

STATE OF GEORGIA  
COUNTY OF CLAYTON

**ORDINANCE 2025-\_\_\_\_\_**

1 AN ORDINANCE BY MAYOR ANGELYNE BUTLER AND COUNCILMEMBERS  
2 KIMBERLY JAMES, HECTOR GUTIERREZ, LATRESA AKINS-WELLS, AND ALLAN  
3 MEARS OF THE CITY OF FOREST PARK, GEORGIA TO AMEND TITLE 8 (PLANNING  
4 AND DEVELOPMENT), CHAPTER 8 (ZONING), ARTICLE F (BOARDS AND  
5 COMMISSIONS) OF THE CITY’S CODE OF ORDINANCES; TO PROVIDE AN ADOPTION  
6 DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

7 **WHEREAS**, the duly elected governing authority of the City of Forest Park, Georgia  
8 (“City”) is the Mayor and Council thereof; and

9 **WHEREAS**, these changes adhere to all zoning procedures as well as notice and hearing  
10 requirements pursuant to O.C.G.A. § 36-66-1, *et seq.*; and

11 **WHEREAS**, the City Council desires to establish the Public Arts Review Board which  
12 shall be responsible for administering the City’s public art program “Forest Park Arts”, reviewing  
13 Public Art Displays for installation within public spaces and other designated areas within the city;  
14 and

15 **WHEREAS**, the amendments contained herein would benefit the health, safety, morals,  
16 and welfare of the citizens of the City.

17 **BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Council of the City of Forest  
18 Park, Georgia, and by the authority thereof:

19 **Section 1.** Title 8 (“Planning and Development”), Chapter 8 (“Zoning”), Article F (“Boards  
20 and Commissions”) in the City’s Code of Ordinances is hereby amended to be read and codified  
21 as set forth in **Exhibit A** attached hereto and incorporated herein.

22           **Section 2.** The preamble of this Ordinance shall be considered to be and is hereby  
23 incorporated by reference as if fully set out herein.

24           **Section 3.** This Ordinance shall be codified in a manner consistent with the laws of the  
25 State of Georgia and the City of Forest Park.

26           **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
27 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their  
28 enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

29           (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest  
30 extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this  
31 Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this  
32 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the  
33 greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance  
34 is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this  
35 Ordinance.

36           (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance  
37 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable  
38 by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of  
39 the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the  
40 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any  
41 of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to  
42 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and  
43 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and  
44 effect.

45            **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly  
46 repealed.

47            **Section 6.** This ordinance shall become effective immediately upon its adoption by the  
48 Mayor and City Council of the City of Forest Park as provided in the City Charter.

49            **Section 7.** The City Clerk, with the concurrence of the City Attorney, authorized to correct  
50 any scrivener’s errors found in this Ordinance, including any exhibits, as enacted.

51            **ORDAINED** this 21st day of January, 2025.

**CITY OF FOREST PARK, GEORGIA**

\_\_\_\_\_  
Angelyne Butler, *Mayor*

**ATTEST:**

\_\_\_\_\_ (SEAL)  
*City Clerk*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
*City Attorney*

**EXHIBIT A**

52 TITLE 8 – PLANNING AND DEVELOPMENT

53 [...]

54 CHAPTER 8. – ZONING

55 [...]

56 ARTICLE F. – BOARDS AND COMMISSIONS

57 [...]

58 Sec. 8-8-169. - Public Arts Review Board.

59           The City of Forest Park, Georgia (“City”) hereby establishes the Public Arts Review Board  
60 which shall conduct business consistent with all requirements of this article.

61 Sec. 8-8-170. – Purpose and Duties.

62           (a) *Purpose.* The Public Arts Review Board shall be responsible for administering the City’s  
63 public art program “Forest Park Arts” which is responsible for reviewing and approving  
64 Public Art Displays submitted for installation within public spaces and other designated  
65 areas within the city. For the purposes of this article, “*Public Art Display*” means artwork,  
66 including murals, statues, and sculptures, that are exhibited in public spaces, for the  
67 enjoyment and engagement of the public.

68           (b) *Duties.* The Public Arts Review Board shall:

69                   (1) Review and render decisions for all Public Art Display proposals submitted by artists,  
70 organizations, or property owners as set forth in Section 8-8-172.

71                   (2) Ensure that all Public Art Displays comply with the guidelines set forth in this article;

72                   (3) Ensure that all Public Art Displays reflect the aesthetic and cultural values of the City;

73                   (4) Provide feedback to applicants regarding necessary revisions, if applicable;

74                   (5) Maintain a record of all Public Art Displays approved and their locations within the  
75 City;

76 (6) Elect officers consisting of a Chairperson (“Chair”), a Vice-Chairperson (“Vice-  
77 Chair”), a Secretary, and a Treasurer, and shall adopt rules and guidelines for review  
78 of applications; and

79 (7) Ensure all Public Arts Review Board meetings are open to the public and held at such  
80 times as the board may determine on an as-needed basis.

81 Sec. 8-8-171. – Membership and Term.

82 (a) *Membership.* The Public Arts Review Board shall consist of a total of five (5) directors,  
83 which shall consist of one (1) director from the City’s Downtown Development Authority,  
84 one (1) director from Arts Clayton, Inc., two (2) local artists, and one (1) member of the  
85 Forest Park community. All directors must be eighteen (18) years or older and must be  
86 residents within the City. A director shall not be a member of the City’s governing  
87 authority.

88 (b) *Term.* Directors shall serve for a term of two (2) years and may be reappointed. Any  
89 vacancy in the Public Arts Review Board shall be filled for the unexpired term in the same  
90 manner as the initial appointment.

91 Sec. 8-8-172. – Rules and Procedures.

92 (a) *Eligibility.*

93 (1) The following criteria will be used by the Public Arts Review Board to evaluate Public  
94 Art Display proposals: (i) the Public Art Display should be of high artistic quality and  
95 demonstrate a thoughtful design approach; or (ii) the Public Art Display should reflect  
96 the values, history, and culture of the City and contribute positively to the City’s visual  
97 environment.

98 (2) The following Public Art Displays are eligible for review: (i) Public Art Displays on  
99 private property visible from a public space or right-of-way; and (ii) Public Art  
100 Displays on public property. The location for all Public Art Displays shall be approved  
101 by the Public Arts Review Board, ensuring it is consistent with the urban fabric and  
102 existing architecture.

103 (3) The following Public Art Displays are not eligible for review: (i) Public Art Displays  
104 that contain offensive, obscene, or discriminatory imagery or language; (ii) Public Art  
105 Displays that advocate or appear to advocate for violence, illegal activities, or political  
106 campaigns; (iii) Public Art Displays that do not comply with local, state, and federal  
107 laws; (iv) Public Art Displays that are not designed with materials durable and suitable  
108 for the environmental conditions of the installation location; (v) Public Art Displays

109 that pose any safety hazards to pedestrians, drivers, or the surrounding environment;  
110 and (vi) Public Art Displays that obstruct traffic visibility, signage, or other essential  
111 City infrastructure.

112 (b) *Process and Requirements for Public Art Display Applications.*

113 (1) *Pre-application meeting.* Prior to applying for approval of a design plan, the applicant  
114 may meet with the Planning and Community Development Director or a member of  
115 the Public Arts Review Board. The purpose of this informal meeting is to ensure the  
116 applicant understands all eligibility standards, application requirements, policies and  
117 standards, and to provide an opportunity for review of any preliminary artwork and site  
118 plans.

119 (2) *Application requirements.* The specific administrative requirements for any  
120 application for design plan approval shall be established by the City. Applicants  
121 wishing to install a Public Art Display must submit a complete application to the Public  
122 Arts Review Board, including: (i) the title of the proposed Public Art Display; (ii) a site  
123 map or plan detailing the proposed location of the Public Art Display; (iii) a detailed  
124 rendering of the proposed Public Art Display in color with all dimensions; (iv) a  
125 description of the Public Art Display's meaning, theme, or cultural significance; (v)  
126 information regarding the Public Art Display's materials; and (vi) a general timeline  
127 for installation and maintenance plans. All applications must be submitted in triplicate  
128 to the Planning and Community Development Director for review to ensure compliance  
129 with provisions of this article. Additionally, two (2) copies of the application must be  
130 submitted to the Public Arts Review Board for review and final action. The application  
131 must be submitted in completion by the second (2<sup>nd</sup>) Wednesday of each month by  
132 close of business to be reviewed on the following calendar month.

