



FORTFRANCES

PUBLIC ART POLICY

**COMMUNITY SERVICES – RECREATION
AND CULTURE**

POLICY 2.3

Created: 2021-10-18
Revised: 2026-03-03
Authorized: By-Law 91-25
Superseded:

1. POLICY STATEMENT

This policy is a framework for Town of Fort Frances (Town) Administration to ensure that Public Art is approached, curated, implemented, displayed and protected in an equitable, inclusive, and consistent manner. This policy applies not only to new public art installations but also to all existing municipal public art pieces, including those previously commissioned, donated, or acquired by the Town.

2. PURPOSE

- (1) The purpose of this policy is to guide how Fort Frances supports, selects, and cares for public art that reflects the Town's values and identity.
- (2) The policy aims to:
 - (a) Encourage awareness of public art and provide opportunities for artists to create meaningful and diverse artwork for our community;
 - (b) Facilitate communication between artists and the Town and provide clarity for the expectations of all parties involved;
 - (c) Stimulate tourism, elevate the Town's status, create a sense of pride, enhance property values, provide marketing and promotional opportunities, provide a setting for encouraging building owners to improve the quality of buildings;
 - (d) Provide Town Council, Public Art Committee members, and Town staff with a mechanism to assess, acquire, maintain, and manage public art;
 - (e) Encourage artists to propose public art projects that will enhance/beautify the Town; and
 - (f) Increase the visibility of Indigenous art throughout the Town.

3. DEFINITIONS

- **"Art" or "Artwork"** refers to any creative work produced by an artist and intended for public display or experience. This includes, but is not limited to, sculptures, murals, installations, and other visual forms. Artwork may be temporary or permanent, indoor or outdoor, and should enhance the cultural, aesthetic, or social value of public spaces.
- **"Artist"** refers to the designer/creator of an artistic work and can include, but is not limited to, a professional artist, graphic designer, collaborative team, architect, or landscape

designer. District artists will be given priority, however, the selection of any artist for any project is the right of the Town.

- **“Acquisition/Accessioned”** refers to the process of accepting an artistic work into the Town’s collection of Public Art. An acquisition record will be kept by the Museum Curator at the Fort Frances Museum and Cultural Centre (Museum).
- **“Borrowed/Loaned”** refers to an artistic work that is borrowed by the Town, through a loan agreement, for a defined period of time from a lender who owns and retains ownership of the artistic work.
- **“Deaccessioned”** refers to the process of removing an artistic work from the Town collection of Public Art. A record of deaccessioned art will be kept by the Museum Curator at the Museum.
- **“Museum”** refers to the Fort Frances Museum and Cultural Centre.
- **“Owned”** refers to an artistic work that is owned by the Town for the benefit of this and future generations.
- **“Public Art”** refers to art in any medium created for and shared with the public, placed on Town property (or private property with agreement). It may be temporary or permanent and can include sculptures, murals, installations, textiles, interactive works, and more.
- **“Public Art Committee”** refers to the body responsible for curating, procuring, and overseeing the implementation of the Public Art Policy and Program. The Committee is composed of appointed members and Town staff. Consultants or external experts may be engaged as needed to provide specialized advice or support.
- **“Town”** refers to the corporation of the Town of Fort Frances.

4. RESPONSIBILITY

- (1) Town Council is responsible for:
 - (a) The reviewing and final approval of the Public Art Policy.
 - (b) Establishing a Public Art Committee and approving members as governed by the Committee Bylaw with Terms of Reference developed in accordance with this policy.
 - (c) Approving or declining the installation of Public Art pieces recommended to Town Council from the Public Art Committee.

PUBLIC ART POLICY

- (2) The Town Indigenous Relations Advisory Committee is responsible for:
 - (a) The review and input of the Public Art Policy, ensuring that Indigenous art and artists are adequately represented.
 - (b) Providing Council with a recommendation for a sitting Committee member to represent the Committee on the Public Art Committee.
- (3) The Museum and Culture Advisory Committee
 - (a) Providing Council with a recommendation for a sitting Committee member to represent the Committee on the Public Art Committee.
- (4) The Chief Administrative Officer is responsible for:
 - (a) Ensuring that the policy is being adhered to and administered appropriately.
- (5) The Municipal Clerk is responsible for:
 - (a) Ensuring that the policy is reviewed in accordance with the Policy Review Schedule.
 - (b) Notifying applicants of Council's decision to decline public art requests and providing the reasons for the decision.
- (6) The Recreation and Culture Manager is responsible for:
 - (a) Ensuring that the Public Art Committee is functioning as intended.
- (7) The Public Art Committee is responsible for:
 - (a) Curating, vetting, procuring, and facilitating the installation of Public Art projects.
- (8) The Communications Coordinator and Deputy Clerk is responsible for:
 - (a) Preparing agendas and minutes for meetings of the Public Art Committee; and
 - (b) The consultation on Town identity, ensuring alignment.
- (9) The Manager of Operations and Facilities or designate, Museum Curator, and Chief Building Official in coordination are responsible for:

