

## ORDINANCE

THE TOWN OF SMITHFIELD HEREBY ORDAINS:

### CHAPTER 46

#### HISTORIC PRESERVATION COMMISSION

▪ **46-1**      **Purpose.**

The Town Council finds that the historical, architectural and cultural heritage of the Town should be preserved to enrich the experience of present and future generations, and that the continued expansion of urban and suburban development threatens the existence of historical sites and structures.

▪ **46-2**      **Creation.**

There is hereby established an "Historic Preservation Commission" to carry out the purposes of this chapter.

▪ **46-3**      **Membership; appointment.**

The Commission shall consist of seven members, residents of the Town, to be appointed by the Town Council. Members shall be appointed for a term of three years, except that the initial appointment of two members shall be for one year, two members for two years and three members for three years. Members shall be eligible for reappointment.

▪ **46-4**      **Vacancies.**

In the event of a vacancy on the Commission, the Town Council shall make an interim appointment for the remainder of the unexpired term. In the event that a Commission member shall have missed three consecutive meetings without consent of said Commission, then his or her membership shall expire forthwith and the Town Council shall make an interim appointment to fill the unexpired term of the vacancy.

▪ **46-5 Consultation for candidates.**

In making appointments to the Commission, the Town Council may consult with any duly organized historic or preservation society which may submit a list of qualified citizens for the Town Council's consideration.

▪ **46-6 Organization.**

The Commission shall organize annually and, by election, shall select from its membership a Chairman, Vice Chairman and Secretary and may adopt any rules of procedure deemed necessary in discharging its duties.

▪ **46-7 Quorum.**

Four members of the Commission shall constitute a quorum, and no vacancy in the membership shall impair the right of a quorum to exercise all the rights and perform all of the duties of the Commission.

▪ **46-8 Powers and duties.**

The Commission shall have the following powers and duties:

- A. Establish criteria for evaluating historical, architectural or cultural sites, buildings, places, landmarks or areas so as to determine their value in terms of the national, state or local importance;
- B. Conduct and maintain a comprehensive inventory of historic resources within the boundaries of the Town of Smithfield which shall be known as the Smithfield Historic Inventory, and publicize and periodically update said inventory. Properties listed on the inventory shall be recorded on official zoning records with an AHI@ (for historic inventory designation). This designation shall not change or modify the underlying zoning classification;
- C. Initiate and maintain the Smithfield Register of Historic Places. This official register shall be compiled of buildings, structures, sites, and objects which are included on the Smithfield Historic Inventory and which are identified by the Commission as having historic significance worthy of recognition and protection by the Town of Smithfield. The Commission shall encourage and assist, where possible, efforts by owners to maintain, rehabilitate, and preserve such properties;
- D. Review nominations to the Smithfield Register of Historic Places according to criteria and standards which the Commission shall adopt as part of its rules;
- E. Review proposals to demolish historic structures as defined herein;
- F. Participate in, promote and conduct public information, educational and interpretive

programs pertaining to Smithfield's historic resources;

G. Establish liaison support, communication and cooperation with federal, state, and other local government entities which will further historic preservation objectives, including public education within the town of Smithfield;

H. Advise the Town Council and the Town's Boards, Commissions and officials on matters of Smithfield history and historic preservation;

I. Perform other related functions assigned to the Commission by the Town Council; and

J. Review nominations of Smithfield properties to the State and National Registers of Historic Places.

▪ **46-9            Demolition of Historic Structures.**

a) No permit shall be issued by the Smithfield Building Official or shall be valid for the demolition of part or all of any historic structure as defined herein, prior to its referral to and consideration by the Historic Preservation Commission. The Commission shall have sixty (60) days after receipt to review and/or recommend modifications to the permit proposal. The purpose of such review shall be to determine if the demolition of the historic structure is consistent with the historical, architectural or cultural preservation goals of the Town. If at the expiration of said sixty-day period the Commission has not approved the permit or agreed upon modifications to it with the owner, the permit shall be issued if it complies with all other applicable laws and regulations.

b) For purposes of this Section, an historic structure means a building or structure which is included in the Smithfield Historic Inventory.