

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 160: DOWNTOWN DISTRICT
O-2025-12

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV: LAND USAGE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

TEXT AMENDMENT

Section 1. Add **§160.04 MURALS IN DOWNTOWN** to read as follows:

Murals are permitted in the Downtown District as defined in Section 160.04 herein as follows:

(A) *Public Policy and Purpose.* The Monroe City Council finds that the painting of art or murals on buildings located in the Downtown District can enhance the quality of life, vitality, and appearance of Monroe's Downtown. Murals are a form of public art in that they are by design intended to be public displays. Therefore, the commissioning, painting, and maintenance of public art as murals in the Monroe Downtown District should be carried out on behalf of the public only by the City of Monroe utilizing a well-designed process involving public input and approval by Monroe City Council.

(B) *Definitions.* The following definitions shall apply in this Section:

(1) **Mural** – A picture or design painted on or otherwise attached to an exterior surface of a structure or building.

(2) **Sign** – A picture or design clearly related by language, logo or pictorial depiction to a business, or advertisement of any product or service of any business. Such Signs are not Murals and are regulated as a sign by the sign provisions of the Monroe Unified Development Ordinance.

(3) **Private Mural** – Any Mural as defined herein commissioned with or without consideration for painting or attachment to the exterior of a structure or building by a private individual or entity and not commissioned or approved by the City of Monroe.

(4) **Public Mural** – Any Mural commissioned through the City of Monroe's Downtown Mural Policy and approved by Monroe City Council.

(C) *Private Murals Prohibited.* The commissioning and painting or attaching Private Murals is hereby prohibited in the Downtown District.

(D) *Public Murals.* Only Public Murals commissioned and approved by the Monroe City Council may be painted or attached to a structure or building in the Downtown District.

(E) *Enforcement.*

(1) Civil Enforcement. The Monroe City Manager is authorized to appoint and designate one or more Enforcement Agent(s) to enforce the provisions of this ordinance. Any Mural in the Downtown District observed violating any provision of this ordinance and upon written Notice of Violation by a duly appointed City of Monroe Enforcement Agent is subject to the following civil penalty in the following amounts:

First Citation	\$250.00
Second Citation For Same or Similar Violation	\$500.00

Upon issuance of a notice of violation of this ordinance, the owner of the building or structure on which the Mural is painted or attached shall have thirty (30) days from the date of the Notice of Violation to remove the Mural.

Notices of violation of this ordinance shall be in writing and may be served by personal delivery to the building owner or served by US Mail addressed to the owner of the building as shown on the Union County tax records. Service is complete upon personal delivery or depositing the notice by first class United States Postal Services mail.

(2) Injunction and Abatement. If the building owner fails to remove a Mural that is the subject of a Notice of Violation within the time provided above, the City may apply to the General Court of Justice seeking an injunction and order of abatement pursuant to North Carolina General Statute 160A-175(c). Upon failure of the building owner to comply with the order of the court, the City may abate the violation and any cost incurred by the City be assessed as a lien against the property as provided by state statute.

(3) Appeal. A Notice of Violation of this ordinance may be appealed for a hearing by the building owner upon written notice to the City of Monroe with ten (10) days of receipt of the Notice of Violation. Upon receipt of a notice of appeal, the City Manager and/or their designated Hearing Officer shall schedule a hearing to be held within thirty (30) days of receipt of the notice of appeal. The building owner shall be sent written notice of the date and time of the hearing. The City Manager and/or their designated Hearing Officer shall conduct the hearing during which the building owner shall be given an opportunity to offer evidence or testimony regarding the violation. After conclusion of the hearing, the City Manager and/or their designated Hearing Officer shall make a written determination and provide copies to the building owner. The written decision of

the City Manager and/or their designated Hearing Officer is final and no additional administrative appeals are available. Appeal of the Notice of Violation issued pursuant to paragraph E above shall stay the removal requirement pursuant to (E)(1) above until the date the written hearing determination letter is mailed to the building owner. If the Violation is upheld as a result of the hearing, the building owner shall have thirty (30) days from the date of mailing the notice of violation to remove the Mural.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 8th day of April, 2025.

Attest:

Robert A Burns, Mayor

Bridgette H. Robinson, City Clerk