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The City of Salem ordains as follows:

15.010. Definitions. Unless the context otherwise specifically requires, for purposes of this Chapter, the following words and phrases mean:

(b) Artist means a practitioner in the visual arts, generally recognized by critics and peers as a professional of serious intent, who produces works of art, and who is not a member of the improvement project’s architectural firm or the Salem Public Art Commission. The term “artist” shall include an artist’s agent and a representative of the estate of an artist.

(d) City Manager means the City Manager of the City of Salem, or the City Manager's designee.

(f) Eligible costs means the costs for completion of an improvement project, including costs for capitalized tenant improvements, that are paid from eligible funds. Eligible costs does not include costs for: land acquisition, design and engineering, administration, fees and permits, building demolition, relocation of tenants, environmental testing, environmental remediation, non-construction contingency or indirect costs, such as interest during construction, advertising and legal fees.

1 (g) Eligible funds means any funds expended by the City, from whatever source, for an
2 improvement project and for which public art is not precluded as an object of expenditure in
3 connection with the improvement project.

4 (h) Improvement project means any project paid for wholly or in part by the City where the
5 amount of eligible funds equals \$100,000 or more for the construction, rehabilitation,
6 remodeling, improvement or purchase of a City building. An improvement project does not
7 include maintenance and repair projects or remodeling or renovation projects in which more than
8 seventy-five percent of the project cost represents improvements to mechanical systems.

9 (i) Oregon artist means an artist that makes Oregon his or her primary residence or principal
10 place of business.

11 (j) Public art means original works of art owned or acquired by the City and accepted into the
12 City's Public Art Collection by the Salem Public Art Commission.

13 (k) Public mural means an original, two-dimensional work of visual art, comprised of paint,
14 ceramic or glass tiles, or tesserae, executed by hand directly upon, or affixed directly to an
15 exterior wall of a building, which has been approved by the Salem Public Art Commission and
16 accepted by the City into its public art collection pursuant to this Chapter. A public mural is not
17 an original work of visual art if it is mechanically reproduced or computer generated and printed
18 on a base that will be attached to the wall, such as, by way of illustration but not limitation,
19 limited images digitally printed on vinyl.

20 (l) Works of art means all forms of original creations of visual art, including and not limited to,
21 painting, sculpture, prints, ceramics, drawings, stained glass, mosaics, photography, fiber and
22 textiles, calligraphy, mixed media, and any combination of media, including collage.

23 **Section 2. Codification.** In preparing this ordinance for publication and distribution, the City
24 Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such
25 limitations, may:

26 (a) Renumber sections and parts of sections of the ordinance;

27 (b) Rearrange sections;

28 (c) Change reference numbers to agree with renumbered chapters, sections or other parts;

29 (d) Delete references to repealed sections;

30 (e) Substitute the proper subsection, section or chapter, or other division numbers;

1 (f) Change capitalization and spelling for the purpose of uniformity;

2 (g) Add headings for purposes of grouping like sections together for ease of reference; and

3 (h) Correct manifest clerical, grammatical or typographical errors.

4 **Section 3. Severability.** Each section of this ordinance, and any part thereof, is severable, and
5 if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of
6 this ordinance shall remain in full force and effect.

7 PASSED by the City Council this _____ day of _____, 2016.

8 ATTEST:

9
10
11 City Recorder

12 Approved by City Attorney: _____

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14 Checked by: C.Knox Busch