

EXECUTIVE COMMITTEE OF COUNCIL

TO: MAYOR AND COUNCILLORS

SUBJECT: PUBLIC ART POLICY

RECOMMENDATION:

THAT the City of Burnaby Public Art Policy Framework included as Attachment 1 and the Public Art Policy included as Attachment 2 to the report titled “Public Art Policy” dated October 4, 2023, be approved; and

THAT a copy of this report be forwarded to the Parks, Recreation and Culture Commission for information.

REPORT

The Executive Committee of Council, at its Open meeting held on October 4, 2023, received and adopted the attached report seeking Council approval for a City of Burnaby Public Art Policy Framework and Policy to establish guidelines for the acquisition and management of public art on public and private lands.

On behalf of Executive
Committee of Council,

Councillor S. Dhaliwal
Chair

Councillor R. Lee
Vice Chair

TO: EXECUTIVE COMMITTEE OF COUNCIL (ECC)
FROM: GENERAL MANAGER PARKS, RECREATION AND CULTURE
SUBJECT: PUBLIC ART POLICY
PURPOSE: To seek Council approval for a City of Burnaby Public Art Policy Framework and Policy to establish guidelines for the acquisition and management of public art on public and private lands.

RECOMMENDATION

THAT the City of Burnaby Public Art Policy Framework included as Attachment 1 and the Public Art Policy included as Attachment 2 to the report titled “Public Art Policy” dated October 4, 2023, be approved; and

THAT a copy of this report be forwarded to the Parks, Recreation and Culture Commission for information.

1.0 POLICY SECTION

The City of Burnaby Public Art Policy Framework (**Attachment 1**) and accompanying Public Art Policy (**Attachment 2**) are aligned with the Social Sustainability Strategy (2011) that identifies the importance of arts and culture in establishing and celebrating community. The Policy aligns with Burnaby’s Economic Development Strategy, Official Community Plan, and Corporate Strategic Plan.

2.0 BACKGROUND

The City of Burnaby has collected works of art for placement in public places for many years, either as gifts or acquisitions. These works are located near civic facilities and in public parks. In 1990, the City of Burnaby Arts Policy made recommendations for public art. In 2005, Commission adopted a policy for public art, which guides the process to acquire, maintain and deaccession works primarily in City-owned public places. Private sector developers and business owners have placed works of art on private properties viewable by the public. In recent years, more have expressed interest in placing works of art for public enjoyment on private lands.

In the past, in the absence of a Council-adopted Policy, City Councils and Parks and Recreation Commissions of the day made project-by-project decisions to acquire and place these works on City property.

Following a City of Burnaby Internal Audit in 2014 initiated by the Finance Department, recommendations have been implemented related to public art management:

- All public art has been inventoried and accessioned into the permanent collection;
- All public art has received a full valuation; a conservator has performed a condition assessment and developed a maintenance plan for existing works; and
- Parks, Recreation, and Culture Commission has requested and received from Finance revisions to the annual budget for acquisitions, maintenance and restoration.

The General Manager Parks, Recreation and Culture, General Manager Planning and Development, General Manager Engineering, and Deputy Chief Administrative Officer/Chief Financial Officer, the City Solicitor and the Director Indigenous Relations have contributed to and reviewed the proposed Policy. The proposed Policy has been drafted with feedback from all of the departments listed above, community consultation, and a thorough scan of local and national municipal best practices.

3.0 GENERAL INFORMATION

The proposed Policy will allow the City to standardize processes and procedures that are currently being employed, such as public art contributions within the private sector, making a streamlined, fair and transparent process for the acquisition of public art within the private sector. The Policy promotes an organized approach and a cohesive public realm experience.

It is recommended Council approve a new City of Burnaby Public Art Policy and Guidelines to manage the acquisition, maintenance, and the lifecycle planning of public art in the city on both public and private lands.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Since 2014, a database containing all public art in Burnaby has been accessible to the public. A webpage for public art offers in-depth information on key artworks in the City.

