



Legislation Details (With Text)

File #: 1569-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/29/2008 **In control:** Rules & Reference Committee

On agenda: 10/27/2008 **Final action:** 10/27/2008

Title: To amend section 3115.04 of the Columbus City Codes, 1959, relating to approval authority of the Columbus Art Commission.

Sponsors: Maryellen O'Shaughnessy

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/27/2008	1	Columbus City Council	Approved	Pass
10/27/2008	1	COUNCIL PRESIDENT	Signed	
10/20/2008	1	Columbus City Council	Read for the First Time	
9/29/2008	1	Dev Drafter	Sent for Approval	
9/29/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
9/29/2008	1	Dev Drafter	Sent for Approval	
9/29/2008	1	CITY ATTORNEY	Reviewed and Approved	
9/29/2008	1	Dev Drafter	Sent to Clerk's Office for Council	

BACKGROUND:

The amendment to Code Chapter 3115.04 Columbus Art Commission is to exempt festivals and events with temporary art components that are held on city property or in the public right-of-way from Commission approval requirements. As written, Chapter 3115 requires that all art, regardless of permanence, obtain design and placement approval if it is to be located on city property or in the public right-of way (ROW). This legislation seeks to correct an unintended consequence, whereby all community festivals and events with art components that are held on City property or in the public ROW, would be required to obtain Commission approval for the design and placement of art. The Commission seeks to exclude from its approval requirements festivals and events not exceeding 14 days in duration if the art is completely removed at the event or festival's conclusion. Art for which placement is expected to exceed 14 days or remain beyond an event or festival's conclusion, will require Commission approval.

FISCAL IMPACT:

No funding is required for this legislation.

To amend section 3115.04 of the Columbus City Codes, 1959, relating to approval authority of the Columbus Art Commission.

WHEREAS, the Columbus Art Commission (CAC) was seated July 2007 through Mayoral appointment and Council authorization; and

WHEREAS, per Columbus Code Chapter 3115, the definition of art states, in part, that "Art" shall include all forms of art,

regardless of permanence, created in any medium, material or combination thereof; and

WHEREAS, per Columbus Code Chapter 3115.04(B) Approval of Commission required states, "The design and specific location of all art, regardless of ownership, proposed for placement in, on, or over property owned or leased by the City of Columbus, shall require approval of the Commission;" and

WHEREAS, per Columbus Code Chapter 3115.04(C) Approval of Commission required states, "The design and specific location of all art proposed for placement in, on or over the public right-of-way shall require approval of the Commission;" and

WHEREAS, an unintended consequence of the approval requirements of Columbus Code Chapter 3115 is that it requires Columbus Art Commission approval for all community festivals and events with art components that are held on city property or in the public right-of-way; and

WHEREAS, the Columbus Art Commission voted unanimously to support this amendment at their September 25, 2008 hearing; and

WHEREAS, It is not the intent of the Administration or the Columbus Art Commission that the design and temporary placement of art in, on or over the public right-of-way or on property owned or leased by the City of Columbus, which is a component of a community event or festival not exceeding fourteen (14) days in duration, should require Commission approval if the art is completely removed at the conclusion of the event or festival; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Section 3115.04 of the Columbus City Code, 1959, be and is hereby amended to read as follows:

3115.04 Commission approval required.

(A) The acquisition of all art by the city of Columbus, whether by commission, purchase, loan, gift, or otherwise, shall require the approval of the Commission.

(B) The design and specific location of all art, regardless of ownership, proposed for placement in, on, or over property owned or leased by the city of Columbus, shall require the approval of the Commission.

(C) The design and specific location of all art proposed for placement in, on, or over the public right-of-way shall require approval of the Commission.

(D) Commission approval shall be required in addition to any other approval or permit that may be required by the city of Columbus prior to such placement or to allow continued placement. This includes, but is not limited to, the issuance or renewal of a Special Right-of-Way Permit pursuant to Chapter 910.

(E) Any change to the design or placement of any art subject to Commission approval as provided in this section shall require the approval of the Commission.

(F) The design and temporary placement of art in, on or over the public right-of-way or on property owned or leased by the City of Columbus, which is a component of a community event or festival not exceeding fourteen (14) days in duration, does not require Commission approval if the art is completely removed at the conclusion of the event or festival.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.