

The Cultural Affairs would like to propose a few changes to the Ordinance application process, to read, as follows:

#### **7.22.04. Regulation of murals.**

1. *Definition.* The following definitions apply to this section:

*Commercial* shall mean concerned with, or related to, commerce or a business.

*Mural* shall mean any non-commercial picture or graphic design painted on, or otherwise applied to, the exterior of a building or structure.

*Non-commercial* shall mean not having a relationship to a commercial objective.

2. *Applicant information.* No person shall create a mural without first obtaining approval. Applicants shall provide the following information to the Director of the Parks & Recreation Department:

- a. The name and address of the applicant;
- b. The name and address of the building or structure owner;
- c. The full legal description of the subject property;
- d. The street address of the subject property;
- e. A drawing, sketch, photograph or graphical representation showing the proposed location of the mural;
- f. A drawing, sketch or graphical representation of the proposed mural;
- g. A description of the proposed mural, including dimensions, colors, a description of the type and quality of paint, which shall be mold resistant exterior grade paint, and top coat to be used on the proposed mural, or if application of media other than painting is proposed, the method of application and materials to be used, and a description of the procedures for preparation of the wall on which the mural is to be located.

3. *Review procedure.* All proposals will be reviewed by the Cultural Affairs Committee. The review shall include, but shall not be limited to, an analysis of the preparation of the wall on which the proposed mural shall exist, the type and quality of paint and top coat to be used on the proposed mural; and whether the mural complies with all of the requirements of this section. The recommendation shall not be based on the content of the mural that otherwise complies with all of the requirements of this section. The committee shall submit its analysis and recommendation to the City Manager within sixty (60) days of submission of the proposal to the Parks & Recreation Director's office. The City Manager shall approve or deny the proposal for a mural within thirty (30) days of submission of the proposal to the Cultural Affairs Committee, based on its compliance with the requirements of this section. The decision to approve or deny the mural shall not be based on the content of a mural that otherwise complies with all of the requirements of this section. **A reason for denial shall be given in order for an opportunity for remediation and re-submission of the proposed mural.**

4. *Mural location.* Murals may be located anywhere within the City, upon buildings lawfully used for commercial, industrial, or institutional purposes or for mixed residential purposes.

5. *Subject matter.* Murals should depict images, (including but not limited to those) that relate to either the history or culture of the City of New Port Richey or of its sister City or of West Pasco County, or to the natural environment of any of them. Text, including the artist's signature, is limited to two percent

of the total mural area. Murals shall not depict images that are violent, obscene, vulgar, political, or sexual in nature.

6. *Maintenance and preservation.* Once a mural is complete, the owner of the building on which the mural is installed shall be required to maintain and preserve the mural. This duty includes taking measures to prevent fading, peeling, bubbling or other noticeable wear; repairing any damage including, but not limited to, graffiti; and keeping the mural reasonably clean and in a good and presentable state. Failure to comply with the requirements of this section shall constitute a violation of the City Code subjecting the owner to code enforcement proceedings. Nothing contained herein shall be construed to limit the building owner's right to remove or completely obscure the entire mural at any time.

(The remainder of the Ordinance is not included in the proposed changes/revisions.)