A review was undertaken of sectoral policy and leading practices of area municipalities, Canadian municipalities of comparable size, civic program delivery models, private sector regulations and procedures that could impact/enhance policy direction. Review included:

- City of Vancouver, Public Art Policy and Procedures for Rezoned Developments, 2014;
- City of Victoria, Art in Public Places Policy, 2018;

- City of Surrey Public Art Policy, 2018 & City of Surrey Private Development Public Art Program, 2011;
- City of New Westminster, Public Art Policy, 2012/2020;
- City of Richmond Policy Manual-Public Art Program, 2020 & Richmond City Centre Public Art Plan, 2011; and
- City of North Vancouver, Public Art Private Sector Guidelines.

Policy development included feedback surveys from Host Nation artists and artists working closely with municipal and private sector public art programs.

Policy development included leading practice workshoping as a member of Provincial and National Committees, including review of CCNC Public Art Toolkit (2010) for national recommendations in processes, an in-practice evaluation of policy application, and project case analysis reviews. Key sector networks include:

- BC Public Art Network; and
- Creative Cities Network of Canada – National Public Art Network.

5.0 FINANCIAL CONSIDERATIONS

The proposed Policy, Program and Procedures sets out clear guidelines and streams of private sector contribution for commissioning of works of art, receipt of gifts, and cash-in-lieu contributions. Contribution of funds will be held in Reserve Accounts for the purposes of new commissions and ongoing lifecycle maintenance, making significant investments to culture.

