

ARTICLE V. HISTORIC PRESERVATION BOARD

Sec. 48-147. Establishment.

The historic preservation board is hereby established to implement the historic preservation provisions of this chapter.

(LDC 1982, ch. 11, § 11.5(intro.); Ord. No. 96-04, § V, 12-17-1996)

Sec. 48-148. Board membership.

- (a) The historic preservation board shall have five members appointed by the town council. One member of the historic preservation board shall be a registered architect and another a local historian, if available. The appointments shall be made on the basis of civic pride, integrity, experience, and interest in the field of historic preservation. The town council should appoint a representative from each of the following areas of expertise:
 - (1) History.
 - (2) Real estate or real property appraisal.
 - (3) Urban planning.
 - (4) Engineering or building construction.
- (b) Whenever possible, each member shall reside in the town.
- (c) Each member shall be appointed to a three-year term except that, initially, two members shall be appointed for a term of two years, and one member shall be appointed for a term of three years. No person may serve more than two consecutive three-year terms. Persons disqualified by this provision may be reappointed after one year elapses after the expiration of the second term of service.
- (d) When a position becomes vacant before the end of the term, the town council shall appoint a substitute member within 60 days to fill the vacancy for the duration of the vacated term. A member whose term expires may continue to serve until a successor is appointed and qualified.
- (e) An individual who misses three consecutive, regularly scheduled meetings of the historic preservation board without good cause shall be deemed to have resigned from that board and is not eligible for reappointment to that or any other board for at least one year. In that event, the town clerk shall notify the individual that his position will be declared vacant by the town council at the next regularly scheduled town council meeting unless the individual demonstrates good cause for having been absent. In addition, the town council may terminate the appointment of any board member for cause, including, but not limited to, excessive absences and conflicts of interest, upon giving notice and an opportunity to be heard. The town council shall take any and all action it deems appropriate in its sole discretion.

(LDC 1982, ch. 11, § 11.5.1; Ord. No. 96-04, § V(A), 12-17-1996; Ord. No. 2003-2, § 1, 7-15-2003; Ord. No. 2010-05, § 1, 3-2-2010)

Sec. 48-149. Officers.

The members of the historic preservation board shall annually elect a chair and vice-chair from among the members and may create and fill other offices as the historic preservation board deems necessary.

(LDC 1982, ch. 11, § 11.5.2; Ord. No. 96-04, § V(B), 12-17-1996)

Sec. 48-150. Subcommittees.

- (a) The historic preservation board shall create whatever subcommittees it deems necessary to carry out the purposes of the historic preservation board.
- (b) The chair of the historic preservation board shall annually appoint the membership of each subcommittee from the members of the historic preservation board.

(LDC 1982, ch. 11, § 11.5.3; Ord. No. 96-04, § V(C), 12-17-1996)

Sec. 48-151. Staffing.

The planning director shall appoint a town employee to serve as secretary to the historic preservation board, recorder and custodian of all board records.

(LDC 1982, ch. 11, § 11.5.4; Ord. No. 96-04, § V(D), 12-17-1996)

Sec. 48-152. Compensation.

Members shall not be compensated.

(LDC 1982, ch. 11, § 11.5.5; Ord. No. 96-04, § V(E), 12-17-1996)

Sec. 48-153. Funding.

The town council shall appropriate funds to permit the historic preservation board to perform its prescribed functions.

(LDC 1982, ch. 11, § 11.5.6; Ord. No. 96-04, § V(F), 12-17-1996)

Sec. 48-154. Required meetings.

The historic preservation board shall meet at least four times each year and minutes of each meeting shall be kept. Meetings will be conducted according to rules of procedure adopted by the board.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(G), 12-17-1996)

Sec. 48-155. Board to adopt the rules of procedure.

The historic preservation board shall adopt the rules of procedure as the recognized authority.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(H), 12-17-1996)

Sec. 48-156. Responsibilities of local board.

The responsibilities of the historic preservation board shall be complementary to those of the state historic preservation board office.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(I), 12-17-1996)

Secs. 48-157—48-180. Reserved.

ARTICLE VI. GENERAL FUNCTIONS, POWERS, AND DUTIES

Sec. 48-181. General responsibility of planning director.

It shall be the general responsibility of the planning director to take appropriate action to ensure that the historic preservation provisions of this chapter are implemented.

(LDC 1982, ch. 11, § 11.6; Ord. No. 96-04, § VI(A), 12-17-1996)

Sec. 48-182. Specific responsibility of historic preservation board.

- (a) It shall be the specific responsibility of the historic preservation board to:
- (1) Update the official inventory of cultural resources and submit to the town council recommendations and documentation concerning the updating.
 - (2) Develop programs to stimulate public interest in urban neighborhood conservation, to participate in the adaptation of existing codes, ordinances, procedures, and programs to reflect urban neighborhood conservation policies and goals.
 - (3) Explore funding and grant sources and advise property owners concerning which might be available for identification, protection, enhancement, perpetuation, and use of historic, architectural, archeological, and cultural resources.
 - (4) Cooperate with agencies of the town, county, regional, state and federal governments in plan proposed and future projects to reflect historic presentation concerns and policies, and assist in the development of proposed and future land use plans.
 - (5) Advise property owners and local governmental agencies concerning the proper protection, maintenance, enhancement, and preservation of cultural resources.
 - (6) Advise the town council concerning the effects of local governmental actions on cultural resources.
 - (7) Review and recommend the designation of sites, buildings, structures, objects, and districts, both public and private, as historically or architecturally significant.
 - (8) Approve or deny petitions for certificates of appropriateness required under the historic preservation regulations in this chapter.
 - (9) Notify the planning director who shall take appropriate action when it appears that there has not been compliance with the historic preservation regulations of this chapter.
 - (10) Assist in developing a historic preservation element to be incorporated into the town comprehensive plan and, if necessary, make recommendations for amendments to historic preservation goals, objectives and policies in the plan.
- (b) All local officials, owners of record and application shall be given a minimum of 30 days, and not more than 75 days, prior to commission meetings in which to comment on or object to the listing of a property in the National Register.
- (c) Objection by property owners must be notarized to prevent nomination to the National Register.
- (d) The state historic preservation officer will be provided with 30 days prior notice to all meetings.

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- (e) The process of initiating and continuing the identification of historical properties within the jurisdiction inventory materials shall be compatible with the state files.
 - (f) The historic preservation board shall review all proposed National Register nomination within its jurisdiction.
 - (g) The historic preservation board shall be afforded representation at any pertinent informational or educational meetings workshops and conferences.
 - (h) The town council shall provide funding for seeking expertise on proposals or matters requiring evaluation by a professional of a discipline not represented on the historic preservation board.

(LDC 1982, ch. 11, § 11.6; Ord. No. 96-04, § VI(B), 12-17-1996)

Secs. 48-183—48-202. Reserved.