133 (3) *Decisions.* Within three (3) business days after the date of the formal review meeting,  
134 the Public Arts Review Board shall take final action on the application. If the Public  
135 Arts Review Board fails to take final action upon the application within the time  
136 allotted, the application shall be deemed to be approved. However, the Public Arts  
137 Review Board may extend the deadline to the next open meeting by a majority vote of  
138 those members present. The Public Arts Review Board shall take final action by  
139 rendering one of the following decisions on the Public Art Display design plan: (i) the  
140 application is approved and authorized to file for appropriate building permits in  
141 accordance with the approved design plan; (ii) the applicant is authorized to file for  
142 appropriate building permits subject to adhering to all approved conditions or  
143 modifications to the design plan (conditional approval); or (iii) the application has been  
144 denied and shall not be granted a building permit. If the application is denied, the Public

145 Arts Review Board shall specify in writing to the applicant and to the governing body  
146 the reasons for denial.

147 (4) *Design Approval.* Upon approval or conditional approval of the application, the Chair  
148 shall notify both the applicant and the Planning and Community Development Director  
149 of the approval or conditional approval and transmit a copy of the application, with any  
150 conditions noted. Please note that approval for a design plan submitted under provisions  
151 of this section shall expire or be extended subject to provisions in section 8-8-235,  
152 building permit process.

153 (5) *Administrative waiver.* The Public Arts Review Board may waive any and all  
154 administrative requirements of this article as needed to facilitate the review process,  
155 where such requirements are inappropriate or unnecessary.

156 Sec. 8-8-173. – Enforcement and Preservation.

157 (a) All exterior design, landscaping, and other on-site improvements shall be completed in  
158 accordance with the approved design plan. The building inspector and/or code compliance  
159 department shall make periodic field inspections as required. If a violation is found to exist,  
160 the code compliance department shall take immediate appropriate action.

161 (b) The Public Art Display applicant is responsible for all expenses in maintaining the Public  
162 Art Display in good condition for a minimum of five (5) years after installation.

163 (c) The Public Arts Review Board reserves the right to review and recommend repairs or  
164 removals if the Public Art Display becomes damaged, deteriorates, or becomes inconsistent  
165 with city standards. If the Public Art Display becomes a public safety issue, the Public Arts  
166 Review Board has the authority to recommend immediate remediation or removal to the  
167 City’s governing body.

168 Sec. 8-8-174. - Fees and Funding.

169 (a) *Funding Sources.* The City may allocate funds for Public Art Display projects or seek  
170 sponsorships, grants, or private donations to support Public Art Display installations. The  
171 City may also provide partial funding or matching funds for eligible Public Art Display  
172 projects.

173 (b) *Permit Fees.* Applicants may be required to pay a reasonable permit fee to cover the cost  
174 of processing the Public Art Display application and review.

175 Sec. 8-8-175. – Appeals.

176 Any party aggrieved by the decision of the Public Arts Review Board shall be entitled to  
177 file an appeal with the mayor and city council.

178 (1) Said appeal must be submitted in writing and addressed to the mayor and city council of the City  
179 of Forest Park.

180 (2) Said appeal shall set forth each and every basis upon which the application was denied and shall  
181 set forth each and every reason that the said denial should be overruled.

182 (3) The governing body shall then set a time and date at the next regular meeting of the governing body  
183 whereby the aggrieved party may come before it and submit proof to said governing body that the  
184 denial is improper.

185 (4) The governing body shall afford the applicant sufficient time in which the applicant may address  
186 each reason that said contends the Public Arts Review Board was in error. The governing  
187 body shall then hear from the director and/or a member of the Public Arts Review Board  
188 as to why said application was originally denied, and what negative impact said Public Art  
189 Display would have on the City.

190 (5) The governing body may question either the applicant, the Public Arts Review Board member, or  
191 all, in order to clarify or expand upon the position taken by either the applicant or the board.

192 (6) Thereafter, the mayor and city council shall vote and decide whether to overrule the initial decision  
193 of the Public Arts Review Board or whether to permit the decision of same to stand.

194 Secs. 8-8-176—8-8-184. – Reserved.