

BY-LAW 2009-267

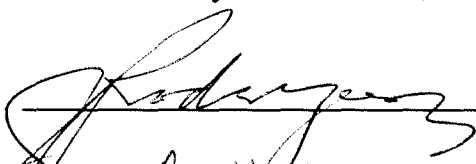
**A BY-LAW OF THE CITY OF GREATER SUDBURY
ADOPT AN ARTS AND CULTURE CHARTER
AND AN ARTS AND CULTURE GRANT POLICY AND PROGRAM**

WHEREAS the Council of the City of Greater Sudbury wishes to adopt an Arts and Culture Charter and an Arts and Culture Grant Policy and Program;


**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

1. The Arts and Culture Charter attached hereto as Schedule "A" is hereby adopted.
2. The Arts and Culture Grant Policy and Program attached as Schedule "B" is hereby adopted.
3. By-law 2006-251 is hereby repealed.
4. This By-law shall come into force and take effect immediately upon the final passing thereof.

READ AND PASSED IN OPEN COUNCIL this 12th day of November, 2009.



Mayor



A. Haché
Clerk

SCHEDULE A TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE CHARTER

Page 1 of 2

City of Greater Sudbury Arts and Culture Charter

Given that investment in arts and culture is essential to ensuring a socially and economically healthy, creative and vibrant community;

And that arts and culture enhances community identity and sense of belonging;

And that quality of life has become a key competitive asset in attracting business, visitors and skilled workers;

Therefore, the arts and culture sector together with the City of Greater Sudbury recommends that we, as a whole community, including the public, private and not for profit sectors work diligently together to increase arts and culture capacity by supporting policies, strategies and programs that will foster and build:

A Community that is Committed and Supportive of Arts and Culture

- Provide a broad balance of arts and culture programs that are accessible and available to all residents of the City of Greater Sudbury
- Enhance existing spaces and develop new public spaces to define and create a special sense of place
- Adopt a sustainable funding policy framework to support and ensure stability for the arts and culture sector
- Foster the development of strong boards and an effective volunteer base.
- Engage the private sector in arts and culture development

A Community Proud of its Character and Heritage

- Develop vibrant and diverse cultural identities as defined by the City's cultural assets, people, ethnicity, industry and natural environment
- Offer a range of leisure and entertainment activities to encourage the celebration and appreciation of Greater Sudbury's cultural authenticity
- Be an advocate for the protection of Sudbury's history and heritage
- Build a greater understanding of the cultural character and identity of Greater Sudbury and its communities through research, promotion and awareness

SCHEDULE A TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE CHARTER

Page 2 of 2

A Community that Values the Economic Potential and Contribution of the Arts

- Articulate and promote the contribution of arts and culture to both the social and economic well being of Sudbury
- Position Greater Sudbury as a globally competitive Creative Community and destination for skilled workers, visitors and businesses
- Facilitate cooperative efforts between arts and culture organizations and tourism/economic development authorities to better promote the quality and variety of arts and culture in Greater Sudbury
- Ensure arts and culture is included in other municipal strategies and plans such as economic policy, social policy, downtown development and public works projects

A Community that Nurtures Innovation and Creative Expression

- Build Greater Sudbury's capacity and reputation as a city and region for innovation, learning opportunities and artistic and design excellence
- Establish and maintain a public art program that will enhance public space
- Develop Greater Sudbury as a place of opportunity and creative development for children and youth
- Stimulate, reward and recognize talent within the City's artistic community
- Encourage citizens to be active participants in, and audience members for the arts

A Community that Promotes Strong Collaborations and Communication

- Develop the conditions, infrastructure and networks needed to develop Greater Sudbury's reputation and status as a creative community
- Encourage creative partnerships across arts and cultural pillars
- Develop an accessible inventory and network of cultural assets and information
- Encourage and facilitate co-operative partnerships in other sectors including health, government, business and education to deliver arts and cultural services

SCHEDULE B TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE GRANT POLICY AND PROGRAM

Page 1 of 8

revised 2009

Greater Sudbury Arts and Culture Grant Policy

In 2006, the City of Greater Sudbury developed an Arts and Culture Charter and Strategy. These two documents provide the City with a vision statement, guiding principles and goals, and recommendations for work that can be undertaken to foster the growth and development of the Arts and Culture sector in Sudbury. The Arts & Culture Strategy also includes definitions pertinent to the arts and cultural sector and plays an important role in guiding staff and City Council on the arts and cultural services to be developed for our community.

