City of Prince Albert Statement of POLICY and PROCEDURE			
Department:	Community Services	Policy No.	86
Section:	Arts & Culture	Issued:	Nov. 24, 2016
Subject:	Public Art Policy	Effective:	Nov. 24, 2016
Council Resolution #	Budget Committee Resolution No. 0222 of November 24, 2016	Page:	1 of 10
and Date:	November 24, 2010	Replaces:	
Issued by:	Judy MacLeod Campbell, Arts & Cultural Coordinator	Dated:	
Approved by:	Jody Boulet, Director of Community Services		

1 POLICY

- 1.01 Aligned to the City of Prince Albert's Strategic Plan, Official Community Plan, Municipal Cultural Action Plan, and Civic Arts Policy, The City recognizes the benefits of a Public Art Policy to address the acquisition and management of Public Artwork in public spaces. The goals of the City of Prince Albert's Public Art Policy are to:
 - Build a visually rich environment;
 - Inspire community belonging and memory, enhancing quality of life and place;
 - Tell the story of and highlight the rich heritage including First Nations and Metis and the diverse cultural make up of Prince Albert;
 - Encourage the placement of public art throughout our City including large scale developments and residential neighbourhoods, identifying the unique character and/or history of that neighbourhood;
 - Offer an engaging option for commemoration of individuals, groups or events;
 - Provide art opportunities that are freely accessible to all;
 - Play a role in attracting, nurturing, and retaining creative businesses and workers, including artists;
 - Provide creative opportunities and recognition for Prince Albert,
 Saskatchewan, as well as Canadian and International Artists;
 - Strategically seek donors and funding opportunities for Public Art;
 - Serve as a catalyst to economic development and tourism;
 - Encourage public involvement, connections, and appreciation of the arts and cultural interaction; and,
 - Develop a City wide, including neighbourhoods, Public Art plan that considers various criteria.

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2 PURPOSE

2.01 The purpose of the Public Art Policy is to provide a standardized and transparent process for the acquisition, placement, maintenance, relocation and de-accession of Public Art; and provide a sustainable funding model for the management of Public Art in Prince Albert.

3 SCOPE

3.01 Funding

The City of Prince Albert is committed to the long-term development of Public Art and will provide adequate funding for a Public Art Reserve Fund, including costs for planning, maintenance and acquisition. Specifically, the City will ensure that:

- a. The Public Art Reserve Fund and any interest it earns will be used for the provision of public art projects.
- b. The Public Art Maintenance portion of the Reserve Fund will be used for the ongoing maintenance of public art projects, as well as for planning and acquisition of public art.
- c. Of the annual budget to the Public Art Reserve Fund, 90% will be allocated for new Public Art and 10% for Public Art maintenance, planning & acquisition costs.
- d. The annual budget may be carried over into future years in the Public Art Reserve Fund, i.e. to plan for a larger acquisition.
- e. The Public Art Reserve Fund will be funded through an annual General Fund budget allocation of \$30,000.00.
- f. In response to a significant community event or anniversary, City Council may consider a capital budget request for a major public art commission, community based public art projects, or to purchase an existing artwork. Commemorative public art such as monuments should have an artistic intent.

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3.02 Donations of Public Art

Donations of Public Art or funds for Public Art to the City of Prince Albert will be accepted subject to adjudication and recommendation by the Public Art Committee in consultation with City Department(s), and approval by City Council. Donors are recognized appropriately and are eligible to receive a charitable tax receipt for the fair market value of the artwork, as determined by a qualified independent appraiser at the expense of the donor.

3.03 Third Party Organization Public Art Initiatives

Third party organization public art initiatives will be subject to adjudication and recommendation by the Public Art Committee in consultation with City Department(s), and approval by City Council. Agreements will be developed with the City of Prince Albert regarding ownership, installation, and maintenance as recommended by the Public Art Committee and/or City Departments.

