

(Published in the Miami County Republic on March 20, 2024)

ORDINANCE NO. 3221

AN ORDINANCE AMENDING CHAPTER 4. BUILDINGS AND CONSTRUCTION; ARTICLE 7. MURALS OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2021, 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 Article 7. Murals of the Code of the City of Paola, Kansas, 2021, is hereby amended as follows:

ARTICLE 7: MURALS

SECTION 4-701. DEFINITIONS.

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

MURAL - A "mural" is a hand-produced or machined graphic applied to the exterior of a building wall through the application of paint, canvas, tile, metal panels, applied sheet graphic or other medium generally so that the wall becomes the background surface or platform for the graphic, generally for the purpose of decoration or artistic expression, including but not limited to, painting, fresco or mosaic.

SECTION 4-702. MURAL STANDARDS.

- (a) Murals may not contain advertising for an existing business or businesses in any form and may not be incorporated as background or legend material or shall be considered a sign and subject to comply with City sign regulations.
- (b) 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. Lots that share a property line with a residential zoning district, murals are not allowed on building walls that face a residential zoning district.

SECTION 4-703. RESPONSIBILITY OF PROPERTY OWNER.

- (a) Murals on private property may be 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 4-704. MURAL PERMIT

- (a) 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:
 - (1) A description and photograph of the mural site;
 - (2) A description of the mural including dimensions and color photograph or rendering of the mural;
 - (3) Mural permits on properties within an Historic District shall have State Historic Preservation Office (SHPO) approval prior to the issuance of a mural permit.
 - (4) Acknowledgment of the property owner of the requirements of Section 4-703 above.
- (b) The application shall be referred to the Paola Convention and Tourism Committee 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 4-705. 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.

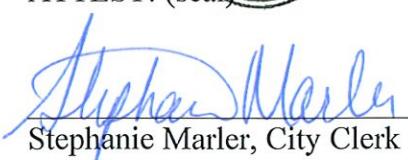
PASSED AND APPROVED by the Governing Body this 12th day of March, 2024.

APPROVED by the Mayor this 12th day of March, 2024.



ATTEST: (seal)


Leigh House
Mayor


Stephanie Marler, City Clerk