, as well as with the scope and spirit of this Public Art Policy.
- iii. The Request for Proposal (RFP) process, its criteria, the application procedure, public consultation, and the selection process are outlined in the Terms of Reference for the Public Art Advisory Committee (as approved by Council) and may be subject to revisions from time to time.
- iv. The formal and final approval of any Public Art project is granted by Council and recommended through the Advisory Committee, or the Community Improvement Plan Evaluation Working Group as applicable.
- v. The Town entrusts the Public Arts Advisory Committee to uphold the Purpose and Principals of Public Art Policy in its decision-making including but not limited to the evaluation procedures for the RFP process, public consultation, and final recommendations.

## 2.2 CONTRACT TERMS FOR ARTISTS

Agreements with artists for Public Art projects through the Town of Smiths Falls' Public Art Program must encompass a range of elements, including but not restricted to:

- i. Project scope
- ii. Responsibilities of private property owners including artwork care, conservation, maintenance or decommission/removal guidelines should funding be provided through the Town of Smiths Falls and as outlined in the Funding Agreement (if applicable)
- iii. Construction schedules
- iv. Ownership rights
- v. Artist recognition
- vi. Obligations for both the Town and the artist(s)
- vii. Artist(s)' recommended maintenance procedures for the artwork
- viii. Intellectual property and copyright considerations
- ix. Identification of subcontractors (if applicable)
- x. Any necessary legal and insurance requirements
- xi. Timelines for artist payments

## 2.3 CONTRACT TERMS FOR PROPERTY OWNERS

An additional agreement may be required by the Town for Property Owners when the Town commissions artwork or provides funding for artwork on private property. These agreements shall include stipulations for the property owner's maintenance or decommission/removal guidelines of artwork and the duration of the agreement (in the number of years).

## 2.4 REMUNERATION

- i. The Town of Smiths Falls will compensate artists in accordance with the Canadian Artists Representation (CARFAC) [Minimum Fee Schedule](#), which includes time spent on proposal revisions of proposals once shortlisted (if required).
- ii. Arts professionals and local representatives who serve on the Public Art Advisory Committee shall act as a public art jury to review and make recommendations related to their mandate as volunteers, Committee Members shall not receive compensation.

## 2.5 COLLECTION MANAGEMENT

- i. The Public Art Collection will become a part of the permanent collection of the Town of Smiths Falls and be overseen and managed by the Economic Development and Tourism Department.
- ii. All Town Commissioned, and Town approved private donations of Public Art will be entered into the Town's Collection and within the Asset Management database to ensure funds are allocated for condition assessments, maintenance/repair or removal practices.
- iii. An inventory of all Public Art owned by the Town, or funded through municipal funds, will be managed by the department of Economic Development and Tourism, and will include:

- Title of Artwork
  - Artist(s) name and biography
  - Agreements (e.g., Artist, Partner, Funder, or Property Owner)
  - Appraisal (fair market value)
  - Insurance Certificate (where applicable)
  - Location of artwork and site plan
  - A comprehensive listing of materials used and product brand names
  - Maintenance plan
  - Conservation and condition reports
  - Photographs of the artwork
  - Other (e.g., loan or recognition agreements)
- iv. The Town shall manage a Public Arts Reserve for the purpose of maintenance, conservation, and repairs of its Public Art Collection.

## **2.6 COLLECTION MAINTENANCE AND DOCUMENTATION**

- i. Artwork is to be installed where it is accessible and may be enjoyed by the community.
- ii. Artwork should be maintained in good repair by the Town or by a property owner for the duration of the installation or the life span of the artwork.
- iii. At the installation/completion of a Public Art project, the Town must receive all documents and materials outlined in subsection 2.5 to complete the file.

## **2.7 DECOMMISSIONING OF ARTWORK**

The Town has the right to decommission artwork, move it to another site, donate, sell, or destroy the artwork. The Public Arts Advisory Committee, working with Town staff and any required third-party shall manage the process of permanently removing artwork from the Town's Collection through a decommissioning process. The Committee shall prepare a report for Council that will outline the need for decommissioning and the method of disposal. Decommissioning may be required if:

- I. The artwork is deteriorating and conservation or restoration is not feasible.
- II. The artwork is no longer relevant to the Town's Collection.
- III. The artwork poses, or is predicted to pose, public safety concerns.
- IV. The artwork is disproportionately too costly for the municipality to maintain.
- V. The site for the artwork is no longer accessible to the public.

When possible, the Town will notify the artist of its intent to decommission the artwork and the reasons for that decision. Deaccessioned art from the Town's Collection may be moved, donated, sold or destroyed at the Town's discretion. Should the artwork be donated to the Town, it cannot be returned to the donor as per CRA tax regulations.