3.04 Encouraging Private Sector Public Art Initiatives

The Public Art Policy encourages the private sector to support the integration of public artworks into the community. This may be achieved through the inclusion of artworks in new and existing developments, gifts of artwork to the municipality, sponsorship of art production, and partnerships with Artists and community organizations. The care and maintenance of private artwork is the responsibility of the owner. Joint private and public projects may also be considered.

4 RESPONSIBILITY

4.01 Public Art Committee

a. Facilitate the formation of a public art plan, outlining the priorities for Public Art in the City of Prince Albert based on the purpose, goals, and procedures of this policy.

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- b. Adjudicate and recommend works of art including commissions, purchases or community based projects, for which the funding has been approved according to the criteria outlined in the Public Art Policy to City Council for approval.
- c. Depending on the Public Art being adjudicated, the Committee may request a non-voting art-specific outside expert or peer jury to provide advice.
- d. Review offers of donations of works of art or third party Public Art initiatives based on the goals and procedures of this Public Art Policy and make a recommendation to City Council for their approval.
- e. Provide a recommendation to City Council on the relocation or deaccessioning of public artworks as the committee deems necessary.
- f. Assist in promoting and educating the public about the City's Public Art Policy including its purpose and goals, and about the City of Prince Albert's Public Art Collection.
- g. Administer and oversee the budget assigned by City Council, and the Public Art Reserve Fund and Public Art Maintenance Reserve Fund.
- h. Review and when necessary propose amendments to this policy, at least every four years.

4.02 City Council

- a. Approve the development of the Public Art Committee and its responsibilities as described in this policy (section 4).
- b. Appoint the Public Art Committee each year (see Terms of Reference in Appendix 1).
- c. Approve amendments to this policy based on a review and recommendations from the Public Art Committee.
- d. Approve the yearly budgets for the acquisition and maintenance of public art as described in this policy (section 3).
- e. Receive and resolve recommendations on the acquisition, relocation and/or de-accessioning of public art from the Public Art Committee.

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- 4.03 Community Services Department and Other Civic Departments
 - a. Facilitation and Administration support to the Public Art Committee.
 - b. Maintain the Public Art Inventory as outlined in this policy.
 - c. Assist to ensure links to applicable City of Prince Albert plans are made, such as the Official Community Plan and Culture Plan.
 - d. Ensure there are public awareness and marketing plans and activities regarding the City of Prince Albert Public Art Policy and Public Art Collection.
 - e. Develop and maintain partnerships to implement public art projects.
 - f. Negotiate public art agreements on behalf of the City of Prince Albert.
 - g. Ensure there is insurance for Public Art.
 - h. Work with key stakeholders to implement public art installation and celebration ceremonies.
 - i. Contribute updates to the OCP, Culture Plan, and Community Services Master Plan as recommended.

4.04 City Manager

- a. Ensure that all City departments comply with the Public Art policy funding and procedures.
- b. Allocate personnel and other resources to the program.
- c. Promote the Public Art Policy with private developers.
- d. Report Public Art projects in the city's Annual Report.

4.05 City Solicitor's Office

a. Provide legal advice regarding agreements, public exhibition rights, copyright legislation and intellectual property rights.

5 DEFINITIONS

5.01 Public Art – for the purpose of this Policy, public art is defined as an artwork created by an artist and acquired by the City with the specific intention of being sited on or staged in municipally owned public space, or in mutual public/private spaces, indoors and outdoors. Works of public art may be:

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- permanent acquisitions;
- temporary installations;
- functional such as street furniture and utility covers as designed by an artist; or
- creations using any material or any combination of media, including but not limited to sculptures, murals, paintings, drawings, textiles, sound and light installations, new media and performance.
- 5.02 Artist an individual recognized by his/her peers, critics and other art professionals as committed to creating works of art.
- 5.03 Acquisition refers to the process of accepting an artistic work into the City's collection of Public Art through purchase, commission, donation, or third party agreements.
- 5.04 Copyright in accordance with the Copyright Act, the City acknowledges the artist as full owner of copyright including moral rights and will negotiate the transfer of certain rights through individual artist contracts.
- 5.05 De-accession the formal process to permanently remove an object from the Public Art Collection.
- 5.06 Public Art Committee a City Council appointed body that adjudicates and advises on aspects of public art on behalf of Administration and City Council.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

