



NORWOOD, OHIO

Ordinance No. 61 20 20

**ORDINANCE AMENDING CHAPTER 1321 OF THE NORWOOD CODIFIED
ORDINANCES TO ALLOW MURALS
IN CERTAIN AREAS OF THE CITY OF NORWOOD**

WHEREAS, Norwood City Council has been considering the benefits and concerns arising from authorizing murals on the exterior surfaces of structures within the City of Norwood; and

WHEREAS, Norwood City Council has convened meetings of Council committees to discuss authorizing murals and has received substantial information from Norwood citizens, visual artists, and other interested stakeholders during these committee meetings of Council and,

WHEREAS, in order to enable the design and execution of murals, Council must amend some portions of existing portions of Chapter 1321 of the Norwood Codified Ordinances, as follows; now, therefore,

BE IT ORDAINED:

SECTION 1. Section 1321.02 DEFINITIONS of the Norwood Codified Ordinances is hereby amended to add subsection (51A) to Section 1321.02(a), to read as follows:

(51A) “Mural” means a non-commercial painting or artwork temporarily or permanently affixed to the exterior of a building wall, freestanding wall, or fence, which can be seen from the public right-of-way, and is distinguished from signage in that it does not advertise a business, commercial endeavor, or product sold or offered on the site or off-site. The requirements of Sections 1321.03 through 1321.13 do not apply to murals, which are governed by 1321.15.

SECTION 2. Subsection (a)(62) of Section 1321.02 DEFINITIONS of the Norwood Codified Ordinances is hereby amended to add to read as follows, by adding the last sentence:

(62) “Sign” means, for the purpose of this chapter, any fabricated sign or outdoor display structure, including its structure, consisting of any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminating device which is legible to the public at a distance of six feet, constructed, attached, erected, fastened, or manufactured in any manner whatsoever so that the same shall convey a message or be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise. As used in this Chapter, “sign” does not include murals (as defined in Section 1321.02(51A)).

SECTION 3. Chapter 1321 SIGNS of the Norwood Codified Ordinances is hereby amended to add new Section 1321.15 Murals, as follows:

1321.15 Murals

- (a) Murals are regarded as works of art and must demonstrate an artistic quality or theme as opposed to direct or indirect illustrative advertising. Advertising copy and trademarks are prohibited.
- (b) Permits, Fees and Inspections.

(1) No mural shall hereafter be erected, reerected, constructed, altered, or maintained, except as provided by this chapter and a permit for same has been issued by the Building Commissioner. Application for mural permits shall be made upon forms provided by the Building Commissioner and shall include the following:

(A) The name, address, and telephone number of the applicant;
(B) The name of a person, firm, corporation, or association erecting the mural;

(C) Three sets of drawings and specifications for mural;
(D) A site plan and the location of the building or structure upon which the mural is to be erected;

(E) The building elevations;

(F) Such other information as the Building Commissioner shall require to show full compliance with this and all other applicable City laws and ordinances.

(2) A mural permit fee of \$120.00 shall be paid.

(3) The Building Department shall forward a copy of the application and accompanying to the Norwood Arts Board for their information. The Norwood Arts Board shall have no authority to approve or deny a mural permit application.

(4) The Building Department shall act on all applications for mural permits on which they are authorized to act pursuant to this Chapter within thirty (30) days of receipt of the completed application and payment of the permit fee. The Building Department shall issue either a permit or denial letter within thirty (30) days of the receipt of the completed application and payment of the permit fee. Denial letters may be appealed to the Appeals Board pursuant to Section 1321.14 of the Codified Ordinances of Norwood, Ohio.

(5) A mural shall not be enlarged or relocated except in conformity with the provisions of this chapter for new murals, nor until a proper permit has been secured.

(6) Painting, repairing, cleaning or other normal maintenance and repair of a mural shall not be considered as creating a mural to require the issuance of another mural permit.

(c) Maintenance. All murals shall be kept in repair and in a proper state of preservation. It shall be the duty and responsibility of the owner or lessee of every building with a mural to maintain the immediate premises occupied by the mural in a clean, sanitary, and healthful condition. The Building Commissioner may order the removal of any mural that is not maintained in accordance with the provisions of this chapter.

(d) Mural Area and Standards.

(1) Murals shall include high-quality materials, which may include paint or other media appropriate for exterior use, such as tile or mosaic. Materials shall be long-lasting and graffiti-resistant to the greatest extent possible.

(2) Murals shall not adversely affect the safe and efficient movement of vehicles and pedestrians.

(3) No more than one mural may be placed on any wall of a building.

(4) The total area of the mural must be no less than (a) for a wall less than 800 square feet, at least 50% of the total area of the wall on which it is located, (b) for a wall 800 square feet or larger, the total area of the mural shall be at least 400 square feet. The total area of the mural shall include the entire portion within any background, frame, or overall composition.

(5) Murals shall not cover or obscure distinctive architectural or historic features of the building or structure.

(e) Murals owned and sponsored by the State, County, City or public utility entities shall be exempt from the permit and other requirements of this Section.

(f) Permitted Mural Locations. Murals shall be permitted:

(1) Within a Major Planned Unit Development with a contiguous area in excess of 10 acres, when incorporated into a Final Plan Approval or as approved by the Planning Commission as a minor amendment, and

(2) On buildings in districts zoned for Commercial Uses (O; GBD; CBD; M-1; and M-2).

PASSED October 27th, 2020
Date

Ken Miracle
Ken Miracle
President of Council

ATTEST:

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular special meeting of Norwood City Council on the 27th day of October, 2020 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the 27th day of October, 2020.

Maria Williams
Maria Williams
Clerk of Council

APPROVED 29 OCT 20
Date

Victor Schneider
Victor Schneider
Mayor

CERTIFICATION OF PUBLICATION:

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was published in the Cincinnati Enquirer on 11/9/20 and 11/16/20.
(Name of Newspaper) (date) (date)

Maria Williams
Maria Williams
Clerk of Council

ORDINANCE READINGS

1st Reading 9-22-2020
Date

2nd Reading 10-13-2020
Date

3rd Reading 10-27-2020
Date

All 3 Readings _____
Date

Tabled _____
Date

Vetoed _____
Date