

ORDINANCE NO. 17-_____

AN ORDINANCE 17. OF THE CITY OF GRAMBLING ENACTING CHAPTER 17 OF THE CODE OF ORDINANCES REGARDING HISTORICAL PRESERVATION, CREATING THE GRAMBLING HISTORIC PRESERVATION DISTRICT AND ITS COMMISSION, AND RULES AND REGULATIONS RELATED THERETO.

WHEREAS, the Grambling City Council is desirous of promoting the educational, cultural, and economic welfare of the public of the City of Grambling by preserving and protecting historic structures and neighborhoods which serve as visible reminders of the history and heritage of the City of Grambling, and furthermore it is the purpose of this ordinance to strengthen the economy of the City of Grambling by stabilizing and improving property values in historic areas;

WHEREAS, it is in the best interest of the City of Grambling and its citizens to preserve and highlight its unique history and character and it has been determined that designating a Historic Preservation District would assist in those endeavors,

THEREFORE, be it ordained by the Grambling City Council that Chapter 17 of the Code of Ordinances entitled Historical Preservation is hereby enacted to read as follows:

Chapter 17. HISTORICAL PRESERVATION

Art. I Grambling Historic Preservation District Commission

Sec. 17.1 Commission Established.

There is hereby created a Commission to be known as the Grambling Historic Preservation District Commission of the City of Grambling ("Commission").

Sec. 17.2 Purpose of Historical District.

The Grambling Historic Preservation District Commission shall have for its purpose the promotion of the educational, cultural, economic, and general welfare of the public through the preservation and protection of all such buildings, sites, monuments, and structures of historic interest or importance through their protection, maintenance, and development as historic landmarks and their recognition as such in the history and traditions of the state and nation; to establish and improve property values; and to foster the economic development of the areas affected.

Sec. 17.3 Recommendation and Appointment of Members.

The Commission shall consist of a minimum of eight (8) members and a maximum of ten (10) members. The members of the Commission shall be appointed by the Mayor. In making appointments, preference may be given as far as possible to members of historic, cultural, educational, archaeological, etc. organizations.

Sec. 17.4 Terms and Vacancies.

- (a) Each of the members of the Commission shall be appointed to serve a term of four (4) years. The initial Commission shall have staggered terms with one half serving two year terms and one half serving four year terms. Whenever the term of a member of the Commission expires or a member resigns, the Mayor shall appoint his successor, subject to approval by the city council. The members may serve consecutive terms.
- (b) The Mayor shall appoint the initial chairman and vice chairman who shall serve a two year term. Thereafter, the Commission shall elect annually from its own number a chairman, vice chairman and any other officers it deems appropriate.

Sec. 17.5 Powers of the Commission

- (a) The Commission is empowered to make recommendations to the Grambling City Council for the naming or designation of any site, location, structure or monument within the area served by the city as worthy of preservation whether currently within or outside the confines of the Grambling Historic Preservation District.
- (b) Powers of the Commission shall apply to all private property as well as public property within the limits of the Grambling Historic Preservation District. Any government agency having a responsibility for any building, structure, area, site, or public way within the limits of the Grambling Historic Preservation District shall seek the advice of the Commission prior to the initiation of any substantive change to any such building, structure, area, site, or public way.
- (c) In order to preserve, promote, and develop the distinctive appearance and the historical resources of the City of Grambling and to accomplish the purposes set forth in La. R.S. 25:731 et seq., as amended, and in this Chapter, the Commission's powers shall be:
 - (1) The Commission may conduct or cause to be conducted a continuing study and survey of resources within the City of Grambling. This work may be carried out through, or in conjunction with national, state or local government agencies, suitable preservation organizations and consultants to the City.
 - (2) The Commission may recommend to the City of Grambling the adoption of ordinances and/or resolutions designating additional preservation districts, landmarks, and/or landmark sites in accordance with federal and state law and the Commission's Rules.

