



Legislation Details (With Text)

File #: 2079-2007 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/29/2007 **In control:** Rules & Reference Committee

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Title: To amend Sections 3115.01 and 3115.04 of the Columbus City Codes, 1959, relating to approval authority of the Columbus Art Commission, and to repeal the existing sections being amended.

Sponsors: Maryellen O'Shaughnessy

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Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/13/2007	1	ACTING CITY CLERK	Attest	
12/12/2007	1	MAYOR	Signed	
12/10/2007	1	Columbus City Council	Read for the First Time	
12/10/2007	1	Columbus City Council	Waive the 2nd Reading	Pass
12/10/2007	1	Columbus City Council	Approved	Pass
12/10/2007	1	COUNCIL PRESIDENT	Signed	
11/30/2007	1	Dev Drafter	Sent for Approval	
11/30/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/30/2007	1	Dev Drafter	Sent for Approval	
11/30/2007	1	CITY ATTORNEY	Reviewed and Approved	
11/30/2007	1	Atty Drafter	Sent to Clerk's Office for Council	

The Columbus Art Commission was established by ordinance in 1960. There have been no revisions or updates to the provisions of that ordinance since it was enacted. Recently, City Council approved the Mayor's appointments to seat a Commission after many years of dormancy. The newly appointed members have started meeting, and as one of their first tasks have been reviewing the City Code provisions that set forth the Commission's authority and duties. That review has identified deficiencies in the existing law requiring clarification as to the matters over which City Council intends for the Commission to have approval authority. Most notably, as currently written, Chapter 3115 does not cover art that is not owned by the City, but is proposed for placement on City property or public right-of-way. This legislation clarifies that such placement requires Commission approval, in addition to any other approval or permit that may be required (e.g., Rec and Parks Commission approval for park placements, Special Right-of-Way Permits from Transportation for sidewalk placements). The ordinance also updates the definition of "art" for purposes of this Commission to reflect a more contemporary usage of that term. Future legislative recommendations from the Commission are anticipated as part of a thorough updating of Chapter 3115; however, the changes in this ordinance have been identified as being immediately necessary to enable the Commission to perform its duties with respect to art proposed for public placement.

FISCAL IMPACT: None

To amend Sections 3115.01 and 3115.04 of the Columbus City Codes, 1959, relating to approval authority of the Columbus Art Commission, and to repeal the existing sections being amended.

WHEREAS, the existing Chapter 3115 of the Columbus City Codes, creating the Columbus Art Commission, was enacted in 1960 and there have been no updates to that Chapter since its enactment; and

WHEREAS, new members have recently been appointed to the long-dormant Commission and have started to perform the duties of the Commission as set forth in Chapter 3115; and

WHEREAS, in the course of its initial review of the provisions of that Chapter, the Commission has identified substantive deficiencies that require correction in order to clarify the matters over which this Council intends the Commission to have approval authority; and

WHEREAS, the Commission has recommended amendments to be made immediately pending further review and recommendations for updates to Chapter 3115; now, therefore,

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

Section 1. That Sections 3115.01 and 3115.04 of the Columbus City Codes, 1959, be and are hereby amended to read as follows:

3115.01 Definitions.

As used in this Chapter 3115 of the Columbus City Codes:

"Art" shall include all forms of art, regardless of its permanence, created in any medium, material or combination thereof. Art may take the form of individual works or site-specific installations integrated into the design and physical development of the capital improvement for which the art is created.

"Commission" means the Columbus Art Commission.

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.

Section 2. That existing Sections 3115.01 and 3115.04 be and are hereby repealed.

Section 3. That this ordinance shall take effect and be in force from and after the earliest date allowed by law.