6.01 Public Art Committee Terms of Reference.

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- 6.02 The following current and proposed plans are linked to the Public Art Policy:
 - City of Prince Albert Strategic Plan
 - City of Prince Albert Official Community Plan
 - Neighborhood Plans
 - City of Prince Albert Culture Plan
 - City of Prince Albert Community Services Master Plan
 - City of Prince Albert Civic Arts Policy
 - Downtown Strategic Plan

7 PROCEDURE

7.01 Planning for Public Art

To include public art where it has the greatest benefit and meets the purpose and goals outlined in this policy for the City of Prince Albert requires planning. This planning may include key/priority locations, neighbourhood priorities, community demographics, be included in capital construction or renovation projects, honour our landscape, are interactive, and could align with major events or anniversaries. It should also be reflective of the community's readiness for public art and where deemed appropriate (i.e. major projects), in consultation with the general public.

a. Capital Projects - Designated civic capital projects are required to consider the potential for public art as either physically embedded into the building, structure or space, or included as a standalone artwork that complements the project. Project Managers and Developers will be provided with information for this consideration of public art. They may also wish to consult with the Public Art Committee in the initial planning stages to assess the potential for public art in the types of capital construction or renovation projects noted in this policy.

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- b. Outdoor Locations for Public Art Recommendations will be made from the Public Art Committee and in consultation with the general public as well as City departments to address compatibility with the plans and policies, public safety, and considerations of easements, right of way, line of sight, etc.
- c. Indoor Locations for Public Art Recommendations will be made from the Public Art Committee in consultation with the City department that operates or programs that facility to determine the most appropriate public location for installation.
- d. Public Works Projects Public Works will consider utilizing public art projects such as tree gates, utility boxes, bridge/viaduct and a photography fence.

7.02 Acquisition of Public Art

- a. The City's Public Art Committee is responsible for the adjudication of public art on behalf of the Administration and City Council in adherence to the Public Art Committee Terms of Reference, plan and available budget. The Committee provides an open, fair, objective, and credible process when acquiring art, whether it is through purchase, commission, donation or third party agreements. Public Art Committee members are not eligible for art commissions or involvement in others' commissions during their tenure.
- b. Community based public art projects may be considered that are created as a result of a collaborative process between a professional, practicing artist and an identified community.
- c. The Committee, with input from Administration, will consider the proposal's materials, construction, durability, maintenance, public access, and safety.
- d. The Public Art Committee reviews and recommends to City Council on public art submissions with decisions being made on a consensus or majority vote, if necessary, on the basis of:

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- Artistic excellence;
- Response to project criteria/terms of reference;
- Artist's ability to advance the City of Prince Albert's Public Art goals;
- Responsiveness to the site and community;
- Technical feasibility and probability of success.
- e. Upon approval of the Public Art acquisition, the Artist will enter into a written agreement with the City which may include, but are not limited to the following obligations,

Of the Artist:

- Scope of work
- Materials
- Timelines
- Installation
- Maintenance
- Warranty
- Copyright and moral rights (usually remains with the artist)
- Payments to sub-contractors

Of the City:

- Payment including disincentives
- Adherence to the approved maintenance plan
- Insurance of the art work
- Community notification
- Artist recognition

7.03 Lifecycle Maintenance and Inventory of Public Art

a. Public Art will be maintained as a Cultural asset to the City of Prince Albert. The City will be responsible for insuring and monitoring, and providing for annual maintenance and conservation in keeping with the integrity of the art.

^{*}See Appendix A for Acquisition Process.

