



The Art Donation Policy ties into the Organizational Values of being responsive, transparent and accountable and ensures effective communication to anyone looking to donate public art to the Municipality.

- RESPONSIVE, TRANSPARENT AND ACCOUNTABLE; and
- EFFECTIVE COMMUNICATION

PURPOSE

The purpose of the Art Donation Policy is to provide a framework for the donation of public art to the Municipality.

SCOPE

Anyone wishing to donate public art to the Municipality will fall within the scope of this policy and must adhere to the policy statements contained within this document.

DEFINITIONS

Term	Definition
CAO	means the Chief Administrative Officer of the Municipality, or their designate.
Council	means the Council of the Municipality of East Hants.
Director	means the director assigned by the CAO to the department with responsibility for the Art Donation Policy, and includes their designate.
Municipality	means the Municipality of the District of East Hants
Municipally-owned public spaces	includes a property owned, leased, or licensed by the Municipality and open to the public including: <ul style="list-style-type: none"> i. parks, boulevards, plazas, pathways, prominent civic gateways and intersections, streets, sidewalks, transportation hubs, bridges, columns, road surfaces and edges, or ii. facilities and structures, including exteriors and interiors of municipally owned buildings such as community and recreation centres, and public amenity spaces therein.
Professional artist	means an artist who: <ul style="list-style-type: none"> i. has proven, specialized training in the artistic field, ii. is recognized as a professional by their peers who are working in the same artistic tradition, and iii. has a history of public presentation or publication.
Public art	means a permanent or temporary work of art created by a professional artist in any medium, material, media or any combination thereof.
Public realm	means municipally-owned public space and non-municipally owned public spaces.
Staff	means the employees of the Municipality given the responsibility for administering this Policy by the Director.



POLICY

POLICY STATEMENT

It is the policy of the Municipality of East Hants to consider the private donation of public art, and any donations shall be considered in regards to the following:

1. Prospective donors of any public art shall make an application, in the form of a letter, to the Municipality.
2. Applications for donations to the Municipality will be reviewed, from time to time, by staff for recommendations to Council.
3. A review team will be initiated by the Municipal Department of Corporate and Residential Services to review the applications for donations.
4. The review team will be comprised of those members of staff selected by the Director to be on the team.
5. Subject to Section 8, a donation of public art may only be forwarded to Council for consideration if, in the opinion of the review team:
 - 5.1. the donation is the unique work of a professional artist;
 - 5.2. the donation exemplifies excellence in artistry, design, and construction; and
 - 5.3. the donation embodies a form of cultural expression of value to the public, or exhibits relevance to the Municipality and its communities.
6. A donation of public art that is excluded under clause 5.1 that was not created by a professional artist, may only be forwarded to Council for consideration if, in the opinion of the review team:
 - 6.1. the donation exhibits relevance to the Municipality and its communities; and
 - 6.2. the donation complies with Section 8 of this policy.
7. Public art that meets the requirements of the either Section 5 or Section 6 shall also meet the following criteria:
 - 7.1. there is suitable municipally-owned public space to site the donation;
 - 7.2. the Municipality has sufficient resources to maintain the donation;
 - 7.3. the donation has been found to be in a state of good repair, constructed of durable materials, and the costs of maintaining the donation is reasonable; and



- 7.4. the donor has clear legal title to the proposed donated asset.
- 8. The acceptance of a donation of any public art by the Municipality shall be subject to the following conditions:
 - 8.1. if the donation is for new public art, the donor assumes all costs associated with the donation (e.g. delivery, installation, etc.);
 - 8.2. the Municipality has sole and final authority to determine the location and siting of the public art;
 - 8.3. the Municipality has sole and final authority to remove or to dispose of the public art;
 - 8.4. the donor provides a maintenance manual; and
 - 8.5. the donor does not impose any conditions on the Municipality associated with the donation.
- 9. Donations of any public art approved by Council will be structured under a deed of gift transferring title and ownership to the Municipality.
- 10. A tax receipt shall be subject to the Acceptance of Donations Policy.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Policy Editor	<p>The Policy Editor is a person having managerial and policy-making responsibility related to the writing, compilation and revision of content and will:</p> <ul style="list-style-type: none"> • Ensure policies in their care and control are always up-to-date, reviewed annually or sooner if necessary • Draft new or edit existing policy content • Be able to interpret and explain policy content • Ensure policy documents are branded and any supporting documents, ie. applications forms are also branded and content consistent with the policy • Ensure policy content is relevant and accurate • Seek and secure approval recommendation of the policy from the Policy Owner • Seek and secure approval of the policy from the appropriate Approver; and, • Provide the final approved policy document to the Assistant Municipal Clerk



Title/Role	Responsibilities
Policy Owner	<p>The Policy Owner will:</p> <ul style="list-style-type: none"> • Provide oversight to ensure policies in their care and control are always up-to-date, reviewed annually or sooner if necessary by the assigned Policy Editor • Be able to interpret and explain policy content • Provide oversight to ensure policy documents are branded and any supporting documents, ie. application forms are also branded and content consistent with the policy • Provide oversight to ensure policy content is relevant and accurate • Review the policy and make recommendation for approval to the appropriate Approver; and, • Ensure that the final approved policy document has been provided to the Assistant Municipal Clerk
Approver	<p>The Approver will:</p> <ul style="list-style-type: none"> • Review Policy recommendations for approval consideration (approve, reject or edit); and, • Notify the Policy Editor, Policy Owner and Assistant Municipal Clerk of decision
Assistant Municipal Clerk	<p>The Assistant Municipal Clerk will:</p> <ul style="list-style-type: none"> • Facilitate an annual Policy Review; and, • Ensure final approved policies are maintained, stored and posted where appropriate
Council	<p>East Hants Council will:</p> <ul style="list-style-type: none"> • Determine whether to accept the private art donation of public art based on the recommendation of staff.
Director	<p>The Director will:</p> <ul style="list-style-type: none"> • Determine the employees responsible for administering this Policy; and • Takes part in the review of a public art donation.
Employees	<p>The Employees will:</p> <ul style="list-style-type: none"> • Be responsible for administering this Policy by the Director.

RELATED DOCUMENTATION

Related forms, processes, procedures and other documents that support the policy.

Document Name	Document ID	Document Type
Acceptance of Donations Policy	-	Policy



VERSION LOG

Version Number	Amendment Description	Amendment/Policy Editor	Amendment/Policy Owner	Approver	Approval Date
<01.00>	New Policy	Debbie Uloth, Project Planner	Kate Friars, Deputy CAO	Council	January 27, 2021

CERTIFICATION

I, Kim Ramsay, Municipal Clerk for the Municipality of East Hants, hereby certify that this policy was duly approved.

Kim Ramsay
Municipal Clerk