

AN ORDINANCE CREATING A HERITAGE PRESERVATION COMMISSION

THE CITY OF FARIBAULT ORDAINS:

Section 1. The Faribault Code of Ordinance Appendix C Zoning is amended by Adding Subdivision 19.

SUBDIVISION 19 HERITAGE PRESERVATION

(a) Purpose

The intent of this subdivision is to recognize that the protection, enhancement and perpetuation of properties of historical, cultural and aesthetic merit is in the best interests of the health, prosperity and welfare of the people of the City of Faribault, and that a commission should be established to advise the City Council on methods to accomplish said intent.

(b) Commission Organization

(1) Number and Appointment

The heritage preservation commission shall consist of nine (9) to fifteen (15) voting members all of whom shall be appointed by resolution of the City Council. Any member appointed to the commission by the council may be removed by a majority vote of the council. The initial membership of the commission shall be nine (9) members and the City Council may increase the size of the commission up to fifteen (15) members by resolution. Should the council increase the size of the commission it shall be increased so that the total voting membership of the commission shall always be an odd number.

(2) Qualifications and Composition of Membership

The membership of the commission is appointed by the Council shall include the following:

- (a) One member from a list of members submitted by the local realtors association.
- (b) One member from a list of members submitted by the Chamber of Commerce or a downtown association.
- (c) One member whose profession of work involves a knowledge of the building construction or construction trades.
- (d) One member from the list of members submitted by the Rice County Historical Society.
- (e) The remaining members shall be selected at large who have a knowledge and interest in architecture, history and heritage of the City of Faribault.

(3) Terms of Office

All members of commission shall have terms of three (3) years expiring on April 1. Of those members appointed in 1981, three (3) shall be appointed for a term of one (1) year, three (3) for a term of two (2) years and three (3) for a term of three (3) years. Both original and successive appointees shall hold their offices until their successors are appointed and qualified. Should the City Council enlarge the membership of the commission by resolution, the council shall appoint the additional membership in this manner.

- (a) The tenth (10th) and eleventh (11th) membership appointments for a one-year term,
- (b) The twelfth (12th) and thirteenth (13th) membership appointments for a two-year term, and
- (c) The fourteenth (14th) and fifteenth (15th) membership appointments for a three-year term.

(4) Commission Members to Take Oath

Every appointed member of the heritage preservation shall before entering upon the discharge of his duties, take an oath that he will faithfully discharge the duties of his office.

(5) Vacancies on Preservation Commission

Vacancies on the preservation commission during the term shall be filled by the Council for the unexpired portion of the term.

(6) Commission Meetings

The preservation commission shall hold such meetings as determined necessary by the Commission.

(7) Election of a Chairman of Preservation Commission; Authority to Create, Fill Other Offices.

The preservation commission shall elect a chairman from among its appointed members for a term of one year; and the commission may create and fill such offices as it may determine.

(8) Authority of Commission to Adopt Rules.

The preservation commission shall adopt rules for the transaction of its business.

(9) Compensation of Commission Members.

All members of the preservation commission shall serve without compensation.

(c) Staff Services, Funding and Records.

(1) Staff Services

- (a) The City Administrator or another employee of the city as appointed by the City Administrator shall be designated as the city heritage preservation officer.
- (b) It shall be the duty of the city heritage preservation officer to prepare and distribute an agenda for a proposed commission meeting. The heritage preservation officer shall be in attendance at all meetings to keep a public record of all business conducted by the commission and to thereafter administrate the business of the commission.

(2) Funding

- (a) The City Council shall consider annually an appropriation of funds if any, within the budget limitations for the operation of the commission.

- (b) The commission may with the consent and approval of of the City Council and with the assistance of the heritage preservation officer apply for and receive any Federal, State, or private grant, grant-in-aid, gift or funds in furtherance of the general purpose of this act.
- (c) The City Administrator or another employee of the city as appointed by the Administrator shall be designated as the Administrator of any Federal, State, City or private grants, grants-in-aid, gifts or funds which are received and expended.

