

BOUNTIFUL

City of Beautiful Homes and Gardens

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Bountiful City Ordinance No. 2016-13

AN ORDINANCE AMENDING BOUNTIFUL CITY MUNICIPAL CODE TITLE 3 BY RE-ESTABLISHING THE BOUNTIFUL CITY HISTORIC PRESERVATION COMMISSION

WHEREAS, in 1988 the Bountiful City Historic Preservation Commission was established by ordinance; and

WHEREAS, cities that have a Historic Preservation Commission are considered Certified Local Governments by the Utah Division of State History; and

WHEREAS, the Historic Preservation Commission functioned within the City until 2014 when it was determined that, due to citizen and private organization interest and assistance with historical matters within the City, it was no longer necessary to have an Historic Preservation Commission and the ordinance was repealed; and

WHEREAS, the City has recently been informed that Certified Local Governments are eligible to apply for and receive federal grants for historic preservation through the Utah Division of State History; and

WHEREAS, as part of a voluntary mitigation agreement with the Utah Division of State History the City desires to and agrees to re-establish the Bountiful City Historic Preservation Commission by ordinance; and

WHEREAS, the City Council finds it in the best interest of the City and the general health, safety and welfare of the public that this Ordinance should be passed;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE BOUNTIFUL CITY COUNCIL AS FOLLOWS:

Section 1. Ordinance Amendment. Title 3 of the Bountiful City Municipal Code is hereby amended to re-establish the Bountiful City Historic Commission as follows:

Chapter 2: Bountiful Historic Preservation Commission

3-2-101. Historic Preservation Ordinance.

3-2-102. Purpose.

3-2-103. Historic Preservation Commission.

3-2-104. Powers and Duties of Commission.

3-2-105. Meetings and Notification.

- 3-2-106. Survey and Inventory.**
- 3-2-107. Demolition - Notification**
- 3-2-108. Enforcement and Penalties.**

3-2-101. Historic Preservation Ordinance.

This Ordinance shall be known and may be cited as the "Historic Preservation Ordinance".

3-2-102. Purpose.

Recognizing that the historical heritage of this City is among its most valued and important assets, it is the intent of this Ordinance to provide for the preservation, protection and enhancement of its history. This preservation, protection and enhancement shall include, but not be limited to, the written and visual history of Bountiful, its early settlers and its historic sites, the planning for and celebration of important historical events relating to Bountiful's history, the education of all segments of the community so that Bountiful's history can be fully and properly appreciated, and the establishment of a repository for items, artifacts, and other materials which have historical significance to the City of Bountiful. The purpose of the Ordinance shall also be to establish a Committee which shall recommend to the City Council necessary and desirable protection of historic areas and sites within the community.

3-2-103. Historic Preservation Commission.

(a) Commission, Members and Appointment. There is created a Historic Preservation Commission, which shall be an advisory body of and shall report to the City Council of Bountiful. The Commission shall be composed of six (6) members appointed by the Mayor with the advice and consent of the City Council. One of the members shall always be the Mayor, who shall be an ex-officio member; one (1) of the members shall always be a member of the City Council; two (2) members shall be professional members from the disciplines of history, archaeology, planning, urban planning, American studies, American civilization, cultural geography, cultural anthropology, to the extent that such professionals are available in the City, and two (2) members shall be residents at large. With exception of the Mayor and City Council Member on the Commission, two or more members of the Commission shall not serve on the same board, commission or other leadership position within another organization while serving on the Commission.

(b) Terms. The term of each member of the Commission, with the exception of the Mayor and City Council member on the Commission, shall be for four (4) years. Initial members of the Commission shall be staggered as determined by the Mayor with the advice and consent of the City Council.

(c) Advisory Body. The Historic Preservation Commission shall be an advisory body of, and shall report to, the City Council.

3-2-104. Powers and Duties of the Commission.

