

CITY OF HAMILTON ART IN PUBLIC PLACES POLICY



Raising the Barn  
David Hind and the Aluminum Quilting Society  
Image: Jeff Tessier

## ART IN PUBLIC PLACES POLICY

“Art in public spaces plays a distinguishing role in our country’s history and culture. It reflects and reveals our society, enhances meaning in our civic spaces, and adds uniqueness to our communities. Public art humanizes the built environment. It provides an intersection between past, present, and future; between disciplines and ideas. Public art matters because our communities gain cultural, social, and economic value through public art.” America for the Arts 2018

### 1.0 Background

The City of Hamilton has commissioned seventy-seven works of public art since the approval of its first Public Art Master Plan in 2009. These works have been selected through an open, adjudicated call for artists process that relies on extensive public consultation. Hundreds of artists’ proposals and thousands of citizen comments have been received through this process resulting in landmark and award-winning Public Art installations across the City.

Through the implementation of the Public Art Master Plan, and in response to issues identified by artists and the community, it was recognized that there were opportunities to expand and enhance the role of public art in the community and the methods for commissioning it beyond the process and definitions set out in the Public Art Master Plan. As directed by Council, staff began work with the arts community to develop an Art in Public Places Policy to widen the scope and opportunities for implementing public art in Hamilton.

Public consultation was undertaken between November 2019 and January 2020. In a series of twelve conversations, fifty-seven artists, arts administrators, arts community leaders and City staff contributed their perspectives. Key priorities for art in public places in Hamilton identified in these discussions included:

- Embracing Placemaking - express the evolving physical, cultural, and social identities that define us;
- Encouraging social cohesion and cultural understanding - public art as a catalyst for discourse, social engagement and reinforcing social connectivity;
- Empowering artists, arts organizations and community groups to take greater ownership of the public realm;
- Embracing digital and social media technology to assist in accessibility, share stories and bring people to places; and
- Encouraging public health and belonging through active living and social connectedness essential to mental health.

The input from the consultation process has informed the principles and processes set out in this Policy.

### 2.0 Policy Statement

The City of Hamilton recognizes that art in public places enriches the quality of life of its citizens adding cultural, social and economic value to our shared public places. It encourages a sense of belonging, social cohesion, cultural understanding and allows for the expression of our evolving collective history, values and culture. Therefore, the City is committed to working with artists, businesses and citizens in the ongoing development and implementation of art in public places projects to enhance our sense of community and public places across the City.

### 3.0 Purpose

To provide guidance to staff, artists, citizens and businesses in the planning, commissioning and implementation of Art in Public Places projects that will be meaningful to the community and enhance public places across the City.

To outline a range of processes for commissioning or acquiring art for installation in public places within Hamilton.

### 4.0 Definitions

#### Public Place

A Public Place is any space in the City accessible or visible to the public and includes:

- **City-Owned** - Any space accessible to the general public that is owned or managed by the City of Hamilton including but not limited to parks, road allowances, tunnels, boulevards, streets, courtyards, squares bridges, building exteriors and publicly accessible interior areas.
- **Privately Owned and Publicly Accessible** - Any outdoor space accessible to the general public that is private property such as courtyards, entrance plazas, forecourts, lanes, etc.
- **Privately Owned Visible to the Public** - Private property and features such as building facades, retaining walls and fences that are visible from a public place and contribute to the character of the adjacent public place.

#### Private Property

For this Policy, private property is any property, building or structure in the municipality not owned or managed by the City of Hamilton.

#### Artist

An artist is an individual who is recognized as a professional practicing artist by other artists working in the same field; has completed training in their artistic field or has a history of public presentation; spends a significant amount of time practicing their art, and seeks payment for their work.

#### Art in a Public Place

An artwork created by artists, or in collaboration with artists installed in a public place.

#### Artwork

A monument, marker, statue, mural, projection, sound or other feature created by or in collaboration with an artist.

## **Placemaking**

A collaborative process by which citizens, business and government shape our public realm to maximize shared value, strengthen the connection between people and place, and reflect the physical, cultural, and social identities that define a place and support its ongoing evolution.

## **Public Art**

An artwork created by artists, or in collaboration with artists that is installed on publicly accessible City of Hamilton property and is owned and maintained by the City.

## **Publicly Commissioned Art**

An artwork created by artists, or in collaboration with artists, through a public process and existing in a publicly accessible City of Hamilton owned or managed location. This art is created to reflect and/or engage the community and has undergone a formal Call for Artists selection process administered by City staff or their representatives.

## **Donated Art**

Artworks given to the City of Hamilton as a gift, bequeath or sponsored acquisition to be installed in a City-owned outdoor public place.

## **Community Art**

An artwork in a public place, the design and implementation of which is led by an artist and involves community members directly in its creation through collaboration, production, and/or dialogue.

## **Temporary Art**

An artwork created by an artist or in collaboration with an artist for exhibition in a public place that is intended to be installed for a limited amount of time; from several hours to several years. Its temporary nature allows for less rigorous selection and maintenance requirements.

## **Integrated Art**

An artwork created by an artist working in collaboration with a team of designers that is installed or fabricated as an integral part of newly constructed infrastructure such as a building, bridge or park.

## **Privately Commissioned Art in Public Places**

Artwork installed on publicly accessible/visible private property that contributes to the quality of the adjacent public place that is commissioned by the private property owner.

