

(Published in the Miami County Republic on October 22, 2008)

ORDINANCE NO. 2980

**AN ORDINANCE AMENDING TITLE V. BUILDING AND CONSTRUCTION
CHAPTER 515 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 1997,
REGULATING MURALS WITHIN THE CORPORATE LIMITS OF THE CITY OF
PAOLA, KANSAS;**

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF PAOLA, KANSAS:

SECTION 1. That Chapter 515 of the Code of the City of Paola, Kansas, 1997, is hereby amended
as follows:

CHAPTER 515: MURALS

SECTION 515.010: DEFINITIONS.

The following words when used in this Chapter, shall have the meanings set out herein:

MURAL: A painting or rendering of a noncommercial nature painted or affixed to the
exterior wall of a building or structure.

SECTION 515-020: MURAL STANDARDS.

- A. Murals must have a historical theme that represents a significant historical event, feature,
or iconic personage of the Paola community.
- B. Murals must be historically accurate and must be limited to one historical subject or
event.
- C. Murals may not contain advertising for an existing business or businesses in any form
and may not be incorporated as background or legend material.
- D. Mural color, style, and size must be consistent with the structure on which they are being
placed and must be representative of the historical period depicted in the mural.
- E. Mural sites must be located in commercial areas only (location in a residential area is not
suitable) but should not be located so as to cause an unsafe or disruptive traffic situation.

SECTION 515-030: RESPONSIBILITY OF PROPERTY OWNER.

- A. Murals on private property may be by done only with the express consent of the property
owner and the property owner must agree to the future upkeep and/or removal of the
mural. The need for maintenance and/or removal of the mural may be made by the City.

- B. Mural sites must be secured during the painting of the mural and the owner of the property will be responsible for securing the area and may be required to furnish proof of liability insurance when deemed appropriate by the City.

SECTION 515-040: MURAL PERMIT

No person shall paint or install or affix a mural on any building or structure located within the city without first obtaining a permit. Applications shall be filed with the City Clerk and shall include:

- A. A description and photograph of the mural site;
- B. A description of the mural including dimensions and color photograph or rendering of the mural;
- C. An explanation of the historical nature of the mural;
- D. Acknowledgement of the property owner of the requirements of Section 515-030 above.

The application shall be referred to designated commission or committee established by the City Council for review and recommendation. The recommendation of any designated commission or committee shall be advisory only. In the absence of any commission or committee, the application shall be referred directly to the City Council for consideration.

SECTION 515-050: APPROVAL OF MURAL PERMIT.

Final approval for any mural permit will be subject to City Council approval.

SECTION 3. Any ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body this 14th day of October, 2008.
APPROVED by the Mayor this 14th day of October, 2008.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk