

10-0-1987

(Do Not Write Above This Line)

AN ORDINANCE BY
COUNCILMAN H. LAMAR
WILLIS
AN ORDINANCE TO AMEND
CHAPTER 46, ENTITLED "CIVIC
AND CULTURAL AFFAIRS" OF
THE CODE OF ORDINANCES OF
THE CITY OF ATLANTA,
GEORGIA BY CREATING A
NEW ARTICLE IV TO BE
ENTITLED "PUBLIC ART
MURALS"; TO PROVIDE FOR
THE STRUCTURE AND
FRAMEWORK WHICH SHALL
GOVERN THE
ADMINISTRATION OF THE
PUBLIC ART MURALS
PROGRAM; TO WAIVE
CONFLICTING ORDINANCES;
AND FOR OTHER PURPOSES.

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

Date Referred 11/1/10

Referred To: [Signature]

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee [Signature]
Date 11/9/10
Chair [Signature]

Action [Signature]
Fav, Adv, Hold (see rev. side)
Other [Signature]

Members

Refer To _____

Committee

Date

Chair

Action [Signature]
Fav, Adv, Hold (see rev. side)
Other [Signature]

Members

Refer To _____

Committee [Signature]

Date 9/15/10

Action [Signature]

Fav, Adv, Hold (see rev. side)

Other [Signature]

Members [Signature]

Refer To [Signature]

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED
OCT 01 2012

ATLANTA CITY COUNCIL PRESIDENT

OCT 04 2012

MAYOR'S ACTION

RCS# 2324
10/01/12
2:38 PM

Atlanta City Council

MULTIPLE

10-O-1986 AND 10-O-1987

FILE

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	B Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	Y Watson
Y Young	NV Shook	Y Bottoms	Y Willis
Y Winslow	NV Adrean	Y Sheperd	NV Mitchell

MULTIPLE

AN ORDINANCE BY

10-O-1987

COUNCILMEMBERS H. LAMAR WILLIS, IVORY L. YOUNG, JR., AARON WATSON, CARLA SMITH, KWANZA HALL, C. T. MARTIN, NATALYN M. ARCHIBONG AND MICHAEL J. BOND

AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO AMEND CHAPTER 46, ENTITLED "CIVIC AND CULTURAL AFFAIRS" OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA BY CREATING A NEW ARTICLE IV TO BE ENTITLED "PUBLIC ART MURALS"; TO PROVIDE FOR THE STRUCTURE AND FRAMEWORK WHICH SHALL GOVERN THE ADMINISTRATION OF THE PUBLIC ART MURALS PROGRAM; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City Council recognizes that visual arts contribute to and provide experiences that enrich and better the social and physical environment of the community, and desires to foster an advancement of the visual arts within the City of Atlanta; and

WHEREAS, such recognition can be implemented through the creation and implementation of a public art murals program.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

Section 1: Chapter 46, entitled "Civic and Cultural Affairs" of the Code of Ordinances of the City of Atlanta, Georgia, is hereby amended by creating a new Article IV to be entitled "Public Art Murals" which shall provide as follows:

Sec. 46-83. Public art mural program intent and purpose.

The intent and purpose of this article is to encourage the production of public **art** murals. Public **art** murals are a medium of expression which serves the public interest in unique ways, including, but not limited to: enhancing the aesthetics of the City; providing avenues for original artistic expression in the City; providing public edification through access to original works of public art; encouraging community participation in the creation of original works of art; and reducing the incidence of graffiti and other crime. Public **art** murals can increase community identity and foster a sense of place if they are located at heights and scales visible to pedestrians, are retained for longer periods of time and include a neighborhood involvement process.

Sec. 46-84. Public art murals; creation.

No person shall commence creation of any public **art** mural without first obtaining approval from the Bureau of Cultural Affairs.

Sec. 46-85. Procedures; mandatory criteria for public art murals.

The Bureau of Cultural Affairs shall adopt procedures and standards setting forth the requirements for creation, approval, and acceptance of public **art** murals in the City. At a minimum, the standards shall include the following:

- (a) Public **art** murals shall remain in place, without alterations, for a period of not less than seven years, except as may **be** specified by the Bureau of Cultural Affairs in the conditions of approval.
- (b) In historic districts, public **art** murals may only be allowed on buildings that are non-historic non-contributing buildings or structures. Murals in historic districts shall not be allowed on a building façade. For purposes of this paragraph, the building façade is defined as the wall that contains the main entrance onto the premises.
- (c) No public **art** murals shall be allowed on single family dwellings, duplexes, or multi-family dwellings. As used in this subsection, single family dwellings, duplexes, or multi-family dwellings does not include mixed-use buildings which contain a single family dwelling, duplex, or multi-family dwellings.
- (d) No public **art** mural may contain electrical components, three dimensional structural elements; employ electrical lights as part of the image, moving structural elements, flashing or sequential lighting, interior lighting elements, any automated method that causes movement, or any method that causes periodic changes in the appearance of the public **art** mural or changes the mural image or message.
- (e) Public **art** murals shall be located in a manner and at locations that are accessible and visible to the public.
- (f) The approval and acceptance of each public **art** mural shall be contingent upon the conveyance of a public **art** mural easement to the City from the owner of the building upon which the mural will be located, in a form approved by the City Attorney. The terms of the easement shall grant the right to create the public **art** mural on the wall of the building and provide that the person granting the easement will maintain and restore the public **art** mural in its original condition for the period of the easement, and state that upon termination of the easement the mural shall be removed and the building restored to its prior condition.

Sec. 46-86. Public art mural neighborhood involvement.

Prior to approving a public **art** mural, the Community Development/Human Resources Committee shall hold a public hearing at which interested members of the public may review and comment upon the proposed public **art** mural. Written notice of the hearing shall be provided to the neighborhood planning unit in which the public **art** mural is proposed to be located, and public notice shall given no later than thirty days before the hearing.

Sec. 46-87. Public art mural trust fund.

(a) There is established a special trust fund designated as the Public **Art** Mural Trust Fund into which monetary contributions shall be deposited and from which expenditures may be made to assist in the fabrication, installation, maintenance, conservation, management, community education, documentation and registration of public art. The Public Art **Mural** Trust Fund shall consist of funds appropriated by the City and funds given to the City from public or private sources.

(b) The Public Art Mural **Trust Fund** shall be created as follows:

ADD TO ANTICIPATIONS

FUND	7701	TRUST
DEPARTMENT	140401	PRC CULTURAL AFFAIRS ADMINISTRATION
REVENUE ACCT	3710001	PRIVATE CONTRIBUTIONS/DONATIONS
FUNCTION	6110000	CULTURE/RECREATION ADMINISTRATION
PROJECT	600086	MAINTENANCE AND CONSERVATION PUBLIC ART
FUNDING SOURCE	69999	NON CAPITAL TRUST

ADD TO APPROPRIATIONS

FUND	7701	TRUST
DEPARTMENT	140401	PRC CULTURAL AFFAIRS ADMINISTRATION
EXPENSE ACCT	5999999	PROJECTS AND GRANTS BUDGET
FUNCTION	6110000	CULTURE/RECREATION ADMINISTRATION
PROJECT	600086	MAINTENANCE AND CONSERVATION PUBLIC ART
FUNDING SOURCE	69999	NON CAPITAL TRUST

- (c) Disbursements shall be made according to the terms of this Chapter and any procedures adopted by the **Bureau of Cultural Affairs**. The **Bureau of Cultural Affairs** shall report annually to the City Council on the disbursement of funds from the Public Art **Mural** Trust Fund.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of any such conflict.