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CITY COUNCIL

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14 March 2011 (RES.R11-461)
13 Dec 2010 (RES.R10-2241)
13 Dec 2004 (RES.R04-3386)
3 Feb 2003 (RES.R03-201)
16 July 2001 (RES.R01-1743/4)
1 May 2000 (RES.R00-1115)
4 May 1998 (R98-1293A)

TITLE: PUBLIC ART POLICY**City Corporate Component:****A. PURPOSE**

The purpose of the Corporate component of the City of Surrey Public Art Policy is to:

- A.1 Ensure that artwork and the creative concepts of artists are supported through the City's Public Art Program.
- A.2 Serve as an act of public trust and stewardship for public art.
- A.3 Establish a sustainable funding mechanism to support the City's commitment to public art.
- A.4 Guide City staff in the implementation of the public art program.

B. PRINCIPLES

The Public Art Policy ensures that public art is:

- B.1 Selected through an informed, open and fair public art competition process.
- B.2 Contributing to the City's character and is demonstrating the significance of art in community life.
- B.3 Reflective of a wide range of professional artistic expression and practise, demonstrating excellence, quality and innovation.

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.

- B.4 A catalyst for creativity in Surrey's diverse community by providing opportunities for community engagement, development and partnerships.
- B.5 Integrated into the planning, design and execution of applicable civic development.

C. PUBLIC ART ADVISORY COMMITTEE

- C.1 Council will appoint a Public Art Advisory Committee (PAAC).
- C.2 PAAC will advise the City on the implementation of the Public Art Policy, including selection processes, acceptance of gifts, donations, bequests, loans, and de-accessions.
- C.3 A Terms of Reference for PAAC approved by Council outlines their roles and responsibilities in relation to the implementation of the Policy.

D. FUNDING

- D.1 Funding is based on 1.25% of the construction costs of applicable capital projects funded by the City. Applicable projects include new building construction, major additions to existing buildings, park development projects and new engineering structures.
- D.2 The 1.25% allocated for public art projects must cover the design, fabrication, administration and installation.
- D.3 A minimum of 10% of the 1.25% public art allocation will be used to support the long-term maintenance of the collection.
- D.4 Project funds may be pooled to establish community, neighbourhood and/or Town Centre public art initiatives, or to enhance selected project budgets.

E. PUBLIC ART SITING

Applicable projects include new civic building construction, major additions to existing buildings, park development projects and new engineering structures and should meet the following criteria:

- E.1 Visibility for pedestrians and/or motorists.
- E.2 Proximity to high pedestrian activity areas, places of public gathering, public open spaces, and recognized pedestrian routes.

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E.3 Opportunities to expand on existing or future public artworks as part of an existing or proposed multi-artwork concept.

E.4 Places of special heritage of community significance.

F. COLLECTION MANAGEMENT

F.1 The management, maintenance and insurance of the Public Art Collection on City property are the responsibility of the City.

F.2 The Public Art Collection is managed according to appropriate professional inventory and documentation practices.

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Private Development component:**A. PURPOSE**

The purpose of the Private Development Public Art component is to:

- A.1 Ensure that the City of Surrey's Public Art Program objectives and principles are advanced by private development contributing to the Public Art Program.
- A.2 To ensure that artwork and the creative concepts of artists are supported through the Program.
- A.3 To establish a sustainable funding mechanism to support the City's commitment to public art.
- A.4 Guide developers, art consultants, artists, landscape architects and others in the planning of public art projects, and the selection and siting of public art in private developments which are undergoing a rezoning, development permit, subdivision, or building permit application review process.

B. PRINCIPLES

The Private Development Public Art Program ensures that public art is:

- B.1 Contributing to the City's character and is demonstrating the significance of art in community life.
- B.2 Reflective of a wide range of professional artistic expression and practise, demonstrating excellence, quality and innovation.
- B.3 A catalyst for creativity in Surrey's diverse community by providing opportunities for community engagement, development and partnerships.
- B.4 Integrated into the planning, design and execution of applicable civic development.

C. FUNDING

- C.1 It is intended that applicants discuss the Public Art Program objectives and requirements with City staff prior to or during the course of the rezoning development application review process to establish a preferred strategy for the delivery of the Public Art Program objectives.

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- C.2 Contributions to the City of Surrey Public Art Reserve will be based on the development's public art budget (e.g. see Section G, Private Sector Public Art Budgets below), as determined by staff in discussion with the applicant.
- C.3 The public art contribution percentage for eligible private development projects is 0.50% (half of a percent) of the estimated total project construction cost. This is also called the project's public art budget. The total project construction cost will not include the value of the land on which the project is to be constructed or the value of offsite servicing for the project.
- C.4 The public art contribution amount will be reviewed bi-annually.
- C.5 Applicants for eligible developments will be responsible for contributing:
- (i) For public art project budgets that are less than \$200,000, a cash in lieu contribution to Surrey's Public Art Reserve of the full amount of the project public art budget; or
 - (ii) For eligible development projects where the public art contribution is calculated to be over \$200,000 the applicant will have the option to either:
 - a) Provide a cash in lieu contribution to Surrey's Public Art Reserve of the full amount of the public art budget; or
 - b) Install public art on or in the vicinity of the project site with a value no less than the project public art budget.

D. TIMING OF CONTRIBUTION

- D.1 Applicants will be notified of the public art program contribution details at the earliest possible time in the development application review process.
- D.2 Where an applicant decides to install public art in a project, prior to final adoption of the related rezoning by-law, the applicant will be required to enter into an agreement with the City related to the installation of the public art and submit cash or a letter of credit to the City as security to ensure the installation of the public art.

