



City of Fort Worth Community-Initiated and Funded Traffic Control Wrap Projects Policy and Procedures

1.0 INTRODUCTION

The City of Fort Worth (“City”) recognizes the potential of public interest and participation in community-initiated and funded traffic control wrap projects and wishes to encourage such projects. This policy distinguishes between artist-created artworks, which shall be reviewed using a different process through Fort Worth Public Art, and images made available for commercial reproduction, which shall be administered through this policy. City Council has adopted this Community-Initiated and Funded Traffic Control Wrap Projects Policy and Procedures to make consideration of such projects possible and to insure compliance with applicable City codes and ordinances.

Community-initiated and funded traffic control wrap projects are defined as those that *do not* fall under the definition of “Art” or “Artwork” as set forth in Section 2-57 of the City Code, which states “*Art or Artwork means work in a permanent medium or combinations of media produced by artists generally recognized by critics and peers as professionals of serious intent and substantial ability.*” Projects that produce artwork by a professional artist shall be reviewed by the Fort Worth Art Commission in accordance with the Fort Worth Public Art Gifts and Loans Review Process set forth in the *Fort Worth Public Art Master Plan*, adopted by City Council in 2003.

2.0 PURPOSE

The purpose of this policy is to provide guidelines and procedures for administrative review of requests for community-initiated and funded traffic control wrap projects proposed for City traffic control boxes in the public right-of-way.

This policy intends to:

- 2.1 Recognize that there may be circumstances and sites that are appropriate for community-initiated and funded traffic control wrap projects in the public realm;
- 2.2 Ensure that projects will enhance the economic value of the landscape by avoiding visual clutter which is potentially harmful to property values and business opportunities;
- 2.3 Preserve, protect and enhance areas of historical, architectural, scenic and aesthetic value;
- 2.4 Provide guidelines and procedures to review the form and feasibility of proposed community-initiated and funded traffic control wrap projects, including design, installation methods, and public safety compliance;
- 2.5 Ensure community involvement and/or awareness of the proposed community-initiated and funded traffic control wrap project;
- 2.6 Ensure that the parties proposing such projects have adequate resources to fund the entire project, including design, fabrication, installation and deinstallation;



- 2.7 Ensure that the parties proposing such projects are willing and able to take responsibility of ongoing maintenance for the duration that the project is on the City's traffic control boxes in the public right-of-way; and,
- 2.8 Ensure that the parties proposing such projects are willing and able to comply with the City's policy for placing community-initiated and funded traffic control wraps on the City's traffic control boxes in the public right-of-way.

3.0 APPLICANT AND PROJECT ELIGIBILITY

- 3.1 Applicants must be a neighborhood association, homeowner's association, or community group registered with the City's Office of Community Engagement, have a membership of at least 10 people, and must be located within the City limits of Fort Worth and within 500 feet of the proposed site.
- 3.2 Applicants shall propose projects that are of common interest to the general community, recognize and/or contribute to the cultural fabric of the community, the City, and/or raise the community's and the City's profile to a broader audience by virtue of its display in the public realm.
- 3.3 Applicants assume all responsibility for managing community-initiated and funded traffic control wrap projects including, contractual relationships; application submissions; City insurance requirements as outlined in section six (6); legal requirements; funding plan for all aspects of the project, including design, fabrication, installation and deinstallation costs; funding for ongoing maintenance of the community-initiated and funded traffic control wrap project; community support; permits as required; and installation timelines in coordination with the City as necessary.
- 3.4 Community-initiated and funded traffic control wrap projects on City property must comply with all applicable federal, state, and local laws; ordinances and regulations; and the operating needs of the City's equipment such as ventilation, visibility, and access. The City reserves the right to stop work if the work fails to meet applicable requirements.
- 3.5 The City specifically does not authorize, permit, or condone the reproduction or use of copyrighted materials by Applicant without the appropriate licenses or permission being secured by Applicant in advance and providing documentation of such to City upon request.
- 3.6 Applicants agree to submit all required materials for review and to comply with the City's approved review process, including the Fort Worth Art Commission when proposed projects are within 150 feet of an existing or planned Fort Worth Public Art project, to participate in constructive recommendations, and to proceed in the best interest of the City.
- 3.7 Applicant may not seek approval for a community-initiated and funded traffic control wrap project for longer than a five (5) year period. During this period, the images included in the community-initiated and funded traffic control wrap project may not be changed from what was approved by the Review Panel. If the Applicant wants to modify the images during the approved period, the Applicant will be required to submit a new application under this policy for consideration by the Review Panel.