Respectfully submitted,

Mary Morrison-Clark, General Manager Parks, Recreation and Culture

ATTACHMENTS

Attachment 1 – City of Burnaby Public Art Policy Framework

Attachment 2 – Public Art Policy

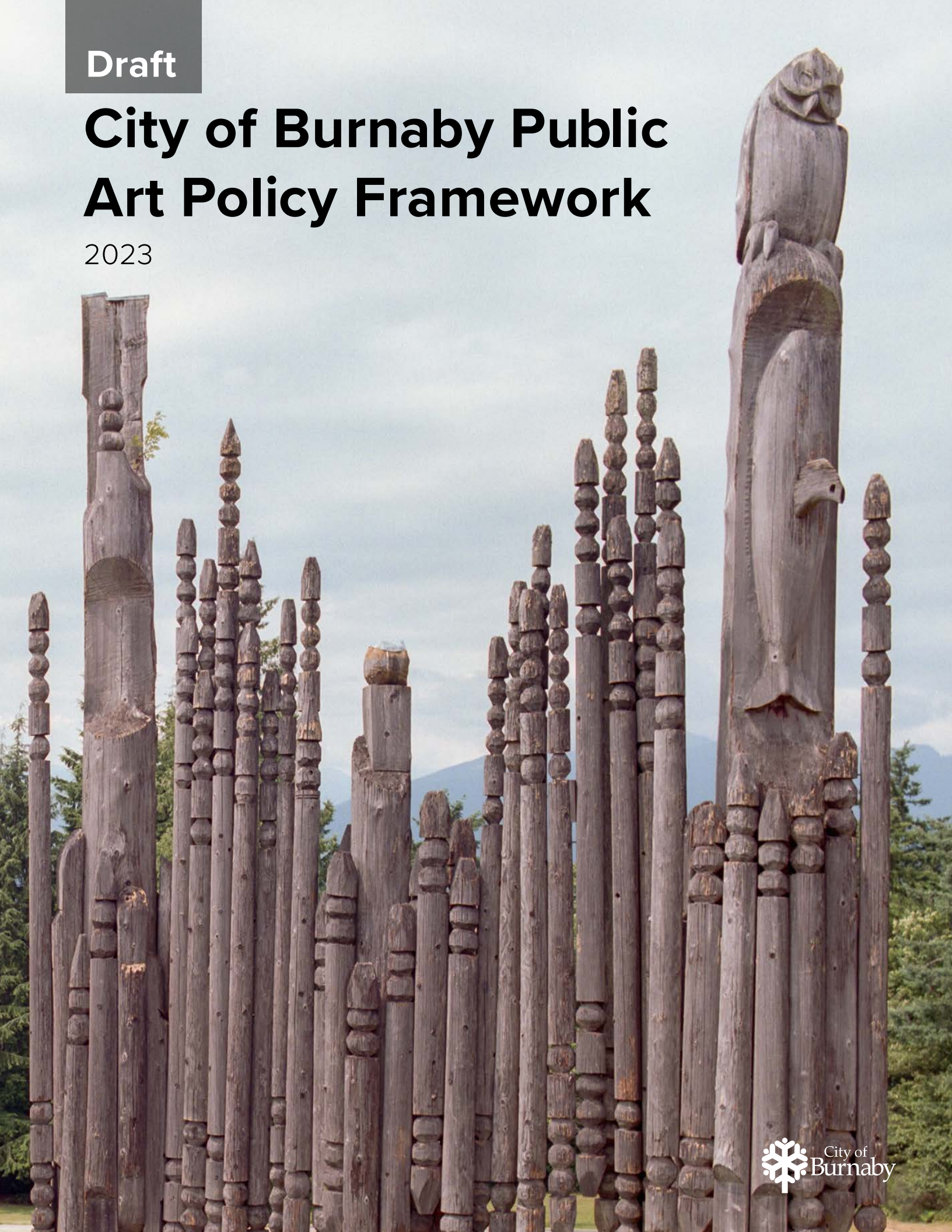
REPORT CONTRIBUTORS

This report was prepared by Jennifer Cane, Visual Arts Coordinator, and reviewed by Denis Nokony, Director Culture.

Draft

City of Burnaby Public Art Policy Framework

2023



Draft

Territorial acknowledgement

The City of Burnaby respectfully acknowledges that Burnaby is located on the ancestral and unceded homelands of the hə́ŋqəmiŋəm̓ and Skwxwú7mesh speaking peoples.

We invite and welcome the ongoing involvement of these host Nations in shaping the nature of public art on these lands. We also acknowledge the broader communities of Inuit, Métis and First Nations people living outside their traditional territories who call Burnaby home.



Steve Cassidy Francis-Ardue, *Spirit of Edmonds*, 2011

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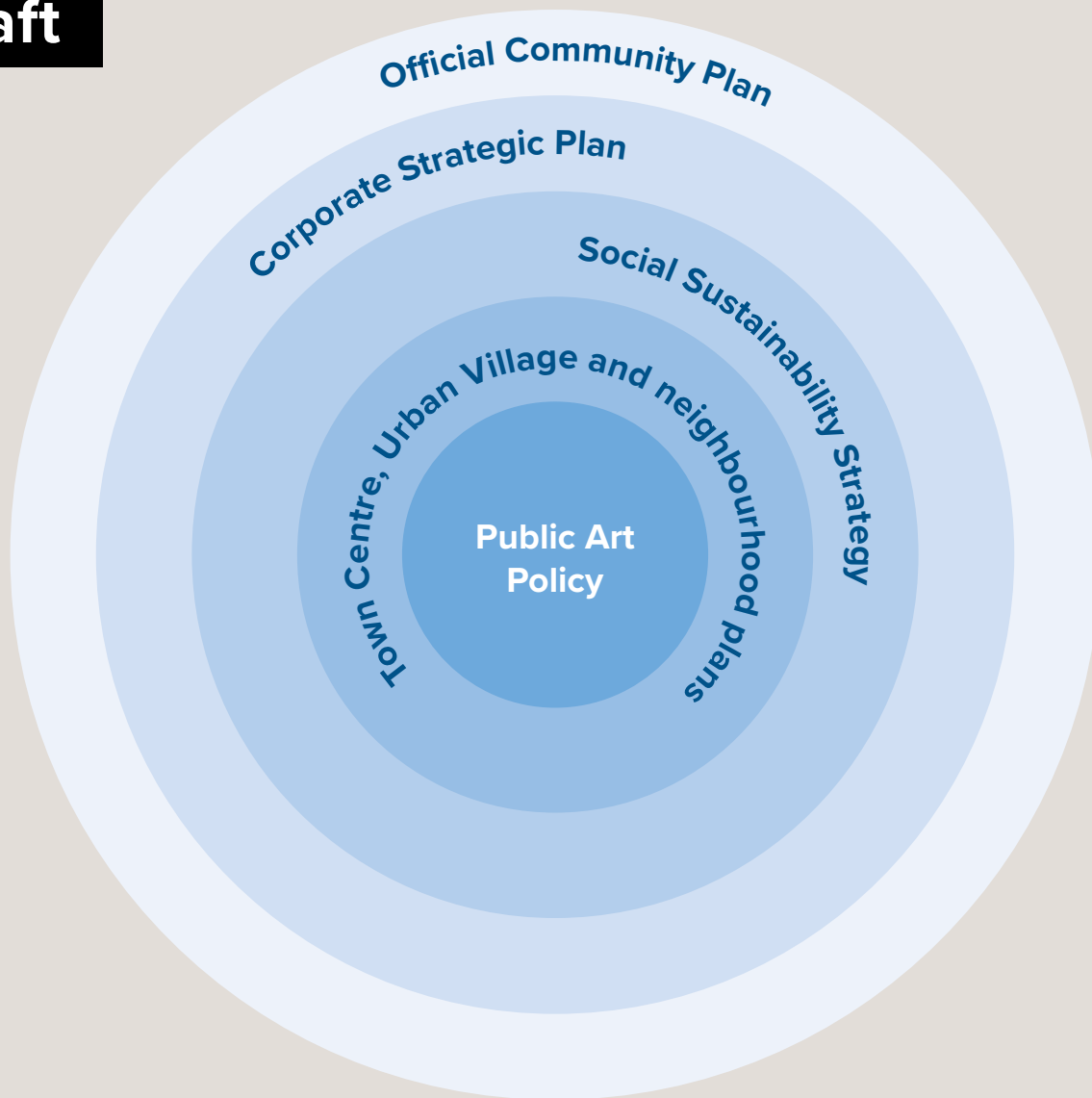
Jennifer Marman and Daniel Borins, *Rite of Passage*, 2018