(3) Records

- (a) The heritage preservation commission shall keep minutes and records of all meetings and proceedings including voting records, attendance, resolutions findings, determination and decisions. All such material shall be public record and available for inspection.
- (b) On or before the First day of January of each year, the heritage preservation commission shall submit to the City Council a report of its work during the preceding year.

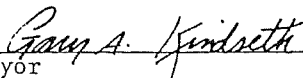
(d) Preservation Plan-Duty to Prepare

- (1) Upon the appointment and organization of the heritage preservation commission the commission shall proceed with the preparation of a city preservation plan.
- (2) The contents of the city preservation plan shall address and recommend the following:
 - (a) City goals objectives and policy statements to be incorporate as a part of the city's comprehensive plan as it pertains to the preservation of the city's heritage.
 - (b) The methods and criteria which are used to determine which sites are worthy to designate to a local, state or federal register:
 - (c) The methods necessary to implement the goals, objectives and intent of the preservation plan.
- (3) Upon completion of the city preservation plan or any amendment thereof it shall be referred to the City Council for consideration.
- (4) Prior to adoption of or an amendment to the City preservation plan, the City Council shall hold at least one public hearing and notice of the time and place of which shall be published in conformance with state law at least ten (10) days before the hearing. The adoption of the city preservation plan or of any section or amendment thereof shall be by resolution of the council, approved by an affirmative vote of not less than five-sevenths (5/7) of its total membership. The council may, from time to time, amend or add to the preservation city plan or any section thereof in the same manner provided for the adoption of the original plan whenever changed conditions or further studies by the council indicate that such amendment or addition is necessary.
- (5) Upon the adoption of the city preservation plan, it shall be the duty of the heritage preservation commission to recommend to the City Council reasonable and practicable means for putting into effect such plan.

Section 2. This Ordinance shall take effect thirty (30) days after its passage and publication.

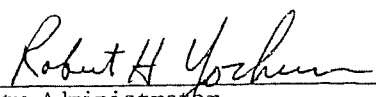
First Reading: May 12, 1981

Second Reading: May 26, 1981



Mayor

ATTEST:



City Administrator

CITY OF FARIBAULT
ORDINANCE 2008- 02

AN ORDINANCE ESTABLISHING THE HERITAGE PRESERVATION COMMISSION

WHEREAS, the City of Faribault adopted Ordinance No. 81 in 1981; and

WHEREAS, the codified language of Ordinance No. 81 was inadvertently omitted from a revised version of the Faribault City Code; and

WHEREAS, the City of Faribault desires to reaffirm and readopt a new ordinance regarding the Heritage Preservation Commission and to insert such ordinance in a new chapter of the Faribault City Code.

NOW THEREFORE,

THE CITY OF FARIBAULT ORDAINS:

Section 1. The Faribault Code of Ordinance is amended by adding Chapter 30.

Chapter 30. HERITAGE PRESERVATION

(a) Purpose

The intent of this Chapter is to recognize that the protection, enhancement and perpetuation of properties of historical, cultural and aesthetic merit is in the best interests of the health, prosperity and welfare of the people of the City of Faribault, and that a commission should be established to advise the City Council on methods to accomplish said intent.

(b) Commission Organization

(1) Number and Appointment

The heritage preservation commission shall consist of seven (7) to fifteen (15) voting members all of whom shall be appointed by resolution of the City Council. Any member appointed to the commission by the council may be removed by a majority vote of the council. The initial membership of the commission shall be seven (7) members and the City Council may increase the size of the commission up to fifteen (15) members by resolution. Should the council increase the size of the commission it shall be increased so that the total voting membership of the commission shall always be an odd number.

(2) Terms of Office

All members of commission shall have terms of three (3) years expiring on April 1. Of those members appointed in 1981, three (3) shall be appointed for a term of one (1) year, three (3) for a term of two (2) years and three (3) for a term of three (3) years. Both original and successive appointees shall hold their offices until their successors are appointed and qualified. Should the City Council enlarge the membership of the commission by resolution, the council shall appoint the additional membership in this manner.