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- Regular annual maintenance includes cleaning, preventative maintenance (i.e. waxing), graffiti removal and vandalism repair.
 Lifecycle repair could include minor repairs, component replacement, and minor restoration.
- c. The maintenance and lifecycle costs will be identified at the time of the request for proposals and will be funded through the City of Prince Albert Public Art Maintenance Reserve Fund.
- d. The artist should have the first right of refusal for Lifecycle repairs or alterations.
- e. The City of Prince Albert will maintain an inventory of public art including the Artists name, description of the artwork, photo of the art work, estimated value, date of acquisition, location of the artwork, and maintenance record.

7.04 Relocation of Public Art

Communities, land uses, and environments change and the location of a public art may, in time, no longer be appropriate, and the city may determine that the artwork should be relocated.

7.05 De-accessioning of Public Art

The City reserves the right to remove the public art for whatever reason deemed necessary. The City will seek the recommendation of the Public Art Committee before de-accessioning an artwork.

7.06 Monitoring and Evaluation of this Policy

The Public Art Committee and the City of Prince Albert will review the Public Art Policy after its first year of operation, and then every four years to ensure the purpose, goals, policies and procedures reflect the current needs of the community. Any changes to the policy should include public engagement before forwarding to council for approval.

Public Art Policy Working Group

PURPOSE

A Working Group that oversees and advises on the Public Art Policy and projects to the Community Services Advisory Committee. The Working Group shall be responsible including but not limited to the following:

- a) Facilitate the formation of a public art plan, outlining the priorities for Public Art in the City of Prince Albert based on the purpose, goals, and procedures of this policy.
- b) Ensure adjudication and recommendations for public art including commissions, purchases or community based projects, for which the funding has been approved according to the criteria outlined in the Public Art Policy is provided to City Council for approval.
- c) Depending on the Public Art being adjudicated, the Working Group may request a non-voting art-specific outside expert or peer jury to provide advice.
- d) Review offers of donations of works of art or third party Public Art initiatives based on the goals and procedures of this Public Art Policy and make a recommendation to City Council for their approval.
- e) Provide a recommendation to City Council on the relocation or de-accessioning of public artworks as the committee deems necessary.
- f) Assist in promoting and educating the public about the City's Public Art Policy including its purpose and goals, and about the City of Prince Albert's Public Art and Public Art Collection.
- g) Administer and oversee the budget assigned by City Council, and the Public Art Reserve Fund, including the 10% for maintenance.
- h) Review and when necessary propose amendments to this policy, at least every ten years.

Membership maximum 8 May include:

Mann Art Gallery (1)

Prince Albert Arts Board (1)

Citizens at Large (3-5) - that are able to demonstrate a level of competency in one of the following areas: visual arts, new media, performing arts, arts administration, Indigenous (First Nations and Metis) arts and culture, architecture, landscape architecture, design, and arts education. Note: the Citizens at Large should also be reflective of the demographics of Prince Albert.

- a) The Public Art Policy Working Group will report to the Community Services Advisory Committee as needed.
- b) The Public Art Policy Working Group shall meet a minimum of three times annually, but may meet on a more frequent basis as required.
- c) Members of the Public Art Policy Working Group shall not receive compensation for services other than reimbursement for actual expense incurred in completing official duties of the Working Group.
- d) The Public Art Policy Working Group will appoint a chair to call and preside at meetings, and to set an agenda.
- e) Any participant in the Public Art Policy process, including staff, Working Group members or advisors must declare a conflict of interest as per City of Prince Albert Conflict of Interest Guidelines.