Support of arts and culture is an investment in the quality of life for our community. The City of Greater Sudbury, therefore, commits to setting a long-range goal of increasing spending in the arts as a percentage of total annual spending.

The City of Greater Sudbury Arts and Culture Grant Program has been established to invest funds into the not-for-profit arts and cultural sector of the City of Greater Sudbury.

The grant recognizes the contribution of arts and cultural institutions, special events and projects to the quality of life in Greater Sudbury. It acknowledges that, while these institutions and organizations provide significant benefits to our community, they generally do not have the capability to be financially self-sustaining. In order to ensure their continuity and continuing benefit to the community, it is appropriate for the community, through municipal and other levels of government, to provide financial support.

It is anticipated that amendments to this new policy and application forms may be required during the course of implementation to reflect organization needs and changing demand from the arts and culture sector.

Arts and Culture Grant Program Streams

The two program streams for the City of Greater Sudbury Arts and Culture Grant Program are Operations, and Projects & Special Events.

There are two applications forms for the Arts and Culture Grant Program; one for applications that are requesting less than \$3,000 and one for applications that are requesting over \$3,000.

A) Operations

An Operations grant is intended to assist a variety of not-for-profit arts and cultural organizations with ongoing operations such as salaries and administration.

There are two categories of operations grants, an annual operations grant and a multiyear operations grant.

Annual Operations grants are available to all not-for-profit arts and culture organizations, small and large. Applicants applying for funding over \$20,000 must be well established arts and cultural organizations that:

- have an ongoing presence in the City of Greater Sudbury,
- a considerable volunteer component,
- a track record of quality programming or services,
- effective board governance,

SCHEDULE B TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE GRANT POLICY AND PROGRAM

Page 2 of 8

- In operation for at least three years.

A **Multiyear Operations** grant is an operational grant intended for well established larger organizations with salaries, administration and revenue over \$250,000. They must be incorporated for at least five years. Major organizations may be eligible for funding for three consecutive years at a time subject to review.

B) Projects & Special Events

The **Project & Special Events** grant is intended for new, developing, and established arts and culture organizations that work on a project basis. It is also intended for organizations undertaking a special, one-time arts and culture initiative such as a festival or celebration. The Project & Special Events Grant supports a variety of not-for-profit cultural organizations. It is designed to support a range of activities and art and cultural forms reflecting different cultural traditions and artistic practice.

Arts and Cultural organizations based in the City of Greater Sudbury, who carry out creative programs in this community for the benefit of its citizens, and who have a considerable volunteer component, are eligible to submit an application for financial assistance.

Projects may include, but are not limited to:

- Special one-time activity such as: performances, an art series event or a specific aspect of festival participation;
- Training and development to assist with the upgrading of skills and knowledge of board members of an organization to improve the performance of that organization for the benefit of the community;
- The acquisition of equipment necessary for the ongoing development of the organization; (does not include equipment which must be replenished each year);
- Experimental artistic and cultural projects;
- One-time facility assistance and waiving of City licensing fees; and
- Seed funding to assist in the establishment of a new organization for a portion of the initial start-up costs, on a one-time only basis, for a maximum of a two year period.

Equipment costs up to 50% of costs or \$3,000 may be considered under this program, if it is demonstrated that providing these funds will directly satisfy the goals of the City of Greater Sudbury Arts and Culture Strategy.

Eligibility Criteria for the Arts and Culture Grant Program

To be considered for a grant, Applicants must meet the following criteria.

