**ORDINANCE**

**AN ORDINANCE ESTABLISING A HISTORIC PRESERVATION COMMISSION FOR WARREN COUNTY, IOWA; PROVIDING FOR THE RECOGNITION AND PROMOTION OF HISTORIC SITES AND DEFINING POWERS AND DUTIES OF THE COMMISSION.**

 **BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS:**

Section 1: Purpose and Intent

The purpose of this ordinance 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. Safeguard the County’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 County’s attractions to tourists and visitors and the support

 and stimulus to business thereby provided;

f. Strengthen the economy of the County;

g. Promote the use of sites and districts of historic and cultural significance as places for

 the education, pleasure, and welfare of the people of the County.

Section 2: Definitions

a. Commission. The Warren County Historic Preservation Commission, as established by

 this ordinance.

b. Historic District. An area which contains a significant portion of sites including

 archaeological sites, buildings, structures, objects and/or other improvements which,

 considered as a whole, possesses integrity of location, design, setting, materials,

 workmanship, feeling, and association, and

 1. embodies the distinctive characteristics of a type, period, or method of

 construction, or that represents the work of a master, or that possesses high artistic

 values, or that represents a significant and distinguishable entity whose components

 may lack individual distinction; or

2. is associated with events that have made significant contributions to the broad

 patterns of our local, state or national history; or

3. possesses a coherent and distinctive visual character or integrity based upon

 similarity of scale, design, color, setting, workmanship, materials, or combinations

 thereof, which is deemed to add significantly to the value and attractiveness of

 properties within such area.

4. is associated with the lives of persons significant in our past; or

5. has yielded, or may be likely to yield, information important in prehistory or history.

*c. Historic Landmark. A site including archaeological sites, object, structure or building which*,

1. is associated with events that have made a significant contribution to the broad patterns of our history; or

2. is associated with the lives of persons significant in our past; or

3. embodies the distinctive characteristics of a type, period, or method of construction,

 or that represents a work of a master, or that possesses high artistic values, or that

 represents a significant and distinguishable entity whose components may lack

 individual distinction; or

4. has yielded, or may be likely to yield, information important in prehistory or history.

Section 3: Warren County Historic Preservation Commission

a. The Commission shall initially consist of not less than three (3) members who shall be

 residents of the County.

b. Members of the Commission shall be appointed by the Board of Supervisors.

 Members shall demonstrate a positive interest in historic preservation, possessing

 interest or expertise in architecture, architectural history, historic preservation,

 county planning, building rehabilitation, conservation in general or real estate.

c. The original appointment of the members of the Commission shall be, three for two

 years, and two for three years, from January 1 following the year of such

 appointment or until their successor is appointed to serve for the term of three years.

d. Vacancies occurring in the Commission, other than expiration of term of office, shall

 be only for the unexpired portion of the term of the member replaced.

e. Members may serve for more than one term and each member shall serve until the

 appointment of a successor.

f. Vacancies shall be filled by the County according to the original selection as aforesaid.

g. Members shall serve without compensation.

h. A simple majority of the commission shall constitute a quorum for the transaction of

 business.

i. The Commission shall elect a Chairman who shall preside over all Commission meetings

 and elect a Secretary who shall be responsible for maintaining written records of the

 commission's proceedings.

j. The Commission shall meet at least three (3) times a year.

Section 4: Powers of the Commission

a. The Commission may conduct studies for the identification and designation of historic districts and landmarks meeting the definitions established by this ordinance. The commission may proceed at its own initiative or upon a petition from any person, group, or association. The Commission shall maintain records of all studies and inventories for public use.

b. The Commission may make a recommendation to the State Historic Preservation

 Office for the listing of a historic district or landmark in the National Register of

 Historic Places and may conduct a public hearing thereon.

c. The Commission may investigate and recommend to the Board of Supervisors the

 adoption of ordinances designating historic landmarks and historic districts if they

 qualify as defined herein; and

d. Provide information for the purpose of historic preservation to the governing body.

e. Promote and conduct an educational and interpretive program on historic properties

 within its jurisdiction.

f. Other Powers. In addition to those duties and powers specified above, the

 Commission may, with Board of Supervisors 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 properties.

3. Preserve, restore, maintain and operate historic properties, under the ownership

 or control of the Commission.

4. Lease, sell, and otherwise transfer or dispose of historic properties subject to

 rights of public access and other covenants and in a manner that will preserve the

 property.

5. Contract, with the approval of the governing body, with the state or the federal

 government or other organizations.

6. Cooperate with the federal, state and local governments in the pursuance of the

 objectives of historic preservation.

Section 5: Severability

Should any section or provision of this ordinance be decided by a court of this state to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 6: Amendatory Provisions

The County may amend this ordinance to meet any unforeseen circumstances which may affect the duties and responsibilities of the Commission.

Section 7: Effective Date

This ordinance shall take effect immediately upon passage and publication as required by law.

Passed, adopted and approved this \_\_\_ day of \_\_\_\_\_\_\_\_ 20\_\_.

ATTEST: WARREN COUNTY BOARD OF SUPERVISORS

/s/ Traci VanderLinden /s/ Crystal McIntyre \_\_\_\_\_\_\_\_\_\_

TRACI VANDERLINDEN CRYSTAL MCINTYRE, Chair AYE

 /s/ Aaron DeKock \_\_\_\_

 AARON DEKOCK, Vice-Chair AYE

 /s/ Doug Shull \_\_\_\_

 DOUG SHULL, Member AYE