

RESOLUTION NO. A-\_\_\_\_\_

1           WHEREAS, the Lincoln YWCA has submitted an application pursuant to  
2 Chapter 14.56 of the Lincoln Municipal Code to use certain portions of the public right-of-  
3 way at various sites in Lincoln for the placement of 22 pieces of sculpture and other forms  
4 of art commissioned as part of the YWCA's StarArt project for a period from January 2006  
5 through April 2006; and

6           WHEREAS, said application has been reviewed by the Public Works  
7 Department and the Urban Design Committee which have recommended approval of said  
8 application.

9           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
10 Lincoln, Nebraska:

11           That the application of the Lincoln YWCA, hereinafter referred to as  
12 Permittee, for a permit to install 22 pieces of sculpture and other forms of art as part of the  
13 YWCA StarArt project upon portions of the public right-of-way at various locations in Lincoln  
14 as set out on the attached site maps is approved pursuant to Chapter 14.56 of the Lincoln  
15 Municipal Code subject to the following conditions:

16           a.       That such space shall only be used for the works of art specified on  
17 the permit in accordance with the requirements of Chapter 14.56.

18           b.       That such use is temporary and that the user requires no right, title,  
19 or interest in the space permitted to be used.

20           c.       That the space granted hereunder shall be vacated upon demand by  
21 the City Council and its use discontinued by the Permittee, with no recourse against the  
22 City for any loss or damage occasioned by any such requirement.

1           d.     That if any such space not be vacated and such use not be  
2 discontinued by the time specified, the City may remove from such space any work left  
3 thereon at the risk and expense of the Permittee.

4           e.     That the permit issued pursuant to this Section is a personal privilege  
5 and may not be transferred or alienated voluntarily or involuntarily.

6           f.     No advertising shall be permitted on any work of art except to identify  
7 the work, the name of the artist, and donor of the work of art, and shall in all respects  
8 comply with the provisions of Titles 22 and 27 of this Code regulating signage.

9           g.     The work of art shall be located only in the exact location described  
10 in the application.

11          h.     The Permittee shall be responsible for any damage or repairs to public  
12 property caused by the installation or removal of any work of art.

13          i.     All installations shall be under the supervision of the City Sidewalk  
14 Inspector and the City Sidewalk Inspector shall determine the method of placement of the  
15 work of art or any supporting, anchoring, or enclosing structure for the work of art requiring  
16 placement in the sidewalk or other right-of-way surface.

17          j.     The Urban Development Department shall monitor the condition of the  
18 work of art. The Permittee shall be responsible for properly maintaining the work of art so  
19 as to preserve its quality and value.

20          k.     The Permittee shall be responsible for any authorized removal or  
21 pruning of trees or shrubs and such work shall only be done by a licensed and insured  
22 arborist.

23                 The Permittee shall sign and return the City's letter of acceptance to the City  
24 Clerk prior to placement of the works of art in the public right-of-way.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

Approved this \_\_\_ day of \_\_\_\_\_, 2006:

\_\_\_\_\_  
Mayor