

DRAFT NO. 3

8/27/90

Amended by Ord. 9457, passed 12-18-90

ORDINANCE NO. 9296

AN ORDINANCE ESTABLISHING THE CITY OF JOLIET
HISTORIC PRESERVATION COMMISSION AND APPROVING
THE HISTORIC PRESERVATION ORDINANCE

WHEREAS, the Mayor and City Council have determined that it is necessary to preserve buildings, structures, and sites of historical and architectural significance in the City of Joliet; and

WHEREAS, those buildings, structures, and sites are important cultural, educational, and economic assets of the City of Joliet, and the character of the neighborhoods in which they are located should not be lost through inappropriate expansion, alteration, or change of use or appearance; and

WHEREAS, the Mayor and City Council have determined that it is necessary to create a Historic Preservation Commission for the purpose of identifying and overseeing the City's historic land-

marks, districts, and sites and preserving such districts and sites for the use, observation, education, pleasure, and general welfare of the inhabitants of the City of Joliet; and

WHEREAS, many historic landmarks, districts, and sites are located within the I & M Canal National Heritage Corridor, and their preservation will promote tourism within the Corridor; and

WHEREAS, the City of Joliet is authorized to enact an Historic Preservation Ordinance pursuant to its home rule power as such an Ordinance pertains to its government and affairs.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL of the CITY OF JOLIET, WILL COUNTY, ILLINOIS, as follows:

SECTION 1: The Code of Ordinances of the City of Joliet is amended with the addition of the following as Article XI of Chapter 8:

ARTICLE XI. HISTORIC PRESERVATION ORDINANCE

DIVISION 1. GENERAL PROVISIONS

Sec. 8-601. Definitions.

Words and phrases as used in this article shall have the following meanings:

(a) Alteration: Any act or process which changes one or more of the exterior features of the property and improvements which have been designated for preservation under this ordinance.

(b) Certificate of appropriateness: A certificate issued by the commission authorizing the performance of alterations, construction, or demolition on property and improvements which have been designated for preservation under this ordinance.

(c) Certificate of economic hardship: A certificate issued by the commission authorizing the performance of alterations, construction, or demolition on property and improvements which do not comply with the requirements of this ordinance or regulations promulgated hereunder but which are allowed by the commission because the property and improvements cannot be put to a reasonably beneficial use or the owner cannot obtain a reasonable economic return therefrom. □

(d) Commission: The Historic Preservation Commission.

(e) Construction: Any act or process which requires a building permit.

(f) Demolition: Any act or process which destroys or removes, in whole or in part, an improvement which has been designated for preservation under this ordinance.

(g) Exterior features: The architectural character, the general composition, and the general arrangement of the outer surfaces of an improvement, including the kind, color, and texture of building materials and the type and character of windows, doors, light fixtures, signs, fences, and appurtenant elements.

(h) Improvement: Any building, structure, bridge, work of art, place, parking facility, fence, gate, wall, landscaping or other object constituting a physical addition to real property, or any part of such addition.

(i) Ordinance: This Historic Preservation Ordinance.

(j) Owner of record: The person, corporation, partnership, association, trust or other legal entity holding title to the real property and the improvements thereon; any person or legal entity using or occupying the subject property, including beneficial owners, tenants, invitees, and licensees, shall be bound by the provisions of this ordinance as would the owner of record.

(k) Structure: Any building, wall, fence, sign, utility fixtures, steps, or appurtenant elements thereof.

Sec. 8-602. General provisions.

(a) No provision of this ordinance shall be construed as repealing any other code or ordinance of the City of Joliet, and any permit or license required thereunder shall be required in addition to any certificate of appropriateness or certificate of economic hardship which may be required under this ordinance; provided, however, that where a certificate of appropriateness or certificate of economic hardship is required, no such other permit or license shall be issued by any department of the City of Joliet before a certificate has been issued as provided by this ordinance.

(b) The use of property and improvements which have been designated under this ordinance shall be governed by the Joliet Zoning Ordinance and any other applicable law.

© Whenever there is a conflict between the provisions of this ordinance or a regulation adopted hereunder and the provisions of any other code or ordinance of the City of Joliet, the more restrictive shall apply.

(d) For purposes of remedying emergency conditions determined to be dangerous to life, health or property, the commission may waive the procedures set forth herein and grant immediate approval for a certificate of appropriateness. The commission shall state its reasons in writing for such immediate approval.