- (a) Providing input on the maintenance requirements and ensuring the Town has the resources to support installation and maintenance of public art on Town property.
 - (b) Ensuring installation of public art will follow provincial and municipal safety acts and codes.
- (10) The Museum Curator or designate is responsible for:
- (a) Managing and maintaining all documentation related to Public Art owned by the Town, including records of acquisition, deaccession, condition, and inventory.
 - (b) Serving as the primary liaison between artists, Town staff, and the Public Art Committee throughout the acquisition, installation, and maintenance processes.

5. FUNDING

- (1) A Town budget will be identified & utilized to support approved Public Art projects. Any funds allocated or donated to this budget shall be used exclusively for the acquisition, commissioning, installation, maintenance, or conservation of Public Art.
- (2) Public Art projects may be funded through a variety of sources, including but not limited to: Town contributions, donations, sponsorships, grants, or contributions from property or business owners, or any combination thereof.
- (3) Fundraising campaigns may be initiated by the Public Art Committee, with permission from Town Council, when appropriate.
- (4) Revenue generated for the Town from the commercial use of public art must be directed back to the public art budget.

6. SITE SELECTION

- (1) A working list of public art locations will be created and maintained by the Museum Curator with input from the Public Art Committee as well as input from private business owners and members of the public.
- (2) The working list will identify appropriate and significant sites for the location of public art and will include prominent locations which are identified as suitable for public art and are physically and/or visually accessible to and by the public.

- (3) The appropriateness of the project to a site will be considered.
- (4) Possible site locations for public art should be included in project applications.
- (5) For a public art project to be located on private property, the property owner must grant permission for access and sign a formal agreement with the Town.
- (6) Private property/business owners partnering with the Town on Public Art projects must sign a contract detailing their responsibilities, including maintenance, and must notify the Town of any artwork damage or plans to sell the property or business.

7. ELIGIBLE PROJECTS

- (1) Public art projects may be brought forward for consideration by anyone, including but not limited to the Town, Town staff, artists, members of the general public, and private business owners.
- (2) Art should be appropriate for all ages to enjoy and experience and will align with the Town's mission, vision, and values as outlined in the Strategic Plan and Culture Plan.
- (3) Art can ideally relate to the Town identity;
- (4) Art can ideally represent cultures that make up the Town, including the local Indigenous (Anishinaabe and Métis) cultures.
- (5) Where texts are used in the art project, text can represent the Federal languages along with the languages of the local Indigenous (Anishinaabe and Métis) people, including English, French, Anishinaabemowin, and Michif. Where Indigenous language is used, fluent speakers (with an emphasis on local) must be consulted unless the artist is fluent in the local dialects themselves.
- (6) Art should create an inviting environment and allow for participation or enjoyment by visitors.
- (7) Artists must submit an original design that does not replicate, copy, or infringe upon the intellectual property of another artist.
- (8) The Town reserves the right to accept or reject any proposal, in whole or in part, for any reason deemed to be in the best interest of the community. This includes, but is not limited to, proposals containing inappropriate or unsuitable content such as profanity, obscenity, discriminatory or derogatory imagery or language, cultural appropriation, or any material considered inconsistent with the values, policies, or standards of the Town. Determinations of suitability and appropriateness will be made through the established selection process.

8. ARTIST/ART SELECTION AND COMMISSION

- (1) All artist/art selections and commissions are based on a fair and transparent process.
- (2) The criteria for artist selection and commissions will be made publicly available prior to the commencement of any acquisition process.
- (3) Prospective public art projects shall be submitted to the Museum Curator and shall be reviewed by the Public Art Committee.
- (4) Recommendations shall be forwarded to the Town Council by the Recreation and Culture Manager for final approval.

