

02

ORDINANCE NO. 5644

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 36 OF THE
LOMBARD VILLAGE CODE IN REGARD TO THE ESTABLISHMENT
OF A DOWNTOWN PUBLIC ART PROGRAM**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard,
DuPage County, Illinois, as follows:

SECTION 1: Title 3, Chapter 36 of the Lombard Village Code is hereby amended by
adding new Sections 36.60 through 36.63 thereto, which shall read in their entirety as follows:

Public Art Program

§36.60 PURPOSE

There shall be established in the Village of Lombard a Downtown Public Art Program (hereinafter the "Program" for purposes of Sections 36.60 through 36.63 of this Code) which shall be administered by the Director of Community Development with approval from the Economic and Community Development Committee in accordance with the standards set forth in Sections 36.60 through 36.63 of this Code. The purpose of the Program is to increase the economic viability of Downtown Lombard by attracting visitors and, in turn, new businesses wanting to capture the market of those visitors. The Program will allow for the purchase of artwork to be placed on or adjacent to the public right-of-way. This Program is intended to complement and support the Village's plans to maintain a quality Downtown. The intention of the Program is to create a more viable and attractive area through this private/public partnership initiative.

§36.61 DEFINITIONS

For the purpose of Sections 36.60 through 36.63 of this Code the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- A. **BOARD** means the President and Board of Trustees of the Village.
- B. **COMMITTEE** means the Economic and Community Development Committee

- C. **DIRECTOR** means the Director of Community Development
- D. **PROGRAM** means the Downtown Public Art Program
- E. **ELIGIBLE TIF DISTRICTS** means the Lombard Downtown TIF District and the Lombard St. Charles Road TIF 1 (West)
- F. **PUBLIC ART COLLECTION** means the entirety of works of art in public places that have been acquired by the Village of Lombard through the Program
- G. **TIF FUNDS** means debt instrument proceeds or incremental revenues in relation to the Eligible TIF Districts
- H. **WORK(S) OF ART** means any work of visual art, including but not limited to, a mural, fresco, sculpture, mosaic, works in clay, textile, fiber, wood, metal, plastic, glass, and like materials, or mixed media. For projects which involve no structure, "Work of Art" may include a combination of landscaping and landscape design (including some natural and manufactured materials such as rock, fountains, reflecting pools, sculpture, screens, benches, and other types of street furniture). Except as provided herein, the term "Work of Art" does not include environmental landscaping or ephemeral arts such as dance, voice, music or poetry unless expressed in a manner defined above.

§36.62 FUNDING

- A. Each fiscal year, commencing with the 2005-2006 fiscal year and continuing until the termination of the Eligible TIF Districts or until TIF Funds are no longer available, the Village Board may, as part of the approved Village budget, allocate a certain amount from the TIF Funds to be expended for the purchase of Works of Art to be placed on property owned by the Village or property in relation to which the Village has rights of use, in the Eligible TIF Districts.
- B. Other Funds - Public Sector or Private Sector: Additional sources for funding the acquisitions of Works of Art may be identified, and additional funds solicited, from sources other than TIF Funds. In this regard:
 - 1. The Program may seek private or public donations of funds or other services including in-kind services or items necessary for the development of the Program.
 - 2. The Economic and Community Development Committee shall make recommendations to the Village Board relative to pursuing, or accepting assistance/contributions from, said other sources of funds.

§36.63 APPLICATIONS TO THE PROGRAM

Based on funding available, staff will bring proposals for the purchase of Works of Art to the Economic and Community Development Committee, who shall recommend purchases to the Village Board.

SECTION 2: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2005.

First reading waived by action of the Board of Trustees this 19th day of May, 2005.

Passed on second reading this 19th day of May, 2005, pursuant to a roll call vote as follows:


AYES: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom


NAYES: None

ABSENT: None


APPROVED by me this 19th day of May, 2005.

ATTEST:


Brigitte O'Brien
Village Clerk


William J. Mueller
Village President

Published by me in pamphlet form this 24th day of May, 2005.


Brigitte O'Brien
Village Clerk