Introduction

Why a public art policy?

Public art contributes to a vibrant community by promoting a sense of place and inclusion, and uplifting and sometimes challenging our shared values. Public art takes many forms and has the power to energize public space. The City of Burnaby recognizes the role of diverse artists and cultural

practitioners and encourages excellence and innovation. The Public Art Policy Framework and accompanying Policy, Program and Procedures ensure that Burnaby's Public Art Program promotes inclusivity and transparency through clear guidelines.



Aligning our plans and values

The values of the Public Art Policy are embedded within Burnaby's Official Community Plan, Corporate Strategic Plan and Social Sustainability Strategy, as well as individual Town Centre, Urban Village and neighbourhood plans.

These plans guide policy and programming at a local level.



Nathan Lee, *Hak Chu/Pak Chu*, 2021

Scope

Who

Public art policy affects a number of civic groups, including:

- » City Council
- » City staff: full, part-time and contract workers within many departments of the City of Burnaby—Parks, Recreation and Culture, Planning and Building, Indigenous Relations Management, Finance, Engineering, Legal and Lands
- » private sector developers working within the City of Burnaby
- » Indigenous host Nations—the Squamish, Musqueam, Tsleil-Waututh and Kwikwetlem First Nations, acknowledging the ancestral and unceded lands that Burnaby is situated upon
- » artists
- » communities who want to be involved in public art processes or creation
- » Burnaby’s citizens and visitors; anyone who experiences and enjoys the public realm



Scope

What

Public art is on display to enhance public space and may take many forms or mediums. Prominent examples of works include sculpture and installation work, murals, or other interventions in civic spaces. Artwork in public space may also use sound, digital media, performance, or other social activities and actions.

Common among all approaches is a central ingredient: engagement with and impact in the public realm.

Public art is created with the intention of being experienced and appreciated by the public.

Julian Yi-Zhong Hou, *Crossroads*, 2021

The benefits of public art

- » **Enhances public spaces:** Public art adds an element to urban and suburban environments that increases livability by offering vibrant spaces for residents and visitors.
- » **Distinguishes neighbourhood character:** Public art can carry cultural histories, associations and meanings.
- » **Promotes cultural diversity:** Art is made in all cultures. Public art can offer insight into the fabric of a community by instilling unique perspectives and traditions. Over time this promotes tolerance, understanding and appreciation of different cultures and people.
- » **Encourages lively civic activity:** Public art can act as a motivator for neighbours to interact and engage with their surroundings and each other, creating opportunities for community building and social cohesion.
- » **Improves mental health and well-being:** Public art can have a positive impact on mental health and well-being, providing a source of inspiration and connection.
- » **Educates and inspires:** Public art can convey messages and ideas in a creative and accessible way, stimulating curiosity, imagination and critical thinking.
- » **Increases public awareness and appreciation of the visual arts:** Public art reflects a wide range of professional artistic and cultural expression and practice, demonstrating excellence, quality and innovation.

