

ORDINANCE NO. 2013 - 04

AN ORDINANCE TO ENCOURAGE THE DEVELOPMENT OF PUBLIC ART

WHEREAS; The Town of Nashville is a historic art colony. It has been a haven for artists and art lovers for almost a century, and;

WHEREAS; The Town Council wishes to encourage the creation of works of art that can be seen and appreciated by the residents and visitors to the Town and;

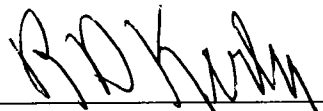
WHEREAS; The Town Council appreciates that good art requires artistic freedom, but that public art affects the safety, morality, and commerce of the community;

IT IS THEREFORE ORDAINED AS FOLLOWS:

1. No work of Public Art as hereinafter defined shall be built, erected, drawn, painted, or displayed on public property or on private property within the Village District, or Zones B1,B2,B3, or RB without a permit.
2. The Town of Nashville Arts and Entertainment Commission as established by Ordinance Number 2012-08 shall be the permitting agent for the Town Council.
3. There shall be no fee charged for a permit.
4. "Public Art" includes all works of human creativity the primary purpose of which is to please the visual and tactile senses, including but not limited to, paintings, sculptures, mobiles, fountains, and murals, located outdoors, which can be viewed or touched from public streets, sidewalks, parks or parking areas. "Public Art" does not include works or products that are displayed for sale on private property.
5. All applications shall be on the forms provided by the Commission. The permit will be reviewed by the commission and granted or denied within forty five (45) days of the application date. Any application not reviewed within forty five (45) days shall be deemed granted. Applicants may appeal any decision of the commission to the Town Council. All appeals will be heard by the Council at the next regular meeting following the date of the denial. Any decision of the Council may be subject to judicial review pursuant to statutory procedure.

6. Any project which would otherwise require an improvement location permit or a certificate of appropriateness shall also be subject to review by the Development Review Commission, and all other requirements of the Town Land Use Ordinances.
7. Violations of this ordinance shall be subject to the general penalty provisions of Section 10-99 of the Nashville Code of Ordinances.
8. This ordinance shall become effective upon passage and publication as required by law.

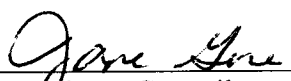
IT IS SO ORDAINED ON THIS 21st day of MARCH, 2013  
BY THE AUTHORITY OF THE NASHVILLE TOWN COUNCIL.

  
Robert Kirlin, Council President      ☒ yea   ☐ nay   ☐ abstain

  
Charles B. King, Council Vice-President      ☒ yea   ☐ nay   ☐ abstain

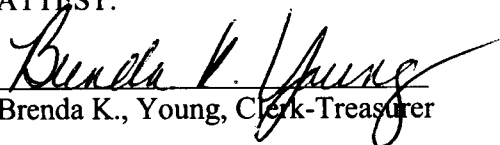
Prepared by:  
James T. Roberts  
Attorney for the  
Town of Nashville

\_\_\_\_\_  
R. Sean Cassiday, Councilmember      yea   ☐ nay   ☐ abstain

  
Jane Gore, Councilmember      ☒ yea   ☐ nay   ☐ abstain

\_\_\_\_\_  
Arthur Omberg, Councilmember      yea   ☐ nay   ☐ abstain

ATTEST:

  
Brenda K., Young, Clerk-Treasurer