

ORDINANCE NO. O2015-12

**AN ORDINANCE AMENDING
SECTION 1345.04 "POWERS AND DUTIES OF THE BOARD." AND
REPEALING THE PRIOR VERSION OF THE SAME**

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Gallipolis, State of Ohio:

SECTION 1: Section 1345.04 is hereby amended to read as follows:

1345.04 POWERS AND DUTIES OF THE HISTORIC PRESERVATION REVIEW BOARD.

(a) It is the overall purpose of the Board to improve the quality of life in the City by the conservation of the City's heritage. In pursuance of this, the Board shall have such duties as may be imposed by Ordinance and Code. Further, the Board shall recommend guidelines concerning the conservation of properties herein referenced

(b) The Board shall conduct meetings to consider or determine any matters relating to historic preservation within a Historic Preservation District or on a listed property. Parliamentary procedures shall be used during any official meetings. The Board shall review and act upon all applications for approval as required by this chapter and establish criteria, rules and regulations not otherwise included in this chapter for evaluating applications for construction based on the Standards for Rehabilitation as established by the U.S. Secretary of the Interior as amended herein.

(c) The following Standards are to be used as guidelines for specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

(1) A property should be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property should be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided if feasible.

(3) Each property should be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, should not be undertaken.

(4) Most properties change over time; those changes that have acquired historic significance in their own right should be retained and preserved.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property should be preserved.

(6) Significant archeological resources affected by a project should be protected and preserved. If such resources must be disturbed, mitigation measures should be undertaken.

(7) New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property. The new work should be differentiated from the old and should be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(8) New additions and adjacent or related new construction should be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic structure and its environment would be unimpaired.

(d) The Board will use written guidelines in making decisions on requests for permits for alterations, additions, new construction or demolition of structures on listed properties. The Board shall consider whether the failure to issue a permit will involve a substantial hardship to

the applicant and whether the permit may be issued without substantial detriment to the public welfare or substantial derogation from the interest and purposes stated herein.

(e) Members of the Board shall abstain from taking action on any matter that would present a conflict of interest. Should any member of the Board have a financial interest, direct or indirect, in any matter pending before the Board, said member shall abstain from discussion and voting on that issue. Any willful violation of this section shall constitute malfeasance in office, and any member of the Board found guilty thereof shall thereby forfeit his office or position.

(f) The Board shall review all proposed National Register nominations for properties within its jurisdiction. When the Board considers a National Register nomination and other actions (e.g., an archaeological site), which are normally evaluated by a professional in a specific discipline (e.g., archaeologist), and that discipline is not represented on the Board, the Board may seek expertise in this area from a professional before rendering its decision.

(g) The Board shall be available to advise the Community on historic preservation issues.

(h) The Board shall keep or cause to be kept a register of all listed properties in a manner compatible with OHPO's inventory system and provide the Code Enforcement Officer with a current copy showing any additions or deletions thereto. This register shall be made available to the public, including the names and addresses of property owners.

(i) The Board shall prepare a written annual report of Board activities, cases, decisions, special projects and qualifications of the members, etc., and keep these reports on file and available for public inspection and submit a copy to the Ohio Historic Preservation Office (OHPO) and to the City Commission.

(j) In addition to the duties stated elsewhere, the Board shall:

(1) Act in an advisory role to City departments and agencies, as directed by the Code Enforcement Officer.

(2) Facilitate development within Historic Preservation Districts.

(3) Facilitate implementation of measures to promote conservation and preservation by private and public persons; and act as liaison on behalf of the City with the Ohio Historic Preservation Office and similar agencies; act as an advocate and resource for preservation through an appropriate educational program, maintain information on historic conservation and consult with and support owners and developers of listed properties and encourage documentation of the architecture and history of the City's historic resources.

(4) Additionally, the Board shall conduct or encourage members of the Board to attend City Manager approved educational sessions and maintain communication with OHPO in relation to board activities as required for a Certified Local Government.

(k) Additional responsibilities may be undertaken by the Board upon mutual agreement between the Ohio Historic Preservation Office and the City. A written agreement will address what duties are to be performed, what staff assistance is needed to perform the work, and what level of activity in each area of responsibility will be maintained. All delegated responsibilities must be complimentary.

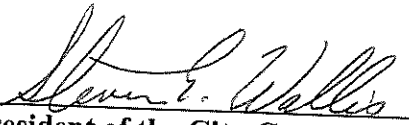
SECTION 2: Existing Section 1345.04 of the Codified Ordinances is hereby repealed.

SECTION 3: That this Ordinance shall take effect and be in full force at the earliest period of time allowed by law.


PASSED: February 17, 2015

ATTEST:


Clerk of the City Commission


President of the City Commission

The foregoing Ordinance is hereby approved as to form.


Gallipolis City Solicitor
Adam R. Salisbury