

AN ORDINANCE AMENDING THE CITY CODE OF MUSCATINE TO
ESTABLISH THE MUSCATINE HISTORIC PRESERVATION COMMISSION

Be It Enacted by the City Council of the City of Muscatine,
Iowa:

SECTION 1. NEW CHAPTER. The City Code of Muscatine, Iowa, is hereby amended to adopt a new chapter to be entitled HISTORIC PRESERVATION COMMISSION as follows:

Purpose. 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 City'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 City's attractions to tourists and visitors and the support and stimulus to business thereby provided;

F. strengthen the economy of the City;

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 City.

Definitions.

A. Commission. The Muscatine Historic Preservation Commission, as established by this ordinance.

B. Historic District. An area which contains a significant portion of 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; or

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 Site. An archaeological or historic site, 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.

Muscatine Historic Preservation Commission. There is hereby created and organized the Muscatine Historic Preservation Commission to be appointed as hereinafter provided with duties and responsibilities as set for in this Chapter.

Appointment and Terms. The Commission shall consist of five (5) members to be appointed by the Mayor, with the approval of the Council. The term of office of such members shall commence with their appointment, one (1) of which members shall be appointed for a term to expire on July 1, 2001, two (2) of which members shall be appointed for a term to expire on July 1, 2002 and two (2) of which shall be appointed for a term to expire on July 1, 2003. Thereafter, each member shall be appointed for a term of three (3) years. All members of the Commission shall remain on the Commission until their successors are appointed. No one individual shall serve for more than two (2) full consecutive terms on the Commission.

Removal-Vacancies. The Council may, at any time, remove any member of the Commission after showing due cause, and the Mayor, with the consent of the Council, shall fill the vacancies occurring on the Commission by removal or otherwise.

Qualifications. At least three (3) members of the Commission shall be persons who are qualified by experience and/or training in the fields of architecture, engineering and/or building trades so as to be qualified in the evaluation and assessment of historic properties. Each member of the Commission shall be a resident of the City of Muscatine, Iowa.

Compensation. The members of the Commission shall serve without compensation.

Chairperson and Secretary. The Commission shall elect a Chairperson who shall preside over all Commission meetings. The City Administrator or his/her designee shall serve as Secretary who shall be responsible for maintaining written records of the commission's proceedings.

Meetings and Quorum. The Commission shall meet at least three (3) times a year and a simple majority of the Commission shall constitute a quorum for the transaction of business

Responsibilities and Duties. The Commission may do the following:

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

B. make a recommendation to the Council to recommend to the State Historic Preservation Officer for the listing of a historic district or site in the National Register of Historic Places and may conduct a public hearing thereon.

C. investigate and recommend to the Council the adoption of ordinances designating historic sites and historic districts if they qualify as defined herein.

D. accept unconditional gifts and donations of real and personal property, including money, for the purpose of historic preservation.

E. acquire by purchase, bequest, or donation, fee and lesser interests in historic properties, including properties adjacent to or associated with historic properties.

F. preserve, restore, maintain and operate historic properties, under the ownership or control of the Commission.

G. 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.

H. contract, with the approval of the Council, with the state or the federal government or other organizations.

I. cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation.

J. provide information for the purpose of historic preservation to the Council.

K. promote and conduct an educational and interpretive program on historic properties within its jurisdiction.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

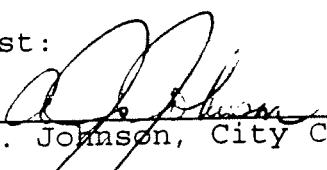
SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council the 21st day of September, 2000, and approved this 22nd day of September, 2000.


Richard W. O'Brien, Mayor

Attest:


A. J. Johnson, City Clerk

First Reading	<u>08/17/00</u>
Second Reading	<u>09/07/00</u>
Third Reading	<u>09/21/00</u>
Publication	<u>09/29/00</u>