

TEMPORARY ORDINANCE NO. 41-17

PERMANENT ORDINANCE NO. 41-17

AN ORDINANCE TO REPEAL AND REPLACE LANCASTER CODIFIED ORDINANCE PART THIRTEEN – BUILDING CODE, CHAPTER 1327 – HISTORIC PRESERVATION/DESIGN REVIEW, SECTION 1327.04 ESTABLISHMENT OF HISTORIC LANCASTER COMMISSION, OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER, AND TO DECLARE AN EMERGENCY

WHEREAS, it has been determined that the Ohio Revised Code does not allow a member of the legislative authority of a municipality operating pursuant to the general statutory plan of municipal governance to be a member of a historic preservation/design review committee like the Historic Lancaster Commission;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That Part Thirteen – Building Code, Chapter 1327 – Historic Preservation/Design Review, Section 1327.04 Establishment of Historic Lancaster Commission, be replaced pursuant to Exhibit “A” attached hereto.

SECTION 2. That existing Part Thirteen – Building Code, Chapter 1327 – Historic Preservation/Design Review, Section 1327.04 Establishment of Historic Lancaster Commission, is repealed in its entirety.

SECTION 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that immediate passage of this Ordinance is necessary to comply with the requirements of the Ohio Revised Code and is immediately effective upon execution of the Mayor.

Passed: 12/11/17 after 1st reading. Vote: Yeas 8 Nays 0

Approved: 12/11/17

Clerk: Teresa Lee Sandy

Offered by: David C. Zell

Second by: R. Guff

Requested by Law Committee

Norbert

President of Council

David L. Scheffler
Mayor

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2017 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

1327.04 ESTABLISHMENT OF HISTORIC LANCASTER COMMISSION.

There is hereby established the Historic Lancaster Commission in accordance with this Chapter.

- (a) The Historic Lancaster Commission shall consist of the required number of members as appointed by the Mayor with the approval of City Council, pursuant to the requirements of Sections 1327.04 (d) below. Members shall serve without compensation. The Mayor shall have the authority to appoint alternate members to the Commission, as may be determined appropriate.
- (b) Appointed members shall be subject to removal for cause by the Mayor. Vacancies for the remainder of an unexpired term shall be filled by the Mayor, within sixty (60) days from the date of vacancy. All members shall be residents of the City.
- (c) All members shall be appointed to three (3) year terms, and the initial term appointments provided for in this ordinance shall be staggered according to the following schedule:
 - (1) Two (2) members shall each be appointed to serve for an initial full term of three (3) years.
 - (2) The third and fourth members shall each be appointed for a term of two (2) years.
 - (3) The fifth member shall each be appointed for a term on one (1) year. All terms shall begin on January 1 of the applicable year.
- (d) Membership.
 - (1) The Commission shall consist of five (5) voting members. ~~One (1) member of the Commission shall be a member of City Council or a designee of City Council. Four (4)~~ The members shall be appointed by the Mayor with City Council approval. Three (3) members shall constitute a quorum, and a concurring majority vote by members present shall be necessary for official action.
 - (2) In appointing members, the Mayor shall make good faith effort to appoint persons with training in the fields of architecture, design, historic preservation, planning or related disciplines such as construction, commercial or mixed use development, or real estate. In addition, appointees should possess a demonstrated personal and/or professional interest, experience and knowledge in the preservation of historic structures.
 - (3) The Mayor shall solicit a list of potential nominees for membership on the Commission from organizations such as the Fairfield Heritage Association, Lancaster Special Improvement District, and Main Street Lancaster. Such list shall document the qualifications of potential nominees and shall be updated/revised on an annual basis. The Mayor shall review and consider such recommendations in appointing new members to the Commission.
(Ord. 42-08. Passed 10-20-08.)