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schematic drawing for James Harry and Lauren Brevner, *Shù7mayus*, 2022

Internal policy development and consultation

2005

Parks, Recreation and Culture Commission adopted the City of Burnaby *Art in Public Places Policy*, providing a guideline for processes to acquire, maintain and deaccession works, primarily in City-owned public places.

2014

City of Burnaby Internal Audit initiated by the Finance Department; significant public artworks owned by the City formally accessioned into the City of Burnaby Public Art Collection. The City of Burnaby begins requiring all private sector rezoning development in town centres to include an allocation of 1% of the construction budget for public art.

2014-2022

Policy updated after the Parks, Recreation and Culture team conducted a consultation process among all relevant City departments: Parks, Recreation and Culture, Planning and Building, Indigenous Relations, Finance, Engineering, Legal and Lands; Burnaby's Public Art Advisory Committee; the BC Public Art Network; feedback from host Nations and artists working closely with municipal and private sector programs, as well as research of local and municipal leading practices.

2023

New Public Art Policy recommendations will be presented to Executive Committee and City Council for consideration, with the goal of enhancing, clarifying and confirming the City's commitment to achieving public art in Burnaby.



left: Joe Fafard, *Bay Bébé II*, 2012, right: Joe Fafard, *Evangeline*, 2015

External analysis and consultation

A review was undertaken of sectoral policy and leading practices of area municipalities, Canadian municipalities of comparable size, civic program delivery models, private sector regulations, and procedures that could impact/enhance policy direction. Reviews included:

- » City of Vancouver, *Public Art Policy and Procedures for Rezoned Developments*, 2014
- » City of Victoria, *Art in Public Places Policy*, 2018
- » City of Surrey *Public Art Policy*, 2018 and City of Surrey Private
- » Development Public Art Program, 2011
- » City of New Westminster, *Public Art Policy*, 2012/2020
- » City of Richmond *Policy Manual-Public Art Program*, 2020 and Richmond City Centre *Public Art Plan*, 2011
- » City of North Vancouver, *Public Art Private Sector Guidelines*

Policy development included leading practice workshopping as a member of Provincial and National Committees, including a review of the Creative City Network of Canada (CCNC) *Public Art Toolkit* (2010) for national recommendations in processes, an in-practice evaluation of policy application and project case analysis reviews. Key sector networks include:

- » BC Public Art Network
- » CCNC's Public Art Network



James Harry and Lauren Brevner, *Shù7mayus*, 2022

What resources do we provide?

In addition to the City of Burnaby Public Art Policy, which guides all work, several useful documents are available to the public:

- » **City of Burnaby Public Art Program & Procedures:** Detailed program information for civic project teams and staff, artists, developers and other parties who wish to undertake public art. This document outlines key procedures for public art initiatives.
- » **Private Sector Development Guidelines:** A how-to reference guide that offers steps for undertaking a project through its development.
- » **Public Art Consultant Guidelines:** A reference guide outlining the expected role, qualifications, procedures and outcomes for public art consultants.
- » **Public Art Donation Guidelines:** A how-to reference guide that offers steps for initiating and evaluating an artwork donation.
- » **Community Art Guidelines** (in development): A how-to reference guide for those wishing to undertake a community-based public art project.

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Burnaby.ca/PublicArt

Toko Nuburi and Shusei Nuburi, *Kamui Mintara*, 1992



Public Art Policy

SOURCE:	Parks, Recreation and Culture		
APPROVED BY:	General Manager, Parks, Recreation and Culture		
EFFECTIVE DATE:	Oct. 4, 2023	REVISION DATE:	

1.0 Policy Statement

The City of Burnaby Public Art Policy (“the Policy”) provides guidance for the acquisition, installation, interpretation, maintenance and lifecycle planning of artworks in public areas. These areas include City of Burnaby parks, trails, inside and outside of civic facilities, and other public areas and in private sector, publicly-accessible spaces in the City.

2.0 Policy Alignment

The policy aligns with broader City policies and strategies, including:

- The Public Art Policy Framework;
- The Economic Development Strategy;
- The Social Sustainability Strategy, Strategic Priority 2: Celebrating Diversity and Culture; Strategic Priority 5: Enhancing Neighbourhoods; and
- The (1998) Official Community Plan (Revised 2014): Cultural Asset Management and Community Planning and Development.