## **5.0 Guiding Principles**

The planning, conception, selection and implementation of any Art in Public Places project that is funded in whole or part by the City or is located on City-owned or managed property shall be grounded in the following guiding principles:

- Respect the intellectual and moral rights of the artist;
- Engage, enhance and be reflective of our community;
- Respect community standards concerning appropriate subjects and imagery for display in public places;
- Recognize the value of artists’ work by providing appropriate compensation;
- Consider durability, ongoing maintenance, public safety and any other relevant technical issues;
- Consider accessibility, both physical and sensory interaction;
- Value the role of artists in placemaking;
- Embrace evolving best practices to ensure high-quality artworks that are meaningful to the community;
- Reflect the evolving demographics and the diverse communities of Hamilton;
- Consider environmental sustainability;
- Encourage artwork that is innovative, topical and allows for critical discourse;
- Recognize that the City and art practices continuously evolve and new and innovative approaches be welcomed; and
- Evolve collaboratively and transparently with City staff and community partners.

## **6.0 Processes for Commissioning Public Art**

The following outlines five processes for commissioning or acquiring Art in Public Places for the City of Hamilton. Combinations or variations of these processes may be used depending on the site, project goal and individual or organization planning and implementing the project.

### **6.1 Publicly Commissioned Art**

Publicly commissioned art is artwork created by artists, or in collaboration with artists, through a public process and existing in a publicly accessible City of Hamilton owned or managed location.

This art is created to reflect and engage the community and has undergone a formal Call for Artists selection process administered by City staff or representatives.

This process is typically used to commission larger permanent publicly funded works that will have significant community impact and be of interest to a large number of citizens.

The types, locations, themes and funding for publicly commissioned art projects are set out in the Council approved Public Art Master Plan.

Publicly commissioned art shall be acquired through a transparent competitive process and involve public consultation and adjudication by a citizen jury as per the Council approved Public Art Call for Artists Policy.



Eagles Among Us - David M. General

## 6.2 Donated Art

Donated art is an artwork given to the City of Hamilton as a gift, bequeathed or sponsored acquisition to be installed in a City-owned public place.

This process typically does not include public funding and requires less public consultation. It allows the donating group, individual or business more control of the artwork and generally is best suited for works celebrating or commemorating a specific person, group or event of significance to both the donor and the larger community.

Proposed donations are reviewed by City staff for relevance, location, public safety and other criteria through a process required by the Council approved Art and Monuments Donation Policy to determine a recommendation for the City to accept or decline the donation.



Migration - Donated by The Ukrainian Community of Hamilton

### 6.3 Community Art

Community art is an artwork located in a public place, the design and implementation of which is led by an artist and involves community members directly in its creation through collaboration, production, and/or dialogue.

This process requires community members to be directly involved in the creation of the artwork. It is best suited to art for localized smaller public places such as neighbourhood parks or Business Improvement Areas and the involvement of smaller community groups.

Community artworks may take different forms such as murals, sculpture, functional or digital works depending on the site and project conceived by the lead artist and community partners. The work is generated by the artist based on the collection of elements, images or ideas from the community and in many cases the community is directly involved in the fabrication of the work, i.e. painting a mural.

Artists leading this type of process should be experienced in public consultation and collaborative processes. They shall be hired in keeping with all applicable City of Hamilton procurement policies and processes.



Beasley Community Mural - Members of the Beasley Community with artists Sylvia Nickerson, Matt McInnes and Becky Katz

### 6.4 Integrated Art

An integrated artwork is one created by an artist working in collaboration with a team of designers that is installed or fabricated as an integral part of newly constructed infrastructure such as a building, bridge or park.

Integrated art allows for a wide range of types of art and can be of significant scale depending on the project it is integrated with. It is well suited to functional works such as seating, fences or lighting but can also be decorative or interpretive such as a mural integrated into a building façade or a series of works set into a park path.

The conception and design of the artwork is developed by an artist working as an integral member of the project design team with architects, landscape architects, engineers and other experts in consultation with City staff and community groups advising on the project.

The fabrication and installation of the artwork is tendered as part of the overall project, is funded through the Capital project and implemented by the general contractor and specialist sub-contractors as required.

Artists undertaking this type of project should be experienced working with tendering processes and with fabricators and consultants.



Agricultural History of Canada - Joseph Ernest Gause - Wentworth County Courthouse 1957

## 6.5 Temporary Art

A work of art created by an artist or in collaboration with an artist for exhibition in a public place that is intended to be installed for a limited amount of time; from several hours to several years.

The temporary nature allows for less rigorous selection and maintenance requirements.

Temporary art in public places may be commissioned using any of the processes outlined in this Policy. However, due to its temporary nature, it can be approved for installation only based on reviews for public safety and community standards by City staff.

The temporary nature of the work allows it to explore topical and critical themes.





Meter 236 in Blue on Yellow - Clarence Porter - King William Art Walk

## 7.0 Art on Private Property

The City recognizes that the character of City-owned public places is often impacted by the publicly accessible private places and buildings adjacent to and surrounding the area. The City, therefore, encourages private property owners to commission art in public places projects for publicly accessible private places and privately-owned building facades, fences and other features that are directly adjacent to or visible from prominent City-owned public places such as commercial streets, parks and plazas.

The City encourages private property owners to use the principles and processes outlined in this Policy in the commissioning of art in public places for their property.

Art on private property is subject to the requirements of all applicable by-laws, statutes and policies.



Tim Horton - Jerry McKenna