

BY-LAW NO. 6870

A By-law to create an  
advisory body on "Public Art"

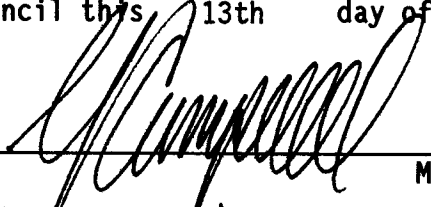
THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled, enacts as follows:

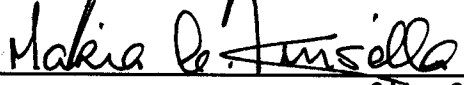
1. This By-law shall be cited as the "Public Art Committee By-law".
2. For the purpose of this By-law, "public art" shall include but not be limited to any and all art forms, whether temporary, freestanding, incorporated with other forms of development, or otherwise, which the Committee in its collective judgment determines to be public art.
3. There shall be a committee, to be known as the "Public Art Committee" (hereafter referred to as the "Committee"), which shall be made up of nine persons, to be appointed by City Council, as follows:
  - (a) two artists of recognized standing in the art community;
  - (b) three other art professionals (artists, designers, gallery directors, curators, historians, educators, conservators, etc.) who have a thorough knowledge of public art, and who are of recognized standing in the art community;
  - (c) two urban designers (architects, landscape architects, designers or others);
  - (e) one developer recognized by the community; and
  - (e) a member of the community.
4.
  - (1) The Committee shall be presided over by a Chairperson to be chosen from among the members annually. A Chairperson whose terms has expired shall be eligible for reappointment and shall, subject to section 7, continue to hold office until a successor has been chosen.
  - (2) The Committee may adopt rules and procedure for its meetings not inconsistent with this By-law and may, from time to time, alter, amend or vary the same as the Committee finds appropriate.
  - (3) Five members of the Committee shall constitute a quorum for the transaction of business.

- (4) The Committee shall choose one of its members as Deputy to preside in the absence of the Chairperson.
5. In 1991 four members shall be appointed to serve for a term of one year, and five members shall be appointed for terms of two years; all subsequent appointments shall be for terms of two years. All or any appointments may be rescinded at any time at the discretion of City Council.
6. All members shall serve without remuneration.
7. Every member is eligible for re-appointment, but in no event shall a member serve for more than two consecutive terms.
8. The duties of the Committee shall be to advise City Council, staff, the Development Permit Board, and others on implementation of the "Public Art Program for Civic and Private Development" adopted by City Council on 4 October 1990 (hereinafter referred to as the "Program"), and particularly on the public art proposed for sites, developments or projects falling within the City's jurisdiction, either as a result of the Program or otherwise. The Committee shall also act as a resource to City Council and to its boards, agencies, commissions or staff, and to developers and citizens; and shall strive to provide reasonable and objective advice and guidance on any matter where public art is involved. The Committee may meet with the Director of Social Planning, the Director of Planning, the City Engineer, the General Manager of Parks and Recreation, the Development Permit Board, the Urban Design Panel, or other civic officials or agencies on matters of common concern.
9. The duties of the Chairperson shall be to call and preside at meetings of the Committee in accordance with the rules and procedures of the Committee and such other duties as the Committee may prescribe. It shall be the duty of the Chairperson to ensure new members are conversant with Committee terms of reference and the guidelines set out in Schedule A hereof, and to acquaint members with such guidelines on conflict of interest as may apply to the Committee. The Chairperson shall poll the members on any issue being considered by the Committee.
10. In fulfilling its duties and presenting its advice and recommendations, the Committee shall have regard to the goals and recommendations of the Program; to the policies, procedures and ideas respecting gifts of public art, the conduct of public art competitions, the deaccessioning of public art, and other matters contained in Appendix A of the "Art in Public Places Progress Report" approved in principle by City Council on 22 February 1990; to other applicable policies as City Council or the Park Board may from time to time adopt; and to the guidelines set out in Schedule A to this By-law.

11. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 13th day of August, 1991.

  
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Mayor

  
\_\_\_\_\_  
City Clerk

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## SCHEDULE 'A'

Guidelines for the Public Art Committee and the fulfilment of duties imposed by this By-law.

1. The Public Art Committee shall be advisory to City Council or Park Board or other City Boards or Agencies, but its reports may generally go to the Development Permit Board or the Directors of Planning, Social Planning, or the City Engineer, as the case may be, and be included in their entirety in such reports as go to Council or Park Board from staff, providing that the Committee has the right to report directly to Council or to Park Board.
2. The Committee shall assist and provide advice and guidance to Council, Park Board, staff, developers and citizens on public art matters and on the implementation of the Public Art Program for Civic and Private Development adopted by Council on 4 October 1990, and in the formulation of such other policy affecting public art as the Committee in conjunction with staff may from time to time recommend as appropriate to City Council.
3. The Committee's review shall extend to all public art matters under Council's jurisdiction or addressed by the Public Art Program for Civic and Private Development, including but not limited to a review of the proposed art work, the art or artist selection process, and any proposed public education, consultation, or information process forming part of any public art proposal, presented in fulfilment of Public Art Program requirements or otherwise.
4. The Committee shall give impartial advice directly at the appropriate level at the appropriate time on any public art proposal or policy within civic jurisdiction or addressed by the Public Art Program for Civic and Private Development.
5. The Committee shall review public art projects in their early conceptual stages or at such time as they are first brought to the attention of City Departments and staff.
6. The Committee shall meet on such day or days as will enable its reports to be considered by City Council, Parks Board, the Directors of Social Planning, Planning, Engineering, Finance, the Development Permit Board or other civic staff, when any of these is considering the subject matter of any such report.
7. An agenda shall, unless prevented by exceptional circumstances, be prepared and circulated a minimum of one week prior to the meeting.
8. Any party to a public art process, including staff and members of the Public Art Committee or any advisors to the Committee, shall declare any direct or indirect benefit to themselves or any of their respective employers, partners, families or associates arising from the City's acquisition or disposal of art work.