



**CITY COUNCIL
ATLANTA, GEORGIA**

03-O-0670

**AN ORDINANCE
BY COUNCILMEMBERS DEBI STARNES AND CLETA WINSLOW
AS SUBSTITUTED BY *Zoning Committee***

**AN ORDINANCE TO AUTHORIZE THE TEMPORARY
INSTALLATION OF PUBLIC ART AT SEVERAL
LOCATIONS THROUGHOUT THE CITY OF ATLANTA,
PURSUANT TO CHAPTER 28A, THE SIGN ORDINANCE
OF THE CITY OF ATLANTA, OF THE CITY OF
ATLANTA 1982 ZONING ORDINANCE; AND FOR OTHER
PURPOSES.**

WHEREAS, the Mayor and the City Council of the City of Atlanta are committed to maintaining an attractive city for residents and visitors through the regulation of signs; and

WHEREAS, the City Council of the City of Atlanta, and the Mayor must authorize Public Art under Chapter 28A of the City of Atlanta Sign Ordinance {Section 16-28A.007(q)}; and

WHEREAS, CowParade is a large public art event that provides for the display of artwork in the form of fiberglass cows bearing colorful designs throughout its host city; and

WHEREAS, the City of Atlanta is a 2003 host city for CowParade; and

WHEREAS, CowParade Atlanta 2003 has obtained the appropriate preliminary certification from the Director of the Bureau of Traffic and Transportation affirming the artwork will not constitute a traffic hazard or undue and dangerous distraction to motorists or pedestrians; and

WHEREAS, CowParade Atlanta 2003 has obtained the appropriate preliminary certification from the Executive Director of the Urban Design Commission, establishing the artwork does not contain nor is intended to convey a commercial message primarily, provided that the name of the sponsor may be displayed on an adjacent plaque or similar display that is no more than two (2) square feet in area; and

WHEREAS, CowParade Atlanta 2003 has obtained the appropriate preliminary certification from the Director of Cultural Affairs, which affirms that the artwork is not inconsistent with City of Atlanta's Public Art Program; and

WHEREAS, CowParade Atlanta 2003 has requested approval from the City Council and the Mayor, pursuant to the Sign Ordinance of the City of Atlanta, for temporary placement of Public Art at various locations on public and private property throughout the City of Atlanta; and



WHEREAS, the Council finds that the value to the general public in viewing the artwork is not outweighed by any existing negative public interests related to aesthetics, additional sign clutter, or the public safety; and

WHEREAS, the Council wishes to approve the temporary placement of Public Art in connection with CowParade Atlanta 2003.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. CowParade Atlanta 2003 is authorized to place and display artwork in the form of designed fiberglass cows from various artists at various locations on public and private property throughout the City of Atlanta from May 15, 2003 through October 30, 2003.

Section 2. This artwork is being approved upon preliminary certifications by the Director of the Bureau of Traffic and Transportation, Executive Director of the Urban Design Commission, and the Director of the Bureau of Cultural Affairs, as shown in Appendix A, which verifies the artwork will comply with the Sign Ordinance section on Public Art.

Section 3. CowParade Atlanta 2003 shall be authorized to place and display artwork on property owned by the City of Atlanta upon approval of the Acting Commissioner of Parks, Recreation and Cultural Affairs or her designee.

Section 4. CowParade Atlanta 2003 shall submit designs for each cow to be displayed in the public right-of-way of the City of Atlanta to the Bureau of Traffic and Transportation for review and approval prior to displaying such designs in the City of Atlanta public right-of-way.

Section 5. CowParade Atlanta 2003 shall preserve and maintain the appearance of the artwork throughout the duration of its display to prevent the attachment of graffiti and/or commercial advertising to the artwork and, in the event that graffiti and/or commercial advertising is affixed to the artwork, CowParade Atlanta 2003 shall remove such graffiti and/or commercial advertising as soon as reasonably possible.

Section 6. CowParade Atlanta 2003 hereby indemnifies and holds harmless the City of Atlanta, its agents and employees from and against any and all third party claims with respect to physical injury arising from CowParade Atlanta 2003's display of artwork in the public right-of-way of the City of Atlanta.

Section 7. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 19, 2003
MAY 27, 2003

RCS# 4739
5/19/03
5:42 PM

Atlanta City Council

Regular Session

03-O-0670

Temporary Installation of Public Art
at Several Locations throughout City
ADOPT ON SUB

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

NV Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Boazman	NV Woolard

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03-0-0670
 (Do Not Write Above This Line)

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 CHAPTER 28A, THE SIGN ORDINANCE OF
 THE CITY OF ATLANTA, THE CITY OF
 ATLANTA 1982 ZONING ORDINANCE; AND
 FOR OTHER PURPOSES.

ADOPTED BY
 MAY 19 2003
COUNCIL

SUBSTITUTE

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 4/21/03
 Referred To: Young
 Date Referred 5/5/03
 Referred To: Zoning
 Date Referred _____
 Referred To: _____

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee Young
 Date 4/21/03
 Chair Debi Starnes
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____

Members Debi Starnes, Clea Winslow
 Refer To _____
 Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____

Refer To _____
 Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____

Refer To _____
 Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Consent V Vote RRC Vote

CERTIFIED

CERTIFIED
 MAY 19 2003

ATLANTA CITY COUNCIL PRESIDENT
 Catherine W. Woodard

CERTIFIED
 MAY 19 2003
 Paul Dandridge
 MUNICIPAL CLERK

MAYOR'S ACTION
 MAY 2 2003
 Andy Yancey