- 3.8 Community-initiated and funded traffic control wrap projects shall not contain advertising, any text, nor commercial trademarks or logos. If a copyright notice containing text must be displayed on the image, the Applicant must submit this to the Review Panel for consideration during the application process.
- 3.9 Community-initiated and funded traffic control wrap projects shall not contain any images that could be distracting to drivers.
- 3.10 Community-initiated and funded traffic control wrap projects shall not contain designs that mimic traffic control devices or street signage.
- 3.11 It is encouraged that public meetings be held to gather community support prior to submitting applications.

4.0 APPLICATION PROCESS

Applicant must submit a completed *Community-Initiated and Funded Traffic Control Wrap Project Application* form and supporting documentation, as outlined in this policy, at least six (6) months in advance of the date of the proposed project installation date to allow time for City review and approval.

The Applicant must:

- a. Represent a neighborhood association, homeowner's association, or community group registered with the City and list the names of members making the application;
- b. State the purpose of the project and its significance to the community and the City of Fort Worth;
- c. Provide evidence of community input, awareness and support;
- d. Provide visual representation, in color, of the proposed project that illustrates its design and scale;
- e. Provide a map of the proposed project location(s), including technical information about the proposed location(s). If known, Applicant must indicate distance between proposed project location(s) and location(s) of existing or planned Fort Worth Public Art project location(s), which shall be reviewed by the Fort Worth Art Commission at a regularly scheduled meeting for approval if within 150 feet;
- f. Describe materials, installation method, and proposed lifespan of the project not to exceed five (5) years;
- g. Provide a budget and demonstrate ability to fund all aspects of the project, including insurance and permits;
- h. Provide proof of insurance as outlined in section six (6) of this policy; and
- i. Provide a maintenance plan and demonstrate ability to fund ongoing maintenance and removal of the project when its lifespan is reached or at the request of the City.

Applications to install community-initiated and funded traffic control wrap projects are available for download on the Fort Worth Public Art website (www.fwpublicart.org) and the City of Fort Worth Planning and Development website (www.fortworthtexas.gov/planninganddevelopment) (see "Applications and Forms"). All applications must be submitted via mail/express mail or hand-delivery to the City of Fort Worth Planning and Development Department: Attention Sevanne Steiner, at the address listed on the application. Emailed and faxed submissions will not be accepted.



5.0 FEES

The Applicant must submit a nominal fee of \$500.00 with the application to cover administrative costs associated with this policy. All fees will cover the period for which the community-initiated and funded traffic control wrap project approval is granted and will not be applied to any future applications.

6.0 INSURANCE REQUIREMENTS

All insurance requirements must be met before the community-initiated and funded traffic control wrap project is approved. The following insurance requirements must be documented on a certificate of insurance:

- a. Commercial General Liability in the amount of \$1,000,000, per occurrence and \$1,000,000 annual aggregate;
- b. The City shall be endorsed on the policy as an additional insured as its interests may appear; and
- c. The policy shall be endorsed to provide a thirty (30) days' notice of cancellation or non-renewal to the City.

7.0 REVIEW PROCESS AND APPROVAL AUTHORITY

All applications for community-initiated and funded traffic control wrap projects shall be reviewed administratively by the Review Panel outlined in section eight (8) of this policy for completeness and based on the criteria listed below. Upon approval by the Review Panel, City staff shall notify Applicant of approval of the community-initiated and funded traffic control wrap project request. In some instances, it may be appropriate to bring a proposed project before a City board or commission that oversees the proposed location (such as the Parks Advisory Board or Art Commission, for example).