The Commission shall have the following duties:

- (a) Conduct research and collect information on the history of Bountiful, including the establishment of a repository for important documents, artifacts and other items of historical significance.
- (b) Provide a written history of the City of Bountiful, as well as an historical program which outlines Bountiful's history for various age groups in the community. This may include, but not be limited to, the use of written summaries of history, visual exhibits, video tapes, displays, and other media.
- (c) Increase the awareness of Bountiful's history through the commemoration of historical events.
- (d) Designate entries on the Utah State Register of Historic and Cultural sites and recommend to the State Historic Preservation Officer nominations for the National Register of Historic places, utilizing the criteria for evaluation from the National Register.
- (e) Attend at least one informational or educational meeting each year, sponsored by the State Historic Preservation Office, pertaining to the work and functions of the Commission or to historic preservation.
- (f) Submit an annual report of the activities of the Commission to the State Historic Preservation Office and to the City Council.
- (g) Review all proposed National Register nominations for properties within the boundaries of the City.
- (h) Conduct or cause to be conducted a survey of cultural resources in the City which in form and content will be compatible to the Utah inventory of historic and archaeological sites.
- (i) Act in an advisory role to other officials and departments of the City regarding the protection of local cultural resources and shall act as a liaison on behalf of the City to individuals and organizations within the City concerned with historic preservation.

3-2-105. Meetings and Notification.

- (a) The Commission shall provide for adequate public participation in the historic preservation programs, including the process of recommending properties for nomination to the National Register.
- (b) Commission meetings shall occur at regular intervals, and at least twice a year.
- (c) Minutes of all decisions, actions of the Commission, including the reasons for making those decisions shall be kept on file and available for public inspection.

(d) Rules of procedure adopted by the Commission shall be available for public inspection.

3-2-106. Survey and Inventory.

(a) The Commission shall initiate or continue an approved process to identify historic properties within the City.

(b) A detailed inventory of the designated districts, sites, and/or structures within Bountiful City shall be maintained.

(c) The inventory material shall be compatible with the Utah state-wide inventory of historic and archaeological sites and shall be made accessible to the public except where restrictions have been made for archaeological sites.

(d) The inventory shall be updated periodically and made available through duplicates at the State Historic Preservation Office and shall be able to be readily integrated into State-wide comprehensive historic preservation planning and other appropriate planning process.

3-2-107. Demolition - Notification

If a historic site is to be demolished or extensively altered, efforts will be made to document its physical appearance before that action takes place.

(a) The City will delay issuing a demolition permit for a maximum of one week and will notify a member of the Historic Preservation Commission, which will take responsibility for the documentation.

(b) Documentation will include, at minimum, exterior photographs (both black-and-white and color) of all elevations of the historic building. When possible, both exterior and interior measurements of the building will be made in order to provide an accurate floor-plan drawing of the building.

(c) The demolition permit may be issued after one week of the initial application whether or not the Commission has documented the building. The permit may be issued earlier if the Commission completes its documentation before the one-week deadline.

(d) The documentation will be kept in the City's files, which are open to the public.

3-2-109. Enforcement and Penalties.

It is unlawful to:


(a) Enter on City lands owned or controlled by the City or which have been designated as landmarks pursuant to this Ordinance for the purpose of appropriating, injuring or destroying a specimen without a permit from the Division of State history or the City.

(b) To appropriate, injure or destroy any site or specimen situated on lands or controlled by the City, or which have been designated as landmarks pursuant to this Ordinance.

(c) To reproduce, re-work or forge any specimen or make any object, whether copied or not, or falsely label, describe, identify or offer for sale or exchange any object with intent to represent the same as an original and genuine specimen, nor shall any person offer for sale or exchange any object with knowledge that it was collected or excavated in violation of this Ordinance.

Section 2. Effective Date. This Ordinance shall become effective immediately upon adoption.

Adopted by the City Council of Bountiful, Utah, this 13th day of December, 2016.



Randy C. Lewis, Mayor

Attest:



Shawna Andrus, City Recorder