## SECTION 3 – COMMITTEE AND FUNDING

### 3.1 PUBLIC ART ADVISORY COMMITTEE (PAAC)

The Town of Smiths Falls will appoint a Public Art Advisory Committee (PAAC). As outlined in the municipal Terms of Reference, the term will coincide with the term of Council. The Committee shall be comprised of seven voting (7) members from various backgrounds including: one (1) member of Council, two (2) Smiths Falls & District Arts & Culture Council Members, one (1) member of the SFDBA, one (1) Station Theatre Board Member and two (2) members of the public including but not limited to youth representatives. The PAAC will:

- i. Adhere to the roles and responsibilities detailed in the approved municipal Terms of Reference for the Smiths Falls Public Arts Advisory Committee concerning the implementation of the Public Art Policy and the Town of Smiths Falls Master Arts Plan. The Terms of Reference will be reviewed and amended from time to time.
- ii. Work alongside the Town Staff Liaison (non-voting) who will act as Secretary & Treasurer and who will report to Council on the Committee's behalf.

### 3.2 FUNDING

The Town of Smiths Falls Public Art Program will receive funding in a formal and consistent manner to offer a comparable level of financial support with other similar Public Art programs in the province. Funding will include:

- i. Establishing an ongoing funding allocation of the Town's annual budget, being up to 1% of the tax generated revenues, to be used for commissioning, fabrication and installation of new art pieces and projects (subject to the approval of Town Council during the annual budget cycle).
- ii. A minimum of 10% of annual allocation will be maintained for the long-term maintenance, conservation, and deaccession of the permanent collection. This will be placed in the Public Art Reserve Fund for future allocation as needed.
- iii. Support of a Public Art contribution from each new major capital project in the Town by leveraging tools referenced in the Ontario Planning Act including identifying a public art component when developing the Smiths Falls Official Plan.
- iv. Where Public Art is identified as an opportunity for the developer, the Town will consider concessions (height, zoning, or other), offer guidance and technical input through Town departments and consider funding support through the Community Improvement Program or other similar incentives.
- v. Leverage cost-sharing opportunities and partnerships available to area businesses and organizations as well as donation opportunities from individuals for future public art installations.

### 3.3 MUNICIPALLY OWNED PUBLIC ART SITES

Municipally owned public art sites that have been recommended by the Public Arts Advisory Committee and approved by Council can include new civic facilities, additions to existing buildings, park and natural space development projects, streetscape developments, and newly built and existing engineering structures (bridges and overpasses) that are places of one or more of the following:



- i. historical and cultural significance.
- ii. highly visible and accessible for pedestrians and motorists.
- iii. community gathering spaces, open spaces, pedestrian routes, and trails.
- iv. significant as a tourism opportunity that may be proposed for multiple works either as one project or to house multiple works as in a sculpture park.
- v. high profile and have been prioritized by the Town’s development schedules.

### **3.4 PROJECT AND SITE SELECTION**

The selection of projects will be contingent upon available funding and the level of priority the project holds. Site selection should include opportunities for smaller projects as well. The Town of Smiths Falls’ Public Art Master Plan identifies five categories of sites to be taken into account during the Town's capital or annual planning phase. These encompass:

- 1. Park Renewal (existing land)
- 2. Park Development (new)
- 3. Facility (Major and Medium-scale projects)
- 4. Facility (Minor projects)
- 5. Major Infrastructure Projects

### **3.5 PRIVATE DEVELOPMENT PUBLIC ART**

This Policy includes a Private Development Public Art component to:

- i. advance the Purpose and Principles of the Town of Smiths Falls’ Public Art Program by encouraging private development to contribute to the program through current or emerging opportunities.
- ii. offer funding assistance in support of Public Art inclusion throughout the Town, when appropriate including but not limited to the Community Improvement Plan, Town planning policy and/or town programs.
- iii. advise developers, artists, collectives, and others in the planning and inclusion of Public Art into projects including the selection and placement of Public Art in private developments undergoing a development approvals process.

## **SECTION 4 – DEFINITIONS**

For the purpose of this Policy, the definitions and interpretations in Section 4 shall govern unless the context indicates otherwise. Where a definition does not exist, a dictionary definition may prevail. (Source: The Merriam-Webster Dictionary)

- 4.1 “ACCESSIBILITY”** shall mean the public’s ability to reach a site or enter a building, interact with the artwork through programming, activations, and events in compliance with Section 6 of Ontario Regulation 429/07 (Accessible Standard for Customer Service) made under the Accessibility for Ontarians with Disabilities Act, 2005.
- 4.2 “ACTIVATION”** shall mean the ability to encourage and participate in public programming,

knowledge sharing, and enjoyment of the Town of Smiths Falls' Public Art Collection.