3.0 Policy Objectives

The objectives of the Public Art Policy are as follows:

- Align with the values and benefits outlined in the Public Art Policy Framework;
- Set forth guidelines and criteria for the planning, financing, selection, creation, presentation, interpretation and long-term maintenance of artworks. This includes establishing procedures for the potential removal and deaccession of artworks in public places;
- Foster integrative planning, design and implementation within relevant areas of development; and

- Ensure a transparent and professional process is employed for the selection of artworks for both civic and private sector development, adhering to specified parameters and conditions.

4.0 Definitions

To ensure clarity in interpreting the public art program the following definitions apply:

Acquisition: The process of accepting an artistic work whether by commissioning, purchase, gift, or other means, into the City's collection of public art.

Artist as Maker: As creator, the artist is a catalyst and manager of a creative process resulting in a finished product. This product is in response to physical and/or social, historical and conceptual issues. The definition of the artist for the purposes of this policy adheres to the Canada Council for the Arts definition of a professional artist, visual and fine craft artist, or practitioner of architecture/landscape architecture. Those involved in the development project team (e.g. architect, landscape architect, engineer) are not permitted to act as the artist as defined above.

Conservation: The broad concept of the care of artworks, encompassing examination of the condition of the art, preservation of the art to avoid deterioration or damage, and restoration.

Deaccession: The process of removing an artistic work from the City's collection of public art.

Donation: Gifts of art which have been given unconditionally and without compensation or non-monetary consideration (e.g. advertising, promotion, services, etc.)

Public Artwork(s):

- Freestanding works such as sculptures and artworks attached to buildings;
- Works integrated into the architecture or landscape at the time of design and construction;
- Other independent artistic expressions in public space, such as digital works, photography or video, multimedia/interactive installations, socially-engaged participatory events; and
- Monuments and commemorative statuary.

Public Art Consultant: A Public Art Consultant is a professional advisor regarding public artwork, its selection, siting, installation, and any artist-related issues. Public Art Consultants must have a broad

knowledge of current art-making practices and of artists able to work in public and development contexts.

Public Art Reserve(s): City funds put in place by the Chief Financial Officer which hold in reserve financial contributions from public and private sources for Public Art Program purposes.

Restoration: Treatment of a deteriorated or damaged work of art to restore it as accurately as possible to its original condition.

5.0 Scope

The Public Art Policy applies to existing City of Burnaby public spaces, road rights-of-way and buildings owned and operated by the City of Burnaby, and includes all areas where the public attends or is permitted to attend on a frequent basis, and it includes:

- Public parks and trails, where permanent or temporary installation of works of art conform to park management plan guidelines and City zoning bylaws;
- Parks, Recreation and Culture facilities;
- Spaces inside public buildings or plazas adjacent to buildings;
- Road rights-of-way or public pedestrian statutory rights-of-way; and
- Other City-owned buildings and land suitable for works of art.

The Public Art Policy also encompasses new City-owned facilities, spaces, and privately-owned properties within Town Centres and Urban Villages that are currently under development. Its purpose is to establish a structured approach to funding, acquiring, installing, celebrating, and maintaining significant artworks that are accessible to the public.

Efforts to support, acquire and place public art may be undertaken by various entities, including the City, individuals, independent institutions, and the private sector. This policy addresses all relevant participants interested in acquiring and placing artworks in spaces accessible to the public.

The following are excluded from the scope of this policy:

- Anti-graffiti initiatives on private property, business improvement district initiatives (including murals on privately-owned properties), school initiatives, decorative wraps on service boxes, decorative banners and eco-sculptures; and
- Spaces, developments, and projects solely owned by First Nations.

6.0 Administration

6.1 *Public Art as Part of Civic Development:*

1. Public art projects shall be incorporated into new City capital projects (buildings, parks and structures) with budgets exceeding \$30 million. As part of the allocation for new civic capital projects 1% of construction costs will be assigned to public art. New City capital projects with budgets of \$5 million to \$30 million will allocate 1% of construction budgets to a reserve account designated for the purposes of the Public Art Program. New City capital projects with construction budgets of less than \$5 million are exempt.
2. Budgets will be allocated to cover various aspects, including artists' fees, production, installation, promotion, maintenance costs, as well as project management, selection committee, and staff costs. These funds will be assigned on an annual basis. Additionally, efforts may be made to secure funds from alternative sources such as donations, grants, and sponsors.
3. For newly initiated civic commissions, a minimum of 10% of the public art project budget will be reserved specifically for ongoing maintenance.
4. To ensure the effective management of public art, dedicated operating reserves will be established. These reserves will serve the purposes of acquisitions, inventory management, maintenance and promotion.