TERM

May 1 – December 31, 2017; then annual

MEETINGS

Frequency: 3 meetings per year (minimum) Day/Time/Location: To be determined

ADVISORY OFFICIALS

Arts & Cultural Coordinator (Notes)	953-4825
Director of Community Services or designate	953-4800
Director of Planning & Development Services or designate	. 953-4370
Director of Public Works or designate	953-4900
Mann Art Gallery Director/Curator (if not a member of the WG)	763-7080

January 2021:

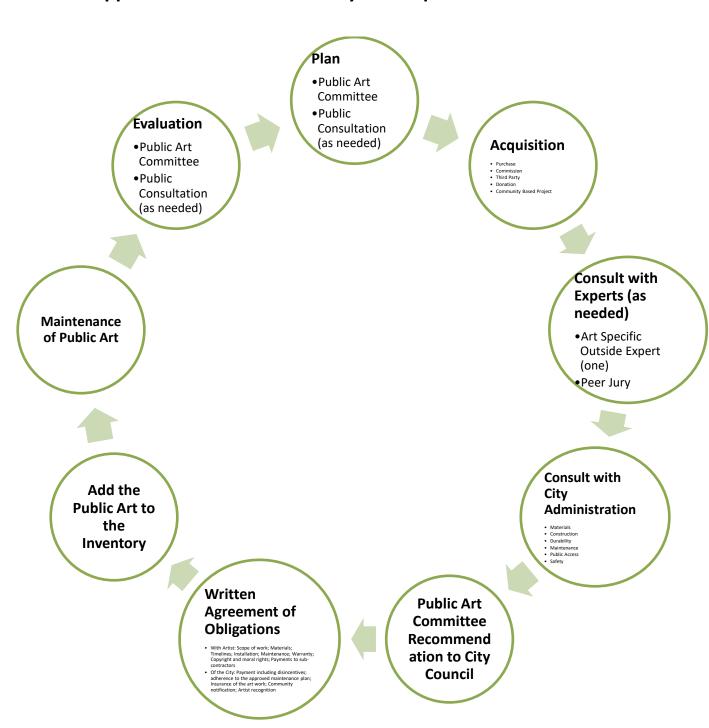
The following working group members agreed to be spokespersons for the Public Art Working Group:

- o Judy McNaughton
- o Jesse Campbell

COMPOSITION



Appendix A – Public Art Policy Art Acquisition Process





Appendix B – Public Art Policy Donation Procedures



City of Prince Albert Donations Guidelines for Public Art

The following is from the Public Art Policy 3.02 Donations of Public Art

Donations of Public Art or funds for Public Art to the City of Prince Albert will be accepted subject to adjudication and recommendation by the Public Art Committee in consultation with City Department(s), and approval by City Council. Donors are recognized appropriately and are eligible to receive a charitable tax receipt for the fair market value of the artwork, as determined by a qualified independent appraiser at the expense of the donor.

Project Identification

- 1. The City of Prince Albert (COPA) will consider gifts of artwork for placement at COPA owned sites on the following basis:
 - The donation contributes to and enhances the COPA Public Art or Public Art Collection;
 - The donation meets a high standard and is appropriate and meaningful to the community;
 - The donation proposal is provided and complete;
 - The donation is made with the understanding that no COPA funds will be required for production, installation, ongoing maintenance, or potential deaccessioning of the work.

The COPA will not accept a gift of artwork until all funds for its development, installation, and maintenance have been secured.

- 2. The City of Prince Albert will consider the following types of donation proposals:
 - An already completed work of art
 - A commissioned artwork by a specific Artist or Artists
 - A commissioned artwork by means of a public competition
- 3. Donations of creative or innovative public art projects are welcomed and encouraged.

Donation Proposal

 All offers of artwork proposed for sites under COPA jurisdiction must be made in writing and submitted to the Public Art Working Group through the COPA Arts & Culture Coordinator.