DIVISION 2. HISTORIC PRESERVATION COMMISSION

Sec. 8-603. Creation and composition.

(a) There is hereby created the Historic Preservation Commission which shall consist of seven voting members to be appointed by the mayor with the approval of the city council. The initial members shall serve staggered terms as determined by lots drawn at the first regular meeting of the commission, two members to serve for one year, two members to serve for two years, and three members to serve for three years. As each initial term expires, appointments shall be made for full terms of three years and until the respective successor of each member is appointed. Vacancies shall be filled by appointment for the remainder of an unexpired term. Members shall serve without compensation.

(b) The voting members of the commission shall be residents of the City of Joliet and shall be appointed on the basis of demonstrated expertise, experience or interest in the areas of anthropology, architecture, art, building construction, engineering, finance, historical, and architectural preservation, history, law, community development, planning, real estate, and related professions.

© The mayor, with the approval of the city council, may appoint three persons to serve as non-voting members of the commission. Such members shall be appointed on the same basis as voting members, but the non-voting members need not be residents of the City of Joliet. Non-voting members shall not hold any officer's positions. Each non-voting member shall serve for a two-year term.

Sec. 8-604. Organization.

(a) The voting members of the commission shall appoint a chairman and a vice chairman from among its voting members for terms of one year. The chairman shall preside over meetings. In the absence of the chairman, the vice chairman shall perform the duties of the chairman.

(b) The commission shall adopt rules for the conduct of its business. Meetings shall be held at regularly scheduled times to be determined by the commission or at the call of the chairman or three members. All meetings of the commission shall be open to the public and subject to the Illinois Open Meetings Act.

© A quorum shall consist of four voting members. The transaction of business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification, or rescission of any rule or part thereof shall require the affirmative vote of four members.

(d) The mayor may remove any member for incompetence, neglect of duty, misfeasance in office, or other just cause or for a member's failure to attend at least

two-thirds of all meetings held during a one-year period. The mayor shall, within ten (10) days, report in writing such removal to the city council with reasons therefor.

(e) The city manager or his designee shall serve as secretary of the commission and shall provide staff support to the commission. The secretary shall keep, or cause to be kept, a record of all proceedings and actions of the commission, which record shall be open to the public for inspection and shall be kept and maintained at his or her office. The commission shall submit an annual report of its activities to the city council.

(f) Any member of the commission having a pecuniary or personal interest in any matter coming before the commission shall disclose such interest to the other members and such interest shall be made a matter of record. Any member having such an interest shall not participate on such matter as a member of the commission nor shall he or she vote or in any way use his or her personal influence on such matters nor shall he or she be counted in determining a quorum for consideration of such matter.

Sec. 8-605. Powers and duties.

The commission is hereby authorized:

(a) To make recommendations to the city council for the designation of landmarks, historic districts, and urban conservation districts within the corporate limits of the City of Joliet in accordance with the procedures and standards hereinafter set forth.

(b) To issue, modify, deny, suspend, or revoke certificates of appropriateness and economic hardship in accordance with the procedures and criteria hereinafter set forth.

(c) To adopt rules and regulations, including such guidelines as may be deemed necessary for review of applications for certificates of appropriateness and economic hardship.

(d) To keep a register of all property and improvements which have been designated for preservation. This register shall include the information required of each designation, along with the appropriate maps.

(e) To provide technical and professional assistance to the owners of property and improvements which have been designated for preservation.

(f) To retain, upon approval by the city council, such specialists as may be required from time to time.

(g) To engage in mutual cooperation with other city departments and commissions on matters affecting the property and improvements which have been designated for preservation.

(h) To make suggestions and recommendations relative to the nomination of designated property and improvements to state and national registers.

(i) To perform any and all functions which will foster the marking and maintenance of designated property and improvements in accordance with the respect to which they are entitled and as will aid the public in visiting such areas with convenience and in appropriate surroundings.

(j) To recommend the city's acquisition by donation, purchase, or eminent domain of a fee or lesser interest in designated property and improvements, including but not limited to easements, covenants, and leasehold interests; and to reconstruct, maintain, operate, or transfer such property so acquired,

all in accordance with the purposes, procedures, and standards set forth herein.

(k) To induce by contract or other consideration the creation of covenants or restrictions binding on land.

(l) To seek on behalf of the City of Joliet funds from federal, state, and private sources for deposit in a separate account of the city to be referred to as the preservation fund, which funds shall only be loaned or expended in accordance with procedures established by the city council for such purposes as are herein set forth.