- (a) The eighth (8th) and ninth (9th) membership appointments for a one-year term and
- (b) The tenth (10th) and eleventh (11th) membership appointments for a, two-year term and
- (c) The twelfth (12th) and thirteenth (13th) membership appointments for a, three-year term and
- (d) The fourteenth (14th) and fifteenth (15th) membership appointments for a one-year term..

(3) Commission Members to Take Oath

Every appointed member of the heritage preservation shall before entering upon the discharge of his duties, take an oath that he will faithfully discharge the duties of his office.

(4) Vacancies on Preservation Commission

Vacancies on the preservation commission during the term shall be filled by the Council for the unexpired portion of the term.

(5) Commission Meetings

The preservation commission shall hold such meeting as determined necessary by the Commission.

(6) Election of a Chairman of Preservation Commission; Authority to Create, Fill Other Offices.

The preservation commission shall elect a chairman from among its appointed members for a term of one year; and the commission may create and fill such offices as it may determine.

(7) Authority of Commission to Adopt Rules.

The preservation commission shall adopt rules for the transaction of its business,

(8) Compensation of Commission Members.

All members of the preservation commission shall serve without compensation.

(c) Staff Services, Funding and Records.

(1) Staff Services

- (a) The City Administrator or another employee of the city as appointed by the City Administrator shall be designated as the city heritage preservation officer.

- (b) It shall be the duty of the city heritage preservation officer to prepare and distribute an agenda for a proposed commission meeting. The heritage preservation officer shall be in attendance at all meetings to keep a public record of all business conducted by the commission and to thereafter administrate the business of the commission.

(2) Funding

- (a) The City Council shall consider annually an appropriation of funds if any, within the budget limitations for the operation of the commission.
- (b) The commission may with the consent and approval of the City Council and with the assistance of the heritage preservation officer apply for and receive any Federal, State, or private grant, grant-in-aid, gift or funds in furtherance of the general purpose of this act.
- (c) The City Administrator or another employee of the city as appointed by the Administrator, shall be designated as the Administrator of any Federal, State, City or private grants, grants-in-aid, gifts or funds which are received and expended.

(3) Records

- (a) The heritage preservation commission shall keep minutes and records of all meetings and proceedings including voting records, attendance, resolutions findings, determination and decisions. All such material shall be public record and available for inspection.
- (b) On or before the First day of January of each year, the heritage preservation commission shall submit to the City Council a report of its work during the preceding year.

(d) Preservation Plan-Duty to Prepare

- (1) Upon the appointment and organization of the heritage preservation commission the commission shall proceed with the preparation of a city preservation plan.
- (2) The contents of the city preservation plan shall address and recommend the following:
 - (a) City goals objectives and policy statements to be incorporated as a part of the city's comprehensive plan as it pertains to the preservation of the city's heritage.
 - (b) The methods and criteria which are used to determine which sites are worthy to designate to a local, state or federal register.
 - (c) The methods necessary to implement the goals, objectives and intent of the preservation plan.
- (3) Upon completion of the city preservation plan or any amendment thereof it shall be referred to the City Council for consideration.

- (4) Prior to adoption of or an amendment to the, City preservation plan, the City Council shall: hold at least one public hearing and notice of the time and place of which shall be published in conformance with state law at least ten (10) days before the hearing. The adoption of the city preservation plan or of any section or, amendment thereof shall be by resolution of the council, approved by an affirmative vote of not less than five-sevenths (5/7) of its total membership. The council may, from time to time, amend or add to the preservation city plan or any section thereof in the same manner provided for the adoption of the original plan whenever changed conditions or further studies by the council indicate that such amendment or addition is necessary.
- (5) Upon the adoption of the city preservation plan, it shall be the duty of the heritage preservation commission to recommend to the City Council reasonable and practicable means for putting into effect such plan.

Section 2. This Ordinance shall take effect thirty (30) days after its passage and publication.

First Reading: January 22, 2008
Second Reading: February 12, 2008
Publication Date:

Faribault City Council

Chuck Ackman, Mayor

Attest:

Timothy Madigan, City Administrator