9. SAFETY REGULATIONS & ENVIROMENTAL CONCERNS

- (1) All art should comply with the provisions of all Ontario and Town safety-related By-Laws and codes, including but not limited to the Electrical Safety Code, the Occupational Health and Safety Act, the Construction Safety Act, the Building Code Act, and the Ontario Accessibility Act.
- (2) Consideration must be taken regarding the method of affixing artwork to a building, ground, or other structure or object, and any possible risks need to be identified and addressed before, during, and after work is installed.
- (3) Artwork shall not impede emergency access, public services, pedestrian traffic or obstruct visibility of pedestrian traffic.
- (4) Art should be maintained to ensure materials pose no health risk to any citizen, local wildlife, or pets.
- (5) Extra materials used in the making of the artwork need to be disposed of properly and in a way that is environmentally friendly.

10. MAINTENANCE

- (1) Public art projects must include a budget which will be developed by the Museum Curator with support from Operations and Facilities and the Building Chief Official. This budget will include projected staff time, if any, contracted services and maintenance-related fees.
- (2) The potential lifespan of the project should be included in the initial project application.

- (3) Funds for the maintenance of public art will be allocated by the Museum Curator.
- (4) If the artwork is damaged, the Town should try to consult the artist about repairs.
- (5) Artwork on Town property should be kept in a state of good repair. The Museum Curator will coordinate any repairs or maintenance to public art.
- (6) Artwork must be constructed with the use of the most durable, commercially available materials, taking into consideration weather, environment, graffiti, and building conditions.
- (7) Maintenance and upkeep of artwork on private property/businesses shall be the responsibility of the property/business owner unless outlined in a formal agreement approved by Council. All artwork installations must comply with the Sign By-Law and Property Standards.
- (8) Maintenance of donated or loaned public art will be negotiated with the donor/lender.
- (9) The Town reserves the right to temporarily remove, relocate, or deaccession artwork when necessary due to site redevelopment, public safety, conservation concerns, or other operational requirements. Where feasible, the original artist shall be notified and consulted prior to relocation or significant alteration of the installation site.
- (10) Artwork not on display shall be stored in a secure location if space allows. The Town is responsible for ensuring that stored artworks are protected from damage, deterioration, and unauthorized access. Storage procedures shall consider the materials, size, and conservation needs of each piece.

11. ACCESSIONING/DEACCESSIONING OF PUBLIC ART

- (1) Acquisition and deaccessioned records will be kept by the Museum Curator at the Museum.
- (2) Accessioned artwork may include work that is donated, commissioned, purchased, loaned, or otherwise acquired by the Town and that is approved by Town Council.
- (3) Donations of artwork that require the Town to pay for installation, framing, restoration, or repair are not encouraged unless external funding is secured. Such expenditures shall be evaluated at the time the gift is considered. Works of art requiring high or excessive maintenance may be declined. All donations of art must be reviewed and approved by the Public Art Committee.

- (4) Deaccessioning and disposing of works of art in the collection only when it finds such action to be in the public interest or as a means of improving the quality of the collection or public safety.
- (5) In the event of theft, vandalism or accidental loss, the Town may determine whether replacement or deaccessioning of the artistic work is appropriate.
- (6) No artistic work will be deaccessioned and disposed of without consultation with the Public Art Committee.

12. ART OWNERSHIP, COPYRIGHT & REPRODUCTION RIGHTS

- (1) All public artwork created for the Town and paid for by the Town and its funding partners or sponsors, including original renderings (drawings, paintings, designs) submitted for approval, becomes and remains the property of the Town.
- (2) Renderings submitted with applications that are not chosen for use will be returned to the artist and remain the property of the artist.
- (3) Written approval from the Town is required for any commercial reproduction of public artwork created for and funded by the Town or its partners, where the artwork is the dominant feature (e.g., postcards, calendars sold for profit) by any person or organization. If approval is granted, the Town may request a mutually agreed-upon fee or percentage, which will be reinvested in the Town's Public Art budget.
- (4) Legal title and copyrights in any work of public art funded in whole or in part by municipal funding, donations, or loans of public art which are accepted by the Town shall be spelled out in a mutually agreeable contract between the Town and the artist and/or the owner.

13. POLICY REVIEW

- (1) The Public Art Policy will be reviewed one year after its adoption and, thereafter, at a minimum of once every four (4) years by the Public Art Committee. Recommended changes will be forwarded to Town Council for approval.