(m) To recommend the city's acquisition by donation, purchase or eminent domain of a fee or lesser interest in property which is within the public view and adjacent to or immediately surrounding designated property and improvements the alteration, clearance or maintenance of which is important for the proper preservation and use of the designated property and improvements.

(n) To recommend the issuance of revenue bonds by the corporate authorities.

(o) To cooperate with other governmental bodies or agencies and not-for-profit organizations with purposes similar to those set forth in this ordinance, including but not limited to the execution of contracts and the conveyance of property whether by purchase or donation.

DIVISION 3. DESIGNATION STANDARDS

Sec. 8-606. Landmarks.

The commission in recommending designation and the city council in approving designation shall consider the following in reviewing property and improvements for designation as landmarks:

(a) Significant value as part of the historical, cultural, aesthetic, artistic, social, ethnic, or other heritage of the nation, state, or community.

(b) Associated with an important person or event in national, state, or local history.

(c) Representative of the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style, craftsmanship, method or construction or use of indigenous materials.

(d) Notable work of a master builder, designer, architect, or artist whose individual genius has influenced an era.

(e) Identifiable as an established and familiar visual feature in the community owing to its unique location or physical characteristics.

(f) Owner preferences.

(g) Economic and functional potentials.

Sec. 8-607. Historic districts.

The commission in recommending designation and the city council in approving designation shall consider the following in reviewing property and improvements for designation as historic districts:

- (a) Any of the standards listed in the landmarks section.
- (b) Homogeneity of architectural design or dates of construction throughout the area.
- © Identifiable by clear and distinctive boundaries.
- (d) Repetition of distinguishing architectural, land use, or landscape characteristics throughout the area.

Sec. 8-608. Urban conservation districts.

The commission in recommending designation and the city council in approving designation shall consider the following in reviewing property and improvements for designation as urban conservation districts:

- (a) Any of the standards listed in the landmarks and historic districts sections.
- (b) Identifiable as a traditional Joliet neighborhood, commercial area, or public activity center.
- © Characterized by solid housing or commercial buildings which are not necessarily significant or homogeneous in architectural design.
- (d) Threatened with deterioration, demolition, or disharmonious alteration.

DIVISION 4. DESIGNATION PROCEDURE

Sec. 8-609. Application.

The commission, by five affirmative votes of its members then holding office or any person, group of persons, or association may apply for landmark, historic district, or urban conservation district designation for property and improvements located within the corporate limits of the City of Joliet. Applications shall be filed with the secretary on forms provided by the commission. The application shall include or be accompanied by the following:

- (a) The name and address of the owner of the property proposed for designation, including the names of the beneficial owners of property held in a land trust.
- (b) The legal description and common street address of the property proposed for designation.
- © A map delineating the boundaries and location of the property proposed for designation.
- (d) A written statement describing the property and setting forth reasons in support of the designation proposed.
- (e) An indication of whether or not the owner consents to the proposed designation.
- (f) Photographs of the property.
- (g) Such other information as may be required by the commission.

Sec. 8-610. Notification and preliminary review.

(a) Upon receipt of an application for designation, the secretary shall schedule a preliminary review to be held at the next regular meeting of the commission. The secretary shall notify the applicant of the time and place of the preliminary review and also notify the city manager and the city departments designated by him that an application for designation has been received and requesting that each department report to the commission on any matters affecting the subject property or surrounding area.

(b) After the preliminary review, the commission shall consider the application at a public hearing.

Sec. 8-611. Public hearing and decision.

(a) A public hearing shall be held within thirty days following the completion of preliminary review.

(b) The secretary shall notify the applicant and owner (s) of the subject property as to the date, time, place, and purpose of the public hearing. Such notice shall be in writing and shall be sent not less than fifteen days in advance of such hearing by certified mail, properly addressed as shown on the tax assessor's rolls. Failure to send such notice where no address appears on the tax assessor's roll shall not invalidate the proceedings of the commission.

© The secretary shall also publish a notice in a newspaper of general circulation in the City of Joliet describing the property proposed for designation and setting forth the date, time, place, and purpose of the hearing. The hearing may be continued from time to time without further notice.

(d) The applicant shall produce at the time of the hearing such information as the commission may require including, but not limited to, the following:

(1) All information required with the application.

(2) A visual presentation of the significant improvements on the subject property, together with information as to the age, condition, and use of each.

(3) Proposals for preservation and enhancement of the property proposed for designation.

