

Zoning Ordinance Section 10-4-10: Historical Buildings in the City

- (A) Purpose: The purpose of this Section is to provide conditions and regulations for the protection, enhancement and perpetuation of the old and historical buildings in historical districts of the City and the perpetuation of historic-type architecture within historical districts, which has special historical and aesthetic interest and value.
- (B) Historical Criteria: Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
- (C) Historical District: Said Historical District shall include all of the territory bounded as shown in Exhibit A, which is on file in the office of the City Clerk. An historical district shall predominantly comply with this Historical Ordinance.
- (D) Existing Historical Buildings Preserved: No presently existing building of special historical or aesthetic value or of the historic-type of architecture situated within that portion of an historical district described in subsection (C) of this Section, shall be torn down, demolished or otherwise destroyed without conforming to this Section.
- (E) Building Removal; Permit Required: In the event that any building of historical value or interest is damaged by fire, act of God, or in any other manner, or becomes unsafe as defined in the adopted City building codes, or in such state of disrepair or dilapidation as to be untenable by reason of any cause that it cannot with reasonable diligence be repaired and restored, the same may be removed upon issuance of a permit for removal as hereinafter provided.
- (F) Construction and Repairs; Conformity Required: All buildings which shall be hereinafter constructed or altered as to their exterior appearance (within the historical districts described in subsection 10-4-10(C)) shall, as to their exterior architecture visible from the street, conform to the historical criteria described in subsection 10-4-10(B).
- (G) Removal or Permit Issuance: No permit for demolition or removal of any building of historical architecture or special historical or aesthetic interest situated within the area set forth in subsection (C) hereof shall be issued without the approval of the Planning Commission.

It is the intent of this Section not to require new construction to duplicate historic-type construction and/or historical architecture. However, it is a requirement that new construction be compatible with historical architecture.

- (H) Construction and Repairs; Permit Issuance: No permit for construction or

alteration of any building within the area set forth in subsection (C) hereof shall be issued until the plans for construction or alteration have been approved by the Planning Commission. Notwithstanding anything contained in this Section to the contrary, in cases requiring any repair to prevent substantial loss or damage to property, emergency repairs to adequately provide for health and safety, may be made prior to the obtaining of a permit as required by this Section.

- (I) Notice: The Planning Commission secretary shall notify the Historical Advisory Committee of any application which is related to this Section.
- (J) Appeal to City Council: Appeals of Planning Commission decisions shall be in such manner as provided in Section 10-3-7 of the City Code.
- (K) Minor and Major Changes: Any minor changes to an approved plan shall follow the procedure established in Section 10-4-9(P) of the City Code.
- (L) Violation of Permit: It shall be unlawful for any person to proceed under any permit in a manner which constitutes a material variance from the terms of the permit or the representations on which it was issued, and in the event of such a violation, the permit may be canceled forthwith by action of the Planning Commission.
- (M) Scope of Section: The regulations contained in this Section are additional to Title 10 of the City Code as amended, and other sections; provided, however, that in the event of any conflict, the provisions of this Section shall prevail.
- (N) Penalties: Every person violating any of the provisions of this Section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment for a term not to exceed three (3) months, or by both such fine and imprisonment, and such person deemed guilty of a separate offense for each day, or portion thereof, during which any violation of this Section is committed or continued. (Ord. 1474, 8 Jan 1991)