6.2 *Public Art as Part of Private Sector Development:*

1. This Policy is applicable to private sector development within Burnaby's designated Town Centres (Brentwood, Lougheed, Metrotown, and Edmonds) and Urban Villages, specifically where rezoning is necessary. The following criteria determine the applicability:
 - Multi-family, commercial and mixed-use residential developments comprising 50 or more residential units; and
 - Commercial and mixed use development with a total floor area equal to or exceeding 1,000 m² (10,765 sq.ft.).
2. For eligible private sector development projects, a contribution of 1% of the estimated total hard project construction costs related to the market component of the project is required. This contribution excludes any non-market housing components, as well as the value of the land, offsite servicing, permit fees and consultant costs associated with the project. Public art contributions will only be

required for new floor space construction, and not for renovations or tenant improvements that do not result in an increase in floor area.

6.3 *Donations of Public Art:*

1. Donors have the opportunity to enrich the public art program by gifting significant artworks created by prominent artists to the City.
2. To ensure a comprehensive evaluation process, all proposed donations will be thoroughly reviewed by staff from relevant departments and the City's Public Art Advisory Committee before being accepted into the City of Burnaby Public Art Collection. Requirements for donated public artworks are as follows:
 - a. The owner or authorized representative of the artwork will submit a letter of intent expressing their intention to gift the artwork to the City. This letter will be reviewed by the General Manager, Parks, Recreation and Culture or their delegate;
 - b. In the case of offers involving Indigenous artwork from non-Indigenous donors, a review will be conducted with the Indigenous Relations Manager;
 - c. The artwork must be offered and received free of all conditions;
 - d. Substantiating proof of legal ownership, supported by provenance documentation, is required;
 - e. Artworks comprised of impermanent or non-durable materials may not be considered for acceptance;
 - f. If an offer is accepted as a gift, the City may issue a tax receipt to the donor, provided recent professional arm's-length evidence of the fair market value is presented;
 - g. As part of the donation, the donor is required to contribute to the Public Art Maintenance Reserve. The specified contribution amount will be determined at the time of the donation, with a minimum requirement of 10% of the project cost or evaluation.
3. Financial donations from citizens, businesses and groups, are also welcomed and encouraged as means of community partnership in acquiring new artworks for public places. Cash donations will be held in reserve and dedicated to specific competition projects or City-designated sites. These financial contributions will be utilized for commissioning or competition-based public art projects, as well as ongoing maintenance, but cannot be allocated towards City staffing costs.

6.4 *Community-Led Public Art:*

1. The City of Burnaby actively participates in various forms of community art initiatives under the purview of the Parks, Recreation and Culture Department. When opportunities arise to

collaborate on public art projects, staff will strive to achieve optimal outcomes in terms of process, planning, installation and celebration.

6.5 *Public Art Acquisition:*

1. Artworks will be carefully acquired to the City's Public Art Collection based on clear parameters and conditions outlined as follows:
 - a. The collection will encompass artworks of special historical, cultural, aesthetic and educational significance, including contemporary art by local, national or international artists;
 - b. Artworks may be acquired by outright purchase, commission, competition or donation;
 - c. Artworks will be constructed from durable and safe materials and will be installed/showcased in spaces that prioritize public enjoyment, safety and proper preservation;
 - d. All individuals involved in the program, including advisors, staff, and others, will declare that they have no conflicts of interest regarding the acquisition and deaccessioning of artworks within the collection. Standards of conduct dictate that all individual must not hold undisclosed financial interests in the artwork work, receive commissions for transactions, issue statements for a fee, or exploit their professional status directly or indirectly during the acquisition or deaccessioning process;
 - e. Comprehensive and accurate documentation establishing an ethical and legal provenance is required for all acquisitions. Works will be formally accessioned into the collection once they have been approved in compliance with legal and financial regulations governing inventory management;
 - f. The City of Burnaby will have complete ownership of acquired artworks and will hold copyright and or enter into specific copyright agreements with artists and/or agents;
 - g. The collection is established with the expectation that the artworks will be owned and exhibited by the City for a significant period of time;
 - h. If deemed necessary by qualified City staff, the removal of an artwork from the collection (deaccessioning) may occur under the governing authority, ensuring adherence to the "arm's length" principle. Deaccessioned works may be returned to the original artist, offered to other municipalities, galleries or collectors for sale, exchange or gifting. Removal may also be warranted if a work is beyond repair or poses a safety hazard. Funds received through deaccessioning, if any, will be held in trust for future artwork acquisitions. Final deaccessioning approval rests with the General Manager, Parks, Recreation and Culture;
 - i. Deaccessioning works with the intention of returning them to the originating First Nation, Métis or Inuit community or territory will