- 7.1 **Project Review Criteria** shall include:
 - a. **Appropriateness of Design** – Must be suitable for public display and all audiences and avoid being distracting, intrusive or hazardous;
 - b. **Site** – Must be a location that is suitable for display of the project without causing safety concerns and shall not permanently alter, change, or damage City property;
 - c. **Materials and Installation Methods** - Must be a professionally produced vinyl wrap and feasible, safe, and suitable for the site conditions;
 - d. **Funding** –Applicant included certification of sufficient funds in place to support all aspects of the project, including maintenance and removal;
 - e. **Community Support** – Applicant included certification of community support from community homeowner's associations, neighborhood associations, and/or community groups in the project area; and
 - f. **Compliance with Policy and Procedure** – Applicant has complied with all requirements outlined in this policy and procedure.
- 7.2 Approval to install a community-initiated and funded traffic control wrap project may be granted for any period of time deemed appropriate by the Review Panel, but shall not be granted for longer than five (5) years.
- 7.3 Prior to approving an application, the Review Panel reserves the right to request City staff to conduct additional community meetings to ensure community support.



8.0 REVIEW PANEL

The Review Panel shall consist of four members appointed by the City Manager, one from each of the following: Planning and Development Department, Transportation and Public Works Department, Fort Worth Public Art Program, and the Office of Community Engagement.

9.0 DENIAL

The Review Panel may deny an application if it fails to meet the requirements outlined in this policy, the Applicant fails to submit all requested documentation for consideration of the application, the Art Commission determines that the proximity of the proposed location of the community-initiated and funded traffic control wrap project to current or future public art projects will cause visual clutter or other artistic concerns, or if it is determined that the proposed community-initiated and funded traffic control wrap project is not in the best interest of preserving public safety.

10.0 APPEAL

Applicant may appeal the denial of a community-initiated and funded traffic control wrap project application by writing a letter to the City Manager within ten (10) days of the denial being issued. Such request must ask for reconsideration and state the grounds for why the approval should be granted. The City Manager's decision shall be final.

11.0 PROGRAM MANAGEMENT

The City of Fort Worth Planning and Development Department shall administer and manage the program, including maintaining proof of insurance, monitoring approval, collecting fees, maintaining paperwork, and monitoring the condition of the community-initiated and funded traffic control wrap project.

12.0 INSTALLATION AND REMOVAL

In order to minimize the effect on traffic flow, community-initiated and funded traffic control wrap projects must only be installed or removed on weekdays between 9:00 a.m. and 4:00 p.m. or during daylight hours on weekends. Nighttime installation and removal is prohibited. Community-initiated and funded traffic control wrap projects may only be installed or removed as approved by the City's Review Panel. Installation and removal on City traffic control boxes in the public right-of-way may only be conducted by a contractor licensed and bonded to work on the City right-of-way. The contractor must submit a copy of an insurance certificate to the City demonstrating that it meets insurance requirements prescribed by the City.

13.0 DISPLAY, MONITORING, AND MAINTENANCE

An Applicant receiving approval under this policy is responsible for monitoring the community-initiated and funded traffic control wrap project to ensure the community-initiated and funded traffic control wrap project remains in good condition during the display period, detect any problems and take corrective action, and ensure a dangerous situation or hazard is corrected immediately. Applicant assumes responsibility for all maintenance including graffiti removal and removal of the community-initiated and funded traffic control wrap project when it starts to deteriorate. Upon expiration of the approved period, Applicant must completely remove the community-initiated and funded traffic control wrap project and return the City's traffic control box to its original condition. If Applicant fails to maintain the community-initiated and funded traffic control wrap project at a standard satisfactory to the City, the City



reserves the right to remove the community-initiated and funded traffic control wrap project and bill the Applicant for all related costs. Similarly, if the Applicant fails to properly remove the community-initiated and funded traffic control wrap project or restore the traffic control box to the City's satisfaction, the City may do so and bill the Applicant for all related costs.

14.0 EFFECTIVE DATE

Adopted by the City Council on December 8, 2015 (M&C _____).