- 2. The donor will be asked to submit a detailed proposal for consideration. The proposal will contain (where applicable):
 - A rationale for the intent and purpose of the proposed gift and its fit in the COPA;
 - A brief statement about the proposed artwork and theme from the artist, or, the plan for a call for the artist/artwork, including the payment for the artist (CARFAC rates);
 - The inclusion of the process of approval of the artwork as stated in the Public Art Policy and below
 - A project timeline including project ownership, transfer to the COPA;
 - A site plan showing the installation of the work in relation to the site;
 - A detailed budget, with projected costs for the project, including: materials, installation, documentation, construction, maintenance, insurance, etc.;
 - Confirmation that the donor will provide the funding for its production, acquisition, installation, insurance, maintenance and de-commissioning as necessary
 - Anticipated maintenance required for the artwork;
 - The Artist's resume and any additional supporting material;
 - Demonstrated community support (if available);
 - A place (i.e. additional page) for both parties to sign off on the proposal as the agreement, if approved.
 - The signed agreement will include the City of Prince Albert obligations:
 - Removal of small amounts of graffiti;
 - o Communication about and promotion of the artwork and donation; and
 - Adding the artwork to the Public Art Inventory.

Donation Review & Approval Process

All proposals for donations of artwork must follow a three-stage review process:

- Review by the Arts & Culture Coordinator and Director of Community Services for completion of the proposal;
- Review and recommendation by the COPA Public Art Committee/Working Group; and
- A report to the Community Services Advisory Committee (if time allows) and the City Council for approval.

If, at any stage, the City of Prince Albert decides against accepting the proposal, administration will notify and provide a rationale to the donor.

Donation Review Criteria

All stages of the Donation Review Process will be based on, but not limited to, the following criteria:

 COPA Sites: Gifted public artwork must be located on sites under the COPA's jurisdiction.

- Theme: A stated theme of the artwork, which is consistent with the goals, of the Public Art Policy and the Public Art Plan and/or other relevant COPA plans, must be identified.
- Relevance: Works of art must be appropriate for the proposed site and its surroundings, and/or complement surrounding architecture, topography, history and the social dynamic of the particular area in which the art will be placed.
- Artistic Excellence:
 - The work of art shall merit placement in a COPA public place.
 - The artist will demonstrate the ability and potential to execute the proposed artwork, based on previous artistic achievement and experience.
 - In the case of a donation of an existing work of art, the quality and value of the work(s) must be supported by documentation from an independent professional evaluator.
 - The artwork must enhance the Public Art or Public Art Collection.
- Physical Durability: The artwork will be assessed for long-term durability against theft, vandalism, and weather.
- Public Safety: The artwork will be assessed for any public safety concerns.
- Environmental Sustainability: Consideration will be given to the environmental impact and sustainability of the proposed artwork.
- Legal: Consideration will be given to the proposed terms of donation, legal title, copyright authenticity, artist right to reproduce, liability and other issues as deemed appropriate.
- Other considerations may include (but are not limited to): sponsorship, acquisition terms and procedures, and ability to de-accession, if required.

Acceptance and Registration of the Artwork

- 1. If the proposal is accepted by COPA, it will be signed as an agreement to proceed with the donation.
- 2. The COPA will be the owner of the artwork and reserves the right to move, alter or de-accession the work to meet public safety or other COPA concerns, in consultation with the Artist. If the artwork is to be relocated or deaccessioned from the COPA's Art Collection, the Public Art Policy procedures for the deaccession of Public Art will be followed. Reasonable efforts to consult with the Artist will be made as part of the process.
- 3. The completed and installed artwork will be registered in the Public Art and Public Art Collection Inventory, together with all accompanying documentation.
- 4. Donations may be eligible for an official receipt for income tax purposes as per the COPA Public Art Policy. In the event that an official receipt is requested, an independent appraisal certificate will be required at the expense of the donor.



City of Prince Albert Donation Proposal Agreement for Public Art

This is to confirm that the City of Prince Albert will accept the donation as described in the donor's proposal.

City of Prince Albert	
Print Name	Position
Signature	Date
Removal ofCommunic	s per donation guidelines, agrees to the following obligations f small amounts of graffiti; ation about and promotion of the artwork and donation; and artwork to the Public Art Inventory.
Donor	
Print Name	Position
Signature	 Date