(e) The applicant and the owners of subject property shall be entitled to speak at the public hearing, and the commission shall accept comments from all other interested parties. The commission shall review and evaluate all available information according to the applicable standards set forth in this ordinance. A record of the proceedings shall be made and retained as a public record.

(f) The commission shall make a recommendation on the application to the city council within thirty days after the conclusion of the public hearing. The commission may recommend the approval, denial, or approval subject to modifications or conditions, but any recommendation accompanied by modification or conditions may not modify a designation to extend beyond the property described in the application unless a new application is filed and the procedure repeated.

(g) The commission's recommendation shall be in writing or recorded in the minutes of the commission.

(h) After the commission has made its recommendation, the city council shall approve, deny, or approve subject to modifications or conditions the application for designation according to the standards set forth in this ordinance; provided that the designation as modified not extend beyond the property described in the application. When a majority of the members of the commission then holding office has made a recommendation to deny the application, the application may be approved by the city council only if it receives the approval of two-thirds of the members of the city council then holding office.

(i) If the application is approved, the approval shall be in the form of an ordinance, and the city clerk shall record a copy of the ordinance approving the designation with the county recorder of the county in which the property is located.

(j) No application relating to the same property may be filed during the twelve months following a denial of designation by the city council.

(k) A designation may be amended or rescinded by the same procedure and according to the same standards and considerations set forth for designation.

Sec. 8-612. Regulation during consideration period.

□g From the date of filing an application until the date of a final decision by the city council, the provisions of Division shall apply as if the subject property were designated as requested; provided, however, that this interim control shall in no case apply for more than 180 days after the application is filed.

DIVISION 5. REGULATION OF ALTERATION, CONSTRUCTION, AND DEMOLITION

Sec. 8-613. Scope of regulation.

Construction, alteration, or demolition on property and improvements shall be regulated as follows:

(a) Landmarks: No alterations, interior construction which affects structural members, exterior construction or exterior demolition may be performed on property and improvements which have been designated under this ordinance as landmarks except as shall be approved by a certificate of appropriateness.

(b) Historic districts and urban conservation districts: No alterations, exterior construction or exterior demolition may be performed on property and improvements located within an area which has been designated under this ordinance as an historic district or an urban conservation district except as shall be approved by a certificate of appropriateness. A certificate of appropriateness shall be required for all new construction and the relocation of existing structures that occur in an historic district or urban conservation area.

Sec. 8-614. Certificate of appropriateness - procedure.

(a) Applications for certificates of appropriateness shall be filed with the secretary of the commission on forms provided by the commission and shall be accompanied by such information,

plans, elevations, specifications, and other documents as may be required.

(b) At the next regular meeting, the commission shall review the application and may grant a certificate of appropriateness if it finds that the proposed work is clearly appropriate and in accordance with this ordinance. The granting of a certificate of appropriateness shall be the final administrative decision.

□g © If the commission does not find the proposed work so clearly appropriate and in accordance with this ordinance, then a public hearing shall be scheduled to be held within the next thirty days. The applicant shall be notified of the time, date, place, and purpose of such hearing by certified mail, properly addressed as shown on the tax assessor's rolls. Notice shall also be given by regular mail in the manner herein specified to the owners of record in the subject designation within three hundred feet of the applicant's location. Notification may also be given by regular mail to the owners or occupants of other properties which may be affected as determined by the commission. All such notices shall be mailed not more than thirty days nor less than ten days in advance of such hearing. Failure to send such notice where no address appears on the tax assessor's rolls shall not invalidate the proceedings of the commission. Also, notice shall be published at least once not less than fifteen days but not more than thirty days in advance of such hearing in a newspaper of general circulation in the City of Joliet. The hearing may be continued from time to time without further notice.

(d) The applicant and all owners of property within the subject designation shall be entitled to speak at the public hearing, and the commission shall accept comments from all other interested parties. A record of the proceedings shall be made and maintained by the secretary.

(e) Subject to the provisions of the economic hardship section, the commission shall render a decision to issue, deny, or modify the requested certificate of appropriateness on the basis of the criteria set forth in this ordinance within thirty days after the public hearing. The commission's decision shall be in writing or recorded in the minutes of the commission.

(f) Following a denial, the application shall not be resubmitted within the next twelve months except upon the written request of an applicant indicating the incorporation of changes in plans and specifications as may have been recommended by the commission.