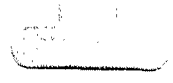
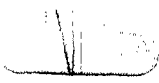
1. Requests from arts and cultural organizations **within the City of Greater Sudbury boundaries** that serve the citizens of the City of Greater Sudbury will be received and considered for financial assistance.
2. Only one (1) request for financial assistance per year per applicant organization will be received and considered under the City of Greater Sudbury Arts and Culture Grant Program.

SCHEDULE B TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE GRANT POLICY AND PROGRAM

Page 3 of 8

3. The primary mandate and activities of the organization must be in the arts and culture sector, and consistent with the goals of the City of Greater Sudbury Arts and Culture Strategy.
4. Other not-for-profit organizations may be considered for a Project & Special Event grant if there is a significant arts and culture component that enhances community access or promotes the development of the arts and culture sector.
5. Every group must have an active independent volunteer Board of Directors and hold regular meetings.
6. The applicant organization must demonstrate a financial need. Evidence is required of adequate effort to secure other financial support.
7. To be eligible for a Grant for over \$3,000, applicants must be incorporated not-for-profit organizations.
8. Requests from individuals and commercial enterprises will not be eligible.
9. Grants are not available:
 - As donations (including the waiving of fees and charges)
 - To groups raising funds for charitable causes other than for reinvestment in the arts and culture sector,
 - For travel or accommodation,
 - For uniforms or personal equipment
 - For banquets, trophies or entertainment,
 - Expenses for major capital projects.
10. Grants are not intended to support organizations that are primarily training or educational institutions.
11. Special events or projects cannot take place before the application deadline date.
12. The applicant organization must show evidence of value to the community. This is accomplished by indicating the impact of its particular activities on group or individual artistic or cultural development in the community, through factors such as:
 - the promotion of local talent and its expression;
 - the introduction of all ages to the arts or community culture;
 - the efforts and effects in encouraging an arts or community cultural career.
13. The organization contributes to a high degree of artistic achievement and excellence in the cultural life of the community.
14. The applicant organization must demonstrate a willingness to co-operate with related groups in the community.
15. Grants are not available for programs, projects or services that are included in the budgets of City residents.
16. Organizations in arrears with the City of Greater Sudbury at the date of application are not eligible for funding through the Arts and Culture Grant Program.



SCHEDULE B TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE GRANT POLICY AND PROGRAM

Terms and Conditions

1. Grants shall only be used for the purposes outlined in the letter of approval and any attachments thereto. Changes in the proposal shall only be made with the City's written approval. Any unused portion of the Grant remains the property of the City of Greater Sudbury.
2. Grants will not cover deficits of any kind (including capital debt).
3. Applicants in default to the City due to failure to account in a satisfactory manner for previous Grants, or to refund Grant overpayments, will not be eligible for consideration.
4. Applicants must identify any funds for this project derived from the disposal of an asset previously purchased with assistance from City of Greater Sudbury funds. The Recipient shall not sell, lease or otherwise dispose of assets purchased in whole or part with City Funds, without the prior written consent of the City.
5. Groups obtaining grants for equipment must provide an undertaking that the equipment will become the property of the City of Greater Sudbury in the event that the groups disband.
6. The grant application must be complete to be considered.
7. All applicants must submit a post grant report by December 30 of the same year the Grant was issued. Failure to provide a post project report will forfeit the ability to apply the following year.
9. Recipients of grants over \$20,000 will be asked to present post funding results to the Arts and Culture Grant Advisory Panel.
10. Recipients of Multiyear Operations grants must provide yearly audited financial statements.
11. The applicant organization shall submit any further pertinent information as may be required by the Arts and Culture Grant Advisory Panel and/or the City.
12. The City shall be entitled to impose such additional terms and conditions in its letter of approval, at its discretion.
13. Granting of assistance in any one year or over several years is not to be interpreted as a commitment to future year's funding. Grants are not automatically awarded based on previous year's applications.
14. Neither the Applicant nor the Recipient shall assign its application or Grant, respectively, without the prior written consent of the City.
15. Recipients must acknowledge the support of the City of Greater Sudbury by using the City of Greater Sudbury logo on all forms of communication related to the activity for which they were funded. This includes advertising, information documents, websites and other electronic communications.
16. The Recipient shall keep and maintain all records, invoices and other documents related to the Grant in a manner consistent with generally accepted accounting principles and

SCHEDULE B TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE GRANT POLICY AND PROGRAM

Page 5 of 8

clerical practices, and shall maintain records for a period of three (3) years. The Recipient authorizes the City and its agents at all reasonable times to inspect and copy any records, invoices and documents relating to the Grant, in the possession, or under the control, of the Recipient.

