

CHAPTER 25.06 ADMINISTRATION

SUBCHAPTER 25.06-A ADMINISTRATIVE BODIES

Sec. 25.06.030 Bodies Established and Authorized

Subsection 25.06.030.5 Historic Preservation Commission

1. **Purpose of the Historic Preservation Commission.** The purpose of the Historic Preservation Commission is to:
 - a. Promote the educational, cultural, economic, and general welfare of the public through the recognition, enhancement, and perpetuation of sites and districts of historical and cultural significance;
 - b. Safeguards the City's historic, aesthetic, and cultural heritage by preserving sites and districts of historic and cultural significance;
 - c. Stabilize and improve property values;
 - d. Foster pride in the legacy of beauty and achievements of the past;
 - e. Protect and enhance the City's attractions to tourists and visitors and the support and stimulus to businesses;
 - f. Strengthen the economy of the City; and
 - g. Promote the use of historic sites, historic districts, and other places of cultural significance for the education, pleasure, and welfare of the people of the City.
2. **Membership.** The Historic Preservation Commission shall consist of nine members who shall be residents of the City and meet at least three times a year. Members shall serve without compensation. The Historic Preservation Commission shall elect a Chairperson who shall preside over all Historic Preservation Commission meetings and elect a Secretary who shall be responsible for maintaining written records of the Historic Preservation Commission's proceedings.
3. **Method of Appointment.** Members of the Historic Preservation Commission shall be appointed by a majority vote of the City Council. Members shall demonstrate a positive interest in historic preservation, possessing interest or expertise in architecture, architectural history, historic preservation, city planning, building rehabilitation, archeology, history, conservation in general, or real estate. The original appointment of the members of the Historic Preservation Commission shall be three members for one year, three members for two years, and three members for three years. Terms end June 30 of each year but members shall serve until their successor is appointed.
4. **Quorum.** A simple majority of the Historic Preservation Commission shall constitute a quorum for the transaction of business.
5. **Vacancies.** Vacancies occurring in the Historic Preservation Commission, other than expiration of term of office, shall be only for the unexpired portion of the term of the member replaced. Vacancies shall be filled by appointment by the City Council.

6. **Removal.** Historic Preservation Commissioners may be removed by a majority vote of the City Council for good cause shown as determined by the City Council.
7. **Powers and Duties.** The Historic Preservation Commission shall have the following powers:
 - a. The Historic Preservation Commission may conduct studies for the identification and designation of historic districts and sites meeting the definitions established by this Code. The Historic Preservation Commission may proceed at its own initiative or upon a petition from any person, group, or association or upon the request of the City Council. The Historic Preservation Commission shall maintain records for all studies and inventories for public use, and a copy of such records shall be maintained in the offices of the City Clerk.
 - b. The Historic Preservation Commission may make a recommendation to the State Historic Preservation Office for the listing of a historic district or site in the National Register of Historic Places and may conduct a public hearing.
 - c. The Historic Preservation Commission may investigate and recommend to the City Council the adoption of ordinances designating historic sites and historic districts if they qualify as defined by this Code.
 - d. The Historic Preservation Commission may review and provide recommendations for the following application types:
 1. Sign permits in the Historic 4th Street (HA-4), Historic Pearl Street (HA-P), or Historic Neighborhood or Center (HA-N) sub-districts, recommended to the Design Review Committee and Administrator;
 2. Certificates of appropriateness for demolition (excluding those deemed "unfit for human occupancy"), new construction, exterior alteration, modification, or addition to a designated historic site and the HA-4, HA-P, or HA-N sub-districts, recommended to the Design Review Committee and Administrator;
 3. Projects required under Section 106 of the National Historic Preservation Act, including wireless telecommunication towers and building-mounted telecommunication towers, to determine whether the site is located in, on, or within the viewshed of a building, site, district, structure, or object significant in American history, architecture, archeology, engineering or culture, that is listed, or eligible for listing on the National Register of Historic Places, recommended to the State Historic Preservation Office or consulting party;
 4. Designation of historic districts or historic sites, recommended to the City Council; and
 5. Nominations to the National Register of Historic Places, recommended to the State Historic Preservation Office.
 - e. In addition to those duties and powers specified above, the Historic Preservation Commission may, with City Council approval:
 1. Accept unconditional gifts and donations of real and personal property, including money, for the purpose of historic preservation;
 2. Acquire by purchase, bequest, or donation, fee, and lesser interests in historic properties, including properties adjacent to or associated with historic sites;
 3. Preserve, restore, maintain, and operate historic sites, under the control of the Historic Preservation Commission;
 4. Lease, sell, and otherwise transfer or dispose of historic sites subject to rights of public access and other covenants and in a manner that will preserve the property;
 5. Contract with the State and Federal government or other organizations;

6. Cooperate with the Federal, State, and local governments in the pursuance of the objectives of historic preservation;
 7. Provide information for the purpose of historic preservation to the City Council; and
 8. Promote and conduct an educational and interpretive program on historic sites within its jurisdiction.
8. **Responsibilities.** It shall be the responsibility of the Historic Preservation Commission to:
- a. Prepare and deliver to the City Council an annual report covering program activities and financial status within 60 days of the end of the fiscal period.
 - b. Deposit all moneys received with the City Treasurer to be credited to the Historic Preservation Commission, and make all disbursements utilizing the claim and warrant procedures of the City.
 - c. File with the City Clerk for public inspection copies of minutes of all Historic Preservation Commission meetings and resolutions duly passed by the Commission within 14 days of the meeting at which such action was taken.
 - d. Utilize the central staff and auxiliary services of the City administration and refrain from duplicating them or from establishing incompatible procedures, as more particularly set out in "Standard Operating Procedures for all City Council Appointed Boards, Commission, and Committees" as adopted by the City Council and incorporated herein by reference.
9. **Limitations.** The following shall be limitations upon the powers of the Historic Preservation Commission:
- a. All property, whether real or personal, shall be acquired, received, and held in the name of the City.
 - b. The purchase of property from or sale of property to any member of the Commission is prohibited.

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