- be conducted in consultation with the respective Nation or community to ensure proper protocols are established and followed;
- j. Adequate care and maintenance of all artworks in the collection is mandatory. Conservation and restoration assessments will be carried out by professionals, and regular assessments of artwork conditions will be conducted. Annual funds will be allocated for maintenance and restoration purposes. The artist/maker of the artwork may be involved in the assessment and repair process. in the event that significant alterations are required due to maintenance, an agreed upon alternative repair plan may involve the artist's removal of their name as the originator; and
 - k. Appropriate insurance coverage is a requirement.
2. The General Manager, Parks, Recreation and Culture or their delegate will conduct and annual review the Public Art Policy and fiscal resources dedicated to the acquisition, maintenance, management and promotion of public art.

6.6 *Asset Management:*

1. Public art is considered a cultural asset that may require maintenance and repair due to weathering, damage or material failures. Some artworks may weather in accordance with artistic intention, or Indigenous protocols. Resources will be allocated annually by Council for commissioning, installation and maintenance of all artworks in the City's public art collection, according to their established maintenance requirements.
2. Works of public art are not classified as tangible capital assets in accordance with the City of Burnaby Tangible Capital Asset Policy. The policy adheres to the Generally Accepted Accounting Principles (GAAP) and the Public Sector Accounting Board (PSAB) and the Province of British Columbia.

6.7 *Reserve Accounts:*

1. To ensure compliance with accounting standards, the following reserve accounts have been, or will be established:
 - Commission, purchases, exchanges;
 - Installations;
 - Signage, interpretation, accessioning, promotion;
 - Maintenance; and
 - Third party trust funds based on specific agreements related to private sector development.

2. In certain cases, developers may allocate resources for long-term maintenance or programming of public art as part of their rezoning and servicing requirements. In these instances, dedicated reserve accounts will be established to receive and disburse funds solely for the purposes outlined in the specific agreement.
3. Reserve accounts will be managed and reconciled annually, with a five-year projection provided to determine resource requirements. City of Burnaby funds may be allocated from gaming reserves, operating funds, or other internal sources. Additionally, donations, bequests and private sector contributions will supplement these resources as appropriate.

7.0 Supporting Documents and Guidelines

The policy is supported by three administrative documents:

1. *Public Art Policy Framework*: an overview of the Public Art Program in Burnaby
2. *Public Art Program and Procedures*: a detailed document outlining the organizational structure, acquisition and deaccession procedures, and resources for the management of Public Art in Burnaby
3. *Public Art Planning Tool for Site Selection*: a brief guide which provides civic teams structure and tools for the selection of artworks and areas for installation.

Related procedural guidelines for contractors and private sector developers working within the City are available through the Parks, Recreation and Culture Department.

7.1 Legislation and Governance:

All works acquired by the City of Burnaby will conform to the provisions of:

- The Canadian Cultural Export and Import Act;
- The United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing Illicit Import and Transfer of Ownership of Cultural Property; and
- The British Columbia Heritage Conservation Act.

The Public Art Policy, Public Art Program and Procedures and Public Art Planning Tool for Site Selection will undergo annual review to determine compliance with any changes made to relevant provincial or federal legislation and regulations governing public art and collections that are

altered to come into alignment with the BC *Declaration on the Rights of*

Indigenous Peoples Act (2019), and the Federal *United Nations Declaration on the Rights of Indigenous Peoples Act* (2021).