(g) After the issuance of a certificate, no change may be made in the proposed work without resubmittal of an application.

(h) The denial of an application or an unacceptable conditional or modified certificate may be appealed to the city council on a form to be provided by the City. The city council shall be authorized to affirm, reverse, or modify the commission's decision; however, a reversal or modification shall

require a two-thirds vote of the members of the city council then holding office provided that the commission's denial received a majority vote of those members of the commission then holding office.

Sec. 8-615. Criteria for certificate of appropriateness.

The commission shall consider, where applicable, the following criteria in determining whether or not proposed construction, alteration, or demolition is compatible and appropriate:

(a) Whether the proposed work will highlight or positively enhance any exterior feature of the property and improvements.

(b) Whether any new improvements will have a positive effect and harmonize with the external appearance of neighboring improvements.

(c) The extent and process of any proposed demolition and subsequent changes in landscaping.

(d) Whether the proposed work will result in the maintenance or addition of site landscaping and other vegetation.

(e) A report from the building inspector on the state of repair and structural stability of the improvement under consideration.

(f) Any changes in the essential character of the area which would occur as a result of approval of the certificate.

(g) Whether the proposed work conforms to the following design criteria as well as any specific guidelines which the commission may adopt with the approval of the city council:

(1) Height: The height of the proposed structure or additions or alterations should be compatible with surrounding structures.

(2) Proportions of structure's front facade: The proportion between the width height of the proposed structure should be compatible with nearby structures.

(3) Proportions of openings into the facility: The proportions and relationships between doors and windows should be compatible with existing structures.

(4) Relationship of building masses and spaces: The relationship of a structure to the open space between it and adjoining structures should be compatible.

(5) Roof shapes: The design of the roof should be compatible with adjoining structures.

(6) Landscape and appurtenances: Landscaping and the use of appurtenances should be sensitive

to the individual structures, its occupants and their needs. Further, the landscape treatment should be compatible with surrounding structures and landscapes.

(7) Scale of structure: The scale of the structure should be compatible with surrounding structures.

(8) Directional expression of front elevation: Street facades should blend with other structures with regard to directional expression. When adjacent structures have a dominant horizontal or vertical expression, this should be carried over and reflected.

(9) Architectural details: Architectural details and materials should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent characteristics of that area.

(10) Exterior construction materials: Exterior materials, including textures and patterns, but not necessarily color, should be compatible with surrounding structures.

Sec. 8-616. Administrative issuance of certificate of appropriateness.

If the city council and the commission have adopted design criteria and specific guidelines such as those set forth in Section 8-615(g) for a particular historic district or urban conservation area, and an application for a certificate of appropriateness has been filed for property located within such district or area and such application shows that the proposed alteration complies with all applicable design criteria and specific guidelines, then the city manager or his designee shall be authorized to issue a certificate of appropriateness without formal approval by the commission. If the application is found by the administrative officer not to be in compliance with all applicable design criteria and specific guidelines, then the certificate of appropriateness cannot be issued without approval of the commission in accordance with the administrative procedure set forth in this section.

Sec. 8-617. Certificate of economic hardship.

(a) Notwithstanding any of the provisions of this ordinance to the contrary, the commission may issue a certificate of economic hardship to allow the performance of work for which a certificate of appropriateness would have been denied.

(b) Economic hardship shall be considered by the commission if an applicant, at the time of the public hearing, has produced competent evidence of the following information:

(1) The amount paid for the property, the date of purchase, and the party from whom purchased (including description of the relationship, if any, between the owner and the person from whom the property was purchased).

(2) The assessed value of the land and improvements thereon according to the two most recent assessments.

(3) Real estate taxes for the previous two years.

(4) Annual debt service, if any, for the previous two years.

(5) All appraisals obtained within the previous two years by the owner or applicant in connection with his purchase, financing or ownership of the property.

(6) Any listing of the property for sale or rent, price asked, and offers received, if any.

(7) Any consideration by the owner as to profitable adaptive uses for the property.

(8) If the property is income-producing, the annual gross income from the property for the previous two years, itemized operating and maintenance expenses for the previous years, and annual cash flow, if any, during the same period.

(c) If the commission finds that, without approval of the proposed work, the property and improvements cannot be put to a reasonably beneficial use or the owner cannot obtain a reasonable economic return therefrom, then the commission shall issue a certificate of economic hardship approving the proposed work. If the commission finds otherwise, it shall deny or modify the requested certificate of appropriateness as provided in this ordinance.