- 4.3 **"AESTHETIC"** shall mean the qualities of the artwork that are beautiful or interesting.
- 4.4 **"APPROVAL"** shall mean permission to proceed with the Public Art project as agreed upon by the Town.
- 4.5 **"COMMEMORATIONS"** shall mean memorials and plaques to celebrate, observe, or remember a specific event, person, or group of persons.
- 4.6 **"COMMERICALLY LEASED PROPERTY"** shall refer to all property that is not owned or leased by the municipality.
- 4.7 **"COMMISSIONING"** shall mean the formal request to produce Public Art in exchange for payment.
- 4.8 **"DECOMMISSIONING"** shall mean the act of removing artwork from public view or from service.
- 4.9 **"INTELLECTUAL PROPERTY"** shall refer to the artist(s)'s intellectual concepts and techniques involved in the creation of artwork. It is considered best practice for all North American Public Art Programs to include a statement that the artist does not waive their Artist Moral Rights or assign their copyrights.
- 4.10 **"GRAFFITI"** shall mean intentional artwork in a genre that is not general vandalism or unauthorized writing or drawing on a public surface.
- 4.11 **"MUNICIPALITY"** shall mean the Corporation of the Town of Smiths Falls and its representatives, which include but are not limited to, its officers, directors, employees, agents, licensors, and other representatives.
- 4.12 **"MUNICIPAL PROPERTY"** shall mean any municipally owned lands, which may include but is not limited to any park, building, road, structure, or sidewalk.
- 4.13 **"PERMANENT ART"** shall mean artwork created and installed with no proposed expiry or end-date for exhibition.
- 4.14 **"PUBLIC ART"** shall mean a work in any media created by an Artist for the express consent to be installed and displayed in a public site to be incorporated into the community through engagement.
- 4.15 **"RECOGNITION"** shall mean public acknowledgement and outlining of the artist's name, biography, date of the artwork and any other items the Town deems necessary to display who, when, where, and why the artwork was commissioned.
- 4.16 **"SIGNAGE"** shall mean the physical element used to attribute the artist's recognition and any information relevant to animate Public Art.
- 4.17 **"SITE"** shall mean a place or location set aside for specific Public Art use.
- 4.18 **"SMITHS FALLS PUBLIC ART MASTER PLAN"** shall mean the guiding plan of the Town of Smiths Falls that outlines their Mission and Vision of Public Art as well as key goals, objectives, and action items to be carried out by the Town and PAAC.
- 4.19 **"STREET ART"** shall mean temporary art that is sanctioned and permitted on walls, sidewalks, roads and other urban spaces.
- 4.20 **"STEWARDSHIP"** shall mean the obligation of the Town to manage the care and maintenance

for the Public Art within its collection.

**4.21 “TEMPORARY ART”** shall mean original artwork that is created to be exhibited for a proposed length of time, for a specific occasion or event. Temporary art may take many forms including visual, digital, sound, and performance-based artwork.

## **SECTION 5 – REFERENCES**

1. Smiths Falls Public Art Master Plan (2024)
2. Terms of Reference for the Smiths Falls Public Arts Advisory Committee (2024)
3. Smiths Falls Festivals and Event Policy (2022)
4. Town of Smiths Falls Cultural Plan (2021)
5. City of Kingston Public Art Policy (July 2014)
6. Town of Surrey Public Art Policy (2018)
7. City of Sault Saint Marie Public Art Policy (2021)
8. Town of Smiths Falls Corporate Sponsorship, Advertising and Donations Policy (2019)



# SMITHS FALLS

RISE AT THE FALLS

## Smiths Falls Public Arts Advisory Committee

### Terms of Reference

#### 1. Purpose

The purpose of the Smiths Falls Public Arts Advisory Committee (the “Committee”) is to provide recommendations to Council on the acquisition, maintenance and decommissioning of public art in all forms throughout the municipality; and to keep current all documents and strategies that apply to public art in the Town of Smiths Falls.