17. The Recipient agrees that the City shall not be liable for any damages including, but not limited to, general, incidental, indirect, special or consequential damages, injury or loss of use, revenue or profit of the Recipient arising out of or related to the organization or its activities, unless it was caused by the negligence or willful act of an employee of the City.
18. The Recipient shall, at the request of the City, repay to the City the whole or any portion of the Grant if the Recipient:
 - ceases operating;
 - has knowingly provided false information in this application;
 - uses the funds for purposes other than those detailed in the attachments thereto;
 - breaches any of the terms and conditions of this Agreement;
 - breaches any of the provisions of the Human Rights Code, in the operation of this project;
 - commences, or has commenced against them, any proceeding in bankruptcy.

Where required, the Grant shall be repaid by cheque, payable to the City of Greater Sudbury and mailed to;

Tourism, Culture and Marketing Section
City of Greater Sudbury
200 Brady Street
Sudbury, Ontario P3A 5P3

Definition of Terms

Applicant means the organization which submits this application to the City of Greater Sudbury.

City means the City of Greater Sudbury.

Recipient means the applicant organization which has submitted this application, has agreed to be bound by these terms and conditions, and has been awarded an Arts and Culture Grant by the City of Greater Sudbury.

Arts and Cultural Organization is a not-for-profit group whose mandate is of an arts and cultural nature.

Arts encompasses the broad areas of visual arts including painting, drawing, sculpture and architecture, material arts and crafts such as ceramics, design carving and fibre arts, performing arts such as theatre, dance and music, literature such as fiction, poetry and dream, media arts such as photography, video and film and interdisciplinary arts.

Culture which consists of learned ways of acting, feeling and thinking is a term used to describe the way of life of a people. It includes all the traits and elements that distinguish a given society, its identity and its vision of the world. It includes our values, beliefs, customs, language, lifestyles and traditions.

SCHEDULE B TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE GRANT POLICY AND PROGRAM

Page 6 of 8

Arts and Culture Industry refers to the relationship between culture and the economy.

Business Plan - A blueprint and communication tool for any organization. It is comprehensive in reflecting goals and objectives and how they are expected to be reached. It clearly outlines what and how and from where the resources to accomplish the goals and objectives will be acquired and utilized. It typically covers a period between three (3) and five (5) years.

Capital Costs - Money spent for replacing and improving business facilities.

Deadline and Application Policies

Please provide 9 unbound, complete signed copies of your application. If possible please provide an electronic version of your application.

Check to make sure the application is complete, signed, accurate, legible and submitted in the correct order with the correct number of copies.

Submit your application on time. We will accept applications postmarked by Canada Post or a courier company no later than the deadline date. You may also hand deliver your application to our office at Tom Davies Square at 200 Brady Street before 4:30 on the deadline date.

Support Material

Along with a written application, support material is a significant part of your proposal and has a substantial impact on the assessment of your project's artistic and cultural quality. It can help explain or support the application. Send only material that relates to what you are proposing in your application. It includes any other material such as manuscripts, brochures, posters and programs that may be required along with the written sections of the application. Support material will not be returned unless requested when the application is made.

Evaluation Methodology

Organizations will be evaluated based on their ability to meet the following evaluation criteria which measure the quality of the organization's programming, the ability to deliver and the outcome of the organizations project or plans. The evaluation also provides a method of identifying areas of weaknesses and strengths for guidance purposes.

Arts and Cultural Interest Evaluation Criteria

Economic Impact (Ranking 1-5)

- Revenue stream shows stability and growth
- There is a positive impact in the arts and culture community stimulating economic development and cultural tourism opportunities.
- There is an available market for the programs or events being offered.