Sec. 8-618. Hazardous structures and public nuisances.

(a) This ordinance shall not prohibit the demolition of any structure which poses an immediate hazard to human health and safety. When a structure requires immediate demolition due to its imminent threat to human health and safety and an authorized city official, pursuant to ordinance, has made the determination that the structure should be demolished immediately, then nothing in this ordinance shall prohibit the demolition of such structure. The city official ordering the demolition shall, prior to causing the demolition of the structure, notify a designated member of the commission of the imminent threat posed by the structure if such notice may be given without jeopardizing human health and safety. The chairman of the commission shall designate three members of the commission any of whom shall be authorized to receive notice of emergency demolitions as provided in this subsection.

(b) If the city council has, pursuant to official action, declared a structure that is a landmark or is located in an historic district or an urban conservation district as a public nuisance and has authorized its demolition, the city manager or his designee shall have a copy of the public nuisance ordinance given to the secretary of the commission who shall place the matter on the agenda of the next meeting of the commission. The commission shall be authorized to review the structure and determine if the owner or some other person can commence rehabilitation of the structure immediately. The commission shall ensure that whoever will rehabilitate the structure shall have either public or private financing, or both, to make sure that the structure is promptly rehabilitated in accordance with the criteria set forth in this ordinance. If the commission is unable to secure the rehabilitation of the structure within ninety days of the date the structure was declared a public nuisance by the city council or the date the City of Joliet obtains judicial authorization to demolish the structure, whichever is later, then the city may proceed with the demolition of the structure.

(c) An owner of a structure designated as a landmark or located within a historic district or an urban conservation area shall not be authorized to demolish such structure without filing an application for a certificate of appropriateness, except when an authorized city official, pursuant to ordinance, has made the determination that the structure poses an imminent threat to human health and safety and should be demolished immediately.

(d) If the city council has declared a structure to be a public nuisance and, after such declaration, the owner of the structure files an application for a certificate of appropriateness so the structure may be rehabilitated, the commission may exercise jurisdiction over the application and the structure until such time as the City of Joliet obtains judicial authorization to demolish the structure. Once the City has obtained such judicial authorization, then the rehabilitation of the structure may proceed only if the city council consents to holding its authority to demolish the structure in abeyance while the structure is rehabilitated.

Sec. 8-619. Suspension or revocation of certificates.

(a) The commission, after a hearing at which the owner is provided with an opportunity to participate, shall be authorized to suspend or revoke any certificate of appropriateness or certificate of undue hardship when the commission has determined

that the owner or the person acting on behalf of any owner is not complying with all applicable laws and ordinances in proceeding under the previously issued certificate.

(b) The commission, acting through its secretary, may issue a stop work order which prohibits an owner or his or her agent from continuing any work on the property until the hearing before the commission is completed.

(c) A decision suspending or revoking a certificate of appropriateness or a certificate of economic hardship may be appealed to the city council by the owner of the subject property. Such appeal shall be filed in writing on a form provided by the commission and shall be filed within fifteen days after the suspension or revocation order is entered by the commission. If an appeal is not filed, the commission's decision shall be final.

DIVISION 6. ENFORCEMENT; JUDICIAL REVIEW

Sec. 8-620. Penalties.

Any person who violates any of the provisions of this ordinance shall be, upon conviction, punished by a fine not to exceed five hundred dollars (\$500.00). Each day that a violation exists shall be deemed a separate offense. continuing any work on the property until the hearing before the commission is completed.

(c) A decision suspending or revoking a certificate of appropriateness or a certificate of economic hardship may be appealed to the city council by the owner of the subject property. Such appeal shall be filed in writing on a form provided by the commission and shall be filed within fifteen days after the suspension or revocation order is entered by the commission. If an appeal is not filed, the commission's decision shall be final.

SECTION 2: This Ordinance and every provision thereof shall be deemed separable and the invalidity of any section, clause, paragraph, sentence or provision of the Ordinance shall not affect the validity of any other portion of this Ordinance.

shall be deemed separable and the invalidity of any provision hereof shall not affect the validity of the remainder.

SECTION 3: All Ordinances or parts of Ordinances conflicting with any of the provisions of this Ordinance shall be, and the same, are hereby repealed, except as otherwise provided in this ordinance.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval, and recording according to law.

PASSED this _____ day of _____, 1990 A.D.

Nancy Vallera
CITY CLERK

APPROVED this 18th day of September, 1990 A.D.