#### 2. Mandate

The successful implementation of the Public Arts Policy is based on the roles and responsibilities appointed to the Committee as set out in this document. The mandate of the Committee consists of the following responsibilities and tasks:

- a) Review and provide recommendations on the planning, expansion, preservation, and development of public art in the municipality; and
- b) Assist staff in identifying and generating funding for new and restoration of public art assets; and
- c) Provide recommendations on updates to municipal policies, procedures, and templates associated with the implementation and maintenance of the Smiths Falls Public Arts Master Plan; and
- d) Review and keep current the Smiths Falls Public Art Inventory, and insure new or decommissioned installations are included in the municipal Asset Management database.
- e) Liaise with the public on strategies and services to help broaden the awareness and participation on public art initiatives in the municipality;
- f) Review and provide recommendations for suitable locations for permanent public art installations both on and within public and private property;
- g) Evaluate and score proposals for public art capital commissions and installations.
- h) Evaluate and recommend public art funding requests, including public art proposals related development applications or the Community Improvement Façade Program 13 – Façade Improvements;
- i) Consider and provide recommendations to Council on any other matter referred to the Committee by Council and Town Staff.

### **3. Membership**

#### **3.1 Appointment**

The Committee members will be appointed by Council, and set to the term of Council. Members on the Committee will remain members, except in the event of resignation or removal by resolution of Council, or until the Committee is dissolved via resolution by Council.

- a) The Committee will consist of seven (7) members.
- b) One (1) Council members, (6) citizen members having knowledge and experience in various forms of public art, including one (1) youth between the ages of 16-17, this cross section of individuals shall be appointed to represent a diversity of member with technical and community expertise to implement the Smiths Falls Public Arts Master Plan.
- c) Individuals with a background in arts and culture advocacy and professional expertise shall be prioritized in the selection process.

#### **3.2 Administration**

- a) All members appointed by Council shall be considered voting members.
- b) The membership will appoint one voting member as Chairperson at the first scheduled meeting.
- c) The membership will appoint one voting member as Vice-Chairperson at the first scheduled meeting.
- d) A majority of voting members shall constitute quorum.

### **4. Staff Liaison**

The Town will provide the Manager of Economic Development (or their designate) (non-voting) to the Committee who will act as Secretary & Treasurer and provide technical and administrative support to the Committee. The staff liaison will:

- a) Create, maintain and distribute agenda packages and minutes and recommendations of the Committee;
- b) Lead the acquisition and budgeting of Public Art;
- c) Review annually with the Committee, all documentation related to the Public Arts Master Plan to make sure best practices are being met;
- d) Inform the Committee of potential funding or partnership opportunities for investigation;
- e) Liaise with the Committee, Town staff, and the public to coordinate art projects;
- f) Liaise with other Town staff and Council on matters to do with the Smiths Falls Public Art Master Plan, and its policies and procedures;
- g) Be the point of contact for inquiries about installations, donations, partnerships and deaccession of public art;
- h) Report to Council on matters relating to the budget.
- i) Coordinate Council presentations and reports.

## **5. Meetings**

### **5.1 Regular Meetings**

The Smiths Falls Public Art Advisory Committee will meet on a regular basis as set by the members or as called by the Chair. The Committee will meet no less than six (6) times in a calendar year.

All meetings will have a formal agenda. Agenda packages will be sent by the staff liaison within three (3) business days before the scheduled meeting via email.

Delegation requests will be directed to the staff liaison and approved by the Committee Chairperson. Delegations will be given fifteen (15) minutes to present, unless otherwise preapproved by the Chairperson.

### **5.2 Working Groups**

The Committee may appoint working groups to advance a particular purpose in accordance with the Committee's mandate. Working groups must consist of a minimum of three (3) appointed members from the Committee and can include additional town staff or members of the public.

As a working group, formal agenda packages are not required; however, working groups are responsible for reporting their proceedings to the Committee. Any direction, motion or recommendation related to expenditures or responsibilities within the working group's mandate can only be done at the direction of the Committee.

## **6. Reports to Council**

As an Advisory Committee of Council, the Smiths Falls Public Arts Advisory Committee is responsible for advising Council based on its mandate. The advice and recommendations solicited from the Advisory Committee as well as any other correspondence will be provided to Council via the following processes:

- a) Committee meeting minutes or motions included in or appended to staff reports; or
- b) Council representative reports and updates in accordance with the Procedural By-law;
- c) Through Director Updates or correspondence items to Committee of the Whole.

## **7. Budget**

The Smiths Falls Public Arts Advisory Committee budget will be approved by Council. Financial recommendations adopted by Council will be incorporated into the Town's operational or capital budget.

## **8. Committee Remuneration**

Members of the committee will receive no remuneration with the exception of preapproved expenses as per established Town policies.

## **9. Code of Conduct**

Council of the Corporation of the Town of Smiths Falls established a Code of Conduct for Members of Council and its local boards (By-law 9973-2018).

The Town of Smiths Falls is committed to providing and maintaining a working environment that is based on respect for the dignity and rights of everyone in the organization. It is the Town's goal to provide a healthy and safe work environment for staff and volunteers.

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