

BY-LAWS OF THE HISTORIC DISTRICT COMMISSION

OF

CITY OF DOVER

OBJECTIVES

Section 1. The objectives and purposes of the Historic District Commission of the City of Dover, Delaware, are those set forth in Dover Code, Appendix B, Article 10, Section 3, and amendments and supplements, thereto, and those powers and duties delegated to the Historic District Commission by the City Council of the City of Dover pursuant to such statute.

POWERS. DUTIES AND PROCEDURES

Section 2. The duties, powers and procedures of the Historic District Commission are as set forth in the following documents:

- (a) The Ordinance adopted by the City Council establishing such Historic District Commission;
- (b) The building Zone Ordinance as to matters relating to the Architectural Plan Review Certification process, the designation of Historic District boundaries, historic preservation and the establishment of standards and guidelines for preservation and conservation of Historic District zones.

OFFICERS

Section 3.1 The officers of the Historic District Commission shall consist of a Chairman and a Vice-Chairman.

Section 3.2 The Chairman shall preside at the meetings and hearings of the Historic District Commission and shall have the duties usually conferred upon a presiding officer. He shall continue to exercise the prerogatives of an individual member of the Commission while performing the duties of presiding officer.

Section 3.3 The Vice Chairman shall be the presiding officer in the absence of the Chairman.

RECORDING AND CORRESPONDING SECRETARY

Section 4. The Commission shall appoint a Secretary who shall not be a member of the Historic District Commission or an officer, and shall have the following duties and responsibilities:

- (a) Prepare agenda for all meetings with the Chairman and provide notice of meetings to Commission members.
- (b) Keep minutes of all meetings, and records of the Commission.
- (c) Act as agent for the Commission in receiving submissions, applications, correspondence, etc.
- (d) Act as agent for the Commission in arranging for notice of public hearings and notifying interested parties of Commission actions as authorized by the Commission.

OFFICIAL RECORDS

Section 5. The City Clerk shall be the official custodian of the records of the Historic District Commission and shall make them available to the public as provided by law. The City Clerk may designate the office of the Secretary of the Commission or the Planning Office as the place where such records shall be kept.

ELECTIONS OF OFFICERS

Section 6.1 The officers shall be elected by the Historic District Commission at the annual organization meeting which shall be the regular scheduled meeting in November of each year.

Section 6.2 A candidate receiving a majority vote of the entire membership of the Historic District Commission shall be declared elected and shall serve for one year or until his or her successor shall take office.

Section 6.3 Vacancies in offices shall be filled by the Historic District Commission at any scheduled or special meeting.

Section 6.4 The Chairman and Vice-Chairman may serve two appointed terms. (Six Years).

MEETINGS

Section 7.1 The Historic District Commission shall hold one regular public meeting during each calendar month. The Chairman may cancel a regular meeting upon determination that there is no pending business or new application for Architectural Review Certificates; however at a minimum the Commission shall meeting quarterly.

Section 7.2 The monthly meeting date for the coming year shall be established by a majority of the Commission at its organization meeting of the year. The date of the public meeting can be changed during the year by a majority of the Commission.

Section 7.3 The Commission will consider all applications concerning matters within its jurisdiction only at its public meetings. All items to be submitted for consideration at any public meeting shall be submitted in complete form for Commission consideration not less than thirty days prior to said meeting. No items submitted subsequent to this time shall be placed upon the Agenda except by a majority vote of the Commission members present at such meeting. The

official date of receipt of any matter presented to the Commission shall be the date of the first public meeting at which such matter is received for consideration. Any maximum time periods established by the Zoning Ordinance or other local laws limiting the time for consideration of any matter by the Historic District Commission shall commence on such date of receipt.

Section 7.4 A majority of the membership of the Commission shall constitute a quorum. The Commission may act on any matter by a majority vote of such quorum.

Section 7.5 All formal votes to record the decision of the Commission on any matter referred to it shall be taken only by a quorum at a public meeting. By a majority vote of those members present the Commission may convene in executive session. However, all formal votes to record the Commission's decision shall only be taken during periods in which such meetings are open to the public.

Section 7.6 Special meeting may be called by the Chairman or by a majority of the Commission, providing not less than 24 hours notice by writing or telephone is given to each member of the Commission. Such meetings shall be executive sessions at which no formal votes shall be taken.

Section 7.7 All public and special meetings shall be held in the City Hall or other public facility with proper public notification.

AGENDA

Section 8. The Secretary shall prepare the proposed Agenda for each public meeting, with the Chairman not less than ten days prior to the date of such meeting, and shall transmit a copy of such Agenda to each Commission member on such date of preparation. No items will appear on such proposed Agenda except those for which applications or written requests have been received not less than thirty days prior to the date of the public monthly meeting as set forth in

Section 7 above. The Commission may amend the proposed Agenda by a majority vote of those members present.

Section 9.1 The order of business at public meetings shall be as follows:

- (a) Roll Call.
- (b) Adoption of Minutes of previous meetings.
- (c) Approval of Agenda
- (d) Communications
- (e) Report of Officers and Committees
- (f) Old Business
- (g) New Business
- (h) Referrals, Administrative Reviews, Petitions, Applications and Other Matters presented by the public.

Section 9.2 The order of business at special meetings shall be as determined by the Commission.

Section 9.3 At all meetings and hearings attended by the public, the Chairman shall make a brief statement indicating the nature of each item on the Agenda, except that in the case of petitions, applications and other matters presented by the public, such statement shall be made by the person introducing the matter.

Section 9.4 Minutes of all public and special meetings of the Commission shall form part of the records of the Commission and shall be available to the public when duly adopted by the Commission.

COMMITTEES

Section 10.1 The Chairman may appoint special subcommittees of the Commission from time to time as needed to investigate or research certain matters pertaining to the Historic District

Commission. Such subcommittees shall consist of at least one member of the Commission and may also consist of members of the general public. All members shall serve at the pleasure of the chairman.

PUBLIC HEARINGS

Section 11 The Commission shall hold public hearings as required by statute and applicable Ordinances of the City and the State of Delaware. In addition to those required by law, the Historic District Commission may at its discretion hold public hearing when it considers that such hearings will be in the public interest.

CONFLICT OF INTEREST

Section 12 No member shall vote on any Architectural Review Certificate application where They have a conflict of interest. A conflict of interest shall at a minimum be any vested interest by a member or a member's immediate family in a project being reviewed by the Commission or ownership in property by a member or a member's immediate family that is within 200 feet of a project being reviewed.

AMENDMENTS

Section 13 These By-Laws may be amended at any time by a majority vote of the entire membership of the Historic District Commission.