Arts and Cultural Interest (Ranking 1- 5)

- The Organization has demonstrated standards of artistic/cultural achievement and excellence in past activities.

SCHEDULE B TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE GRANT POLICY AND PROGRAM

Page 7 of 8

- The Applicant demonstrates innovation and creativity in its programming and activities.
- The proposed project/activity is distinct and innovative in the context of comparable activities in the City of Greater Sudbury and there is a demonstrated need.
- The project/activity encourages and provides unique opportunities for artists, other arts and cultural organizations and the public.
- The Organization's artistic or cultural activities have an impact on group or individual artistic or cultural development in the community through factors such as; the promotion of local talent and its expression; the introduction of all ages to arts and culture; the efforts and effects in encouraging an arts or community career.
- Members of the arts and culture community are included in the planning of the project.
- There is a level of engagement with local arts organizations, artists and community groups.
- The project/activity meets the objectives of the City of Greater Sudbury's Arts and Culture Strategy.

Organizational Governance and Efficacy (Ranking 1-5)

- There is a clear mandate, competent administration and effective board governance.
- There is financial stability and accountability and the budget for the request for funding is reasonable and realistic.
- The current proposal is well planned and achievable and there is a demonstrated need for financial assistance from the City.
- The Applicant demonstrates initiative and success in generating revenue other than municipal funding and encourages partnerships with a clear relationship between and among the partners.
- The Applicant has a strong volunteer program and encourages membership in its Organization.

Community Impact (Ranking 1-5)

- The Applicant's activities are directed to the improvement of the quality of life in the City of Greater Sudbury.
- Public access to the work is a priority including access to the City of Greater Sudbury's diverse communities
- The Organization has the appropriate marketing and publicity plan in place for its activities or work, reaching out to community audiences.
- There is substantial and/or growing public interest and attendance for the activities or work, stimulating wider appreciation of the City's arts and cultural heritage.

Grant Approval Process

Advertising to solicit applications for arts and culture funding based on the available budget will be placed in the local newspapers, the Sudbury Arts Council website and the City website.
November/December

Tourism, Culture and Marketing Section staff will review the applications to ensure compliance completeness and prepare an evaluation sheet for Arts and Culture Grant Advisory Panel members.

Panel members will review Post Project reports and presentations from previous year's funding applicants.

January/February

SCHEDULE B TO BY-LAW 2009-267

GREATER SUDBURY ARTS AND CULTURE GRANT POLICY AND PROGRAM

Page 8 of 8

Completed applications will be provided to an Arts and Culture Grant Advisory Panel that will review each submission and make recommendations. City staff from the Tourism, Culture and Marketing Section provides administrative support and prepares evaluation sheet for the Arts and Culture Advisory Panel.

February/March

Following budget approval, a report will go to Council from the Tourism Culture and Marketing Section for approval detailing the recommended amounts to the various applicants.

May/June

Finding Out About a Grant Decision

Letters informing you whether or not you have received a grant will be sent once decisions are approved by Council.

If you have been awarded an outright grant, your cheque will be included with the notification letter. Decisions in all project programs are final and cannot be appealed. However, if there is evidence that due process was not followed; the City of Greater Sudbury will investigate.

If You Get a Grant

You must send a post project report by the date identified in the letter. If you do not submit a satisfactory report by that date, the City of Greater Sudbury may require you to repay the grant.

Contact Information

If you have any questions or comments, please contact:

Stephanie Harris, Business Development Officer
Tourism, Culture and Marketing Section
Tel: (705) 674-4455 ext. 4606
Fax: (705) 671-6767
Email: stephanie.harris@sudbury.ca

Civic Arts and Culture Advisory Panel - 2009-2010

Mary Jane Christakos
France Belanger-Houle
Councillor Ron Dupuis
Councillor Doug Craig
Michelle Fex
Diane Leblanc
Daniel Chassé
Mark Mannisto (Chair, 2009)