

**CHAPTER 161**

**SAFEGUARDING OF HISTORIC, AESTHETIC  
AND CULTURAL HERITAGE**

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**161.01 PURPOSE AND INTENT.** The purpose of this chapter is to:

1. Promote the educational, economic and general welfare of the public through the recognition, enhancement and perpetuation of sites and districts of historical and cultural significance.
2. Foster pride in the legacy of beauty and achievement of the past.
3. Enhance the City's attractions to tourists and visitors and the support and stimulus to business thereby provided.
4. 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.

**161.02 DEFINITIONS.** Where words and phrases used in this chapter have the following meanings unless the context clearly indicates otherwise:

1. "Abutting property" means any property within one hundred feet of the subject, or applicant's property.
2. "Historic district" means a significant concentration, linkage or continuity of sites, buildings, structures or objects united historically by plan or physical development. This area must contain contiguous pieces of property under diverse ownership which meets one or more of the historic significance criteria and has been officially designated by the City through the passage of an ordinance.
3. "Historic landmark" is a building, structure, site or object that meets one or more of the Historic Significance Criteria and has been officially designated through passage of an ordinance.
4. "Historic Significance Criteria" applies to the quality of significance in American history, architecture, archeology, engineering, and culture that is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:
  - A. That are associated with events that have made a significant contribution to the broad patterns of our history;

- B. That are associated with the lives of significant persons in the past;
  - C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;
  - D. That have yielded, or may be likely to yield, information important in history or prehistory.
5. "Preservation Commission" means the Perry Historic Preservation Commission, as established by Chapter 27 of the City of Perry Code of Ordinances, 2001.

### **161.03 DESIGNATION OF HISTORIC LANDMARKS.**

1. A property owner, the Preservation Commission, or an interested party, agency, or organization may request designation of a historic landmark or district.
2. Nominations to designate historic districts will be submitted to the Preservation Commission and must contain the following:
  - A. A completed Iowa site inventory form with all attachments or National Register of Historic Places Nomination Form for a listed property;
  - B. Photo-documentation of the property at the time of designation;
  - C. A scale map showing the location of the property within the City at the time of designation;
  - D. A scale map of the property showing the proposed boundaries, extant buildings, structures, objects, and sites within the tract at the time of designation;
  - E. Statement of, and documentation that the property meets one or more of the designation/significance criteria.
3. Nominations must be submitted thirty days in advance of the regularly scheduled meeting of the Historic Preservation Commission.
4. Nominations must be complete when submitted to the Historic Preservation Commission; if the nomination is not complete the nomination will be returned to the applicant.
5. Nominations will be considered at the next meeting of the Historic Preservation Commission following the submission of the nominations.
6. Nominations will be made available for public review at City Hall.

7. The City Clerk will notify all owners of abutting properties by mail of the proposed nomination, the date, time, and location of the Commission meeting at which the nomination will be considered.
8. The nomination will be sent to the State Historic Preservation Office for review and comment within twenty-one working days of receipt.
9. The Historic Preservation Commission during their meeting will determine if the property meets the significance criteria. If the property meets the criteria, they will recommend designation. If the property does not meet the criteria, they will not recommend designation.
10. If the Historic Preservation Commission recommends designation, the Historic Preservation Commission will prepare an ordinance designating the property as a historic landmark. The ordinance:
  - A. Will include the legal description of the property;
  - B. Will specify the applicable significance criteria and provide an explanation of significance, and;
  - C. Will contain a statement that the proposed alterations to the property as described in the nomination on file in the property inventory will require issuance of a Certificate of Appropriateness (Chapter 162) before they are initiated.
11. The proposed ordinance will be submitted to the State Preservation Office for review and comment within twenty-one working days of receipt.
12. The Historic Preservation Commission will submit their recommendation, the nomination, and the ordinance designating the property to the Perry City Council.
13. The Perry City Council will consider the nomination, the ordinance, the recommendations of the Historic Preservation Commission and the State at a regularly scheduled meeting. If the Perry City Council approves designation, the designation will be forwarded to the City Clerk for recording and the designation and nomination will be filed in the City's property inventory.

#### **161.04 DESIGNATION OF HISTORIC DISTRICTS.**

1. A property owner, the Historic Preservation Commission, or an interested party, agency, or organization may initiate designation of a historic district.
2. Nominations to designate historic landmarks will be submitted to the Historic Preservation Commission and must contain the following:
  - A. Completed Iowa site inventory forms with all attachments or the National Register Nomination for the listed district;
  - B. Photo-documentation of the property at the time of designation;

- C. A scale map showing the location of the proposed district within the City at the time of designation;
  - D. A scale map of the district showing the proposed boundaries, extant buildings, structures, objects, and sites within the tract at the time of designation;
  - E. Statement of, and documentation that the district meets one or more of the designation/significance criteria.
3. The Historic Preservation Commission will seek to demonstrate owner support, which may be in the form of a petition or public testimony at a public hearing.
  4. Nominations must be submitted thirty days in advance of the regularly scheduled meeting of the Historic Preservation Commission.
  5. Nominations must be complete when submitted to the Historic Preservation Commission; if the nomination is not complete, the nomination will be returned to the applicant.
  6. Nominations will be considered at the next meeting of the Historic Preservation Commission following the submission of the nomination.
  7. Nominations will be made available for public review at City Hall.
  8. The City Clerk will notify all property owners within the Historic District and owners of abutting properties by mail of the proposed nomination, the date, time, and location of the Historic Preservation Commission meeting at which the nomination will be considered.
  9. The nomination will be sent to the State Historic Preservation office for review and comment within fifteen working days of receipt.
  19. The Historic Preservation Commission, during their meeting, will determine if the properties meet the significance criteria. If the properties meet the criteria, they will recommend designation. If the properties do not meet the criteria, they will not recommend designation.
  11. If the Historic Preservation Commission recommends designation, the Historic Preservation Commission will prepare an ordinance designating the properties as Historic Districts. The ordinance:
    - A. Will include the legal description of the property;
    - B. Will specify the applicable significance criteria and provide an explanation of significance; and
    - C. Will contain a statement that proposed alterations to the property as described in the nomination on file in the property inventory will require issuance of Certificate of Appropriateness before they are installed.

12. The proposed ordinance will be submitted to the State Preservation Officer for review and comment within fifteen working days of receipt.
13. The Historic Preservation Commission will submit their recommendation, the nomination, and the ordinance designating the property to the Planning and Zoning Commission.
14. The Planning and Zoning Commission will review and submit approval or denial of the ordinance to the City Council.
15. City Council will consider the nomination, the ordinance, the recommendations of the Planning and Zoning Commission and the State Preservation Office at a regularly schedule meeting. If the City Council approves designation, the designation will be forwarded to the City Clerk for recording and the designation and nomination will be filed in the City's property inventory.

#### **161.05 AMENDING AND REPEALING HISTORIC LANDMARK AND HISTORIC DISTRICT DESIGNATIONS.**

1. A property owner, the Historic Preservation Commission, an interested agency or organization may initiate the amendment or repeal of a historic landmark or historic district designation by following the process outlined in this chapter.
2. Amending a historic landmark or district will involve adding buildings, structures, objects and sites by following the appropriate designation process outlined in this chapter.
3. A repeal of designation may occur if the historic landmark or historic district no longer meets the significance criteria due to subsequent discovery of information on the significance or destruction of the historic property by an Act of God.

*(Ch. 161 – Ord. 864 – Dec. 07 Supp.)*