E. APPLICABLE DEVELOPMENTS

- E.1 Residential & Non-Residential Uses
The private development public art program will be applicable to the following types of development (except as exempted under Section E.2):
1. Multi-family residential uses containing 10 or more units; and

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2. Non-residential uses with a total floor area of 1,000 m² (10,764.25ft²) or greater.

E.2 Exempted Uses

The private development public art program is not applicable to the following types of developments:

1. Care facility, congregate care facility, childcare facility, hospital, health care uses and schools as generally defined under the Zoning Bylaw No. 12,000;
2. Purpose-built rental, social and/or subsidized affordable housing projects and/or units;
3. Public, storage, and utility areas, except where they are a primary use;
4. Ineligible Costs in relation to the use of private development Public Art Budget include:
 - a. Maintenance costs for artwork(s) situated on private property;
 - b. Artwork not provided in accordance with the City of Surrey Public Art Program Policy and Implementation Guidelines; and
 - c. Costs not directly related to selecting, designing, fabricating, or installing artwork(s).

F. PUBLIC ART SITING

Locations designated for the installation (current or future) of public art projects should meet the following criteria:

- F.1 Visibility for pedestrians and/or motorists.
- F.2 Close proximity to high pedestrian activity are (e.g. active retail areas), transit stops (especially those serving high ridership routes), places of public gathering, public open spaces, and recognized pedestrian routes.
- F.3 Opportunities to expand on existing or future public artworks as part of an existing or proposed multi-artwork concept such as cultural hub neighbourhoods, or sculpture parks, or easily accessed on a walking tour.
- F.4 Places of special heritage of community significance.

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- F.5 Given these criteria indoor areas are usually unsuitable, however if sited indoors, the artwork must offer the general public a free and uninhibited experience during normal business hours.
- F.6 The designation of public art siting location(s) should be indicated on the appropriate document (e.g., development permit and building permit drawings).

G. ELIGIBILITY CRITERIA FOR THE DESIGN OF PUBLIC ART

Those involved in the development project team (e.g. architect, landscape architect, and engineer) are not permitted to apply to be the artist as defined below:

G.1 Artwork:

Artist creations or collaborations in any medium, for example: sculpture, ceramic, glass, film, video, fabric, painting, photography, etc., whose material form has a projected life span of approximately 50 years and in a form that their maintenance can be continually achieved by the land owner.

G.2 Artist as Maker:

As creator, the artist is the originator, designer and manager of a creative process resulting in a finished artwork. This artwork may be designed in response to physical and/or social, historical and conceptual issues.

G.3 Artist as Jury or Selection Panel Member:

The artist as jury or selection panel member must have an art education or apprenticeship background in art making, through which the knowledge of aesthetics and technical processes would benefit the public art project under consideration. Where education is undocumented, recognition by professionals in the field is essential. The artist must have had practical experience in the creation of public artwork, and experience with public art fabrication and installation.

G.4 Art Consultant:

An advisor to the developer on location for the artwork, selection process for the artist and artwork, and processes for fabrication and successful strategies for installation and documentation. Consultants should have a broad knowledge of current art-making practices and of artists able to work in public and development contexts.

G.5 Public Art Reserve:

The city fund which reserves funding contributions from public and private sources for Public Art Program artwork commissioning purposes.

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H. EFFECTIVE DATE

The Private Development Public Art Program becomes effective on March 15, 2011.

I. PUBLIC ART PLAN AND DESIGN

I.1 The developer or their designate (public art consultant) will meet with City staff to review Public Art Program goals and advise on steps and stages of the public art process and preparation of the Public Art Plan as applicable to the development project.

The Public Art Plan consists of three steps:

- **Preliminary Public Art Plan Proposal** consists of a written and illustrated proposal document identifying the artwork's estimated budget, the form and goals of the public art opportunities, time line for the public art project, and process for the artist and artwork selection.
- **Detailed Public Art Plan** describes the selected public art site(s) and concept; artist(s); budget allocations; schedule, artwork fabrication, installation plan, and documentation; public participation proposed; progress reports; anticipated needs for property dedication or encroachment; and proposed maintenance plan. The detailed Public Art Plan is reviewed by the Public Art Advisory Committee and approved prior to issuance of the Development Permit Application, or initiation of the public art project.
- **Final Report** detailing artwork, site budget, timing, installation, and other details as necessary, respecting art ownership, encroachment, maintenance, documentation, artist statement or other matters is submitted to city staff.

J. CITY OF SURREY PUBLIC ART ADVISORY COMMITTEE

- J.1 The Public Art Advisory Committee will review the Public Art Plan for proposed method of artist participation, terms of reference for artist and site selection; budget allocations to site(s); and the public consultation or participation process.
- J.2 The Committee will assign a subcommittee (usually three members) to each project, to enable quick and focused response to the Plan, if required.
- J.3 The Committee's final recommendation will be presented for Council's consideration, if required.

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K. MAINTENANCE

- K.1 Artwork must remain accessible to the public at no cost and be maintained in good repair by the owner(s) of the development for the life of the development.
- K.2 In the event the artwork is damaged beyond repair, or becomes ineffective for reasons other than the owner's failure to maintain it, or in the event the work becomes an unreasonable burden to maintain, application to allow its removal or relocation may be made to the Committee in a manner consistent with decommissioning procedures established from time to time by the Committee.

L. PUBLIC ART DOCUMENTATION

The following documentation must be filed with the City at the completion of the public art project:

- Biographical details of the artist(s);
- Artist statement and specifications of the artwork;
- Six good quality photographs showing the artwork in context and close-up;
- Other related materials as needed to reveal the artwork and/or artist intentions (e.g. video documentation, artist's statement, etc.);
- A copy of the artist's maintenance plan.

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