- (3) The Commission shall review applications proposing construction, substantial changes, demolition, or relocation of any building, structure, or other resource in the Grambling Historic Preservation District. The Grambling Building Official will refer to the Commission any applications for building permits regarding property located in the Grambling Historic Preservation District. If earthwork of historical or archaeological importance exists in the Grambling Historic Preservation District, there shall be no excavating or moving of earth, rock or subsoil without a Certificate of Appropriateness, excluding work performed by the City of Grambling. In the event the City of Grambling performs excavation work, the City of Grambling shall restore the property or ground to its original state.
- (4) The Commission has no jurisdiction considering the interior of a building or structure but may offer advice if requested by the property owner.
- (5) The Commission, subject to the requirements of state and local law, may apply for, receive, hold, and spend funds from private and public sources, in addition to appropriations made by the City of Grambling for the purpose of carrying out the provisions of this Chapter such as, but not limited to, clerical and technical assistants.
- (6) The Commission is authorized, solely in the performance of its official duties and only at reasonable times, to enter upon private land for the examination or survey thereof. No member, employee, or agent of the Commission shall enter any private property without the express consent of the owner of record or occupant thereof.
- (7) The Commission may make periodic reports to the Grambling City Council; provide information to property owners and others involving the preservation of the Grambling Historic Preservation District; suggest pertinent legislation; initiate planning and zoning proposals; cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation; review all applications for zoning variances and conditional uses where they affect the Grambling Historic Preservation District; render advice with reference to sidewalk construction and repair, tree planting, street improvements and also the renovation, restoration, or construction of public buildings; furnish information and assistance in connection with capital improvement programs involving the Grambling Historic Preservation District; consult with federal and state agencies and other expert groups; administer such financial mechanisms as the City of Grambling may allocate for the welfare of the Grambling Historic Preservation District.

Art. II Administration

Sec. 17.6 Administration and Committees.

The Commission may rely upon existing city employees, with the Mayor's approval, as may be necessary to carry out the purposes for which it is created. The city attorney shall be ex-officio the attorney for the Commission. The Commission may designate and appoint, from among its members, various committees with such powers and duties as the Commission may have and prescribe.

Sec. 17.7 Rules and Regulations; Meetings; Report and Recommendations.

- (a) The Commission shall make such rules and regulations as it may deem advisable and necessary for the conduct of its affairs not inconsistent with the laws of the City of Grambling and State of Louisiana.
- (b) The Commission shall meet monthly, but meetings may be held at any time by the Commission on the written request of any of the Commission members or on call of the chairman of the Commission or the Mayor. The Commission shall make reports to the Mayor and City Council at least quarterly containing a statement of its activities.

Sec. 17.8 Historic District Fund.

- (a) All fines collected by the Commission and all other funds appropriated by the Grambling City Council for the benefit of the Commission shall be deposited into a dedicated fund for the purposes set forth herein (the "Historic District Fund").
- (b) The Historic District Fund shall be used only for the promotion of the educational, cultural, economic, and general welfare of the public through the preservation and protection of buildings, sites, monuments, and structures of historic interest or importance situated in the area designated as the Grambling Historic Preservation District through their protection, maintenance, and development as historic landmarks and their recognition as such in the history and traditions of the city, state and nation; to establish and improve property values therein; and to foster the economic development of areas affected by the Grambling Historic District.
- (c) The Commission shall have control over the Historic District Fund and all disbursements made from the Historic District Fund, however, the Historic District Fund shall be used exclusively for the purposes set forth above.

Sec. 17.9 Definitions

- (a) Alteration: Any change to any portion of real property that is visible from any public street, alley, sidewalk or lot because of construction, repair, maintenance or other means.
- (b) Applicant: The owner of record of real property; the lessee thereof with the approval of the owner of record in notarized form; or a person holding a "bona fide" contract to purchase a real property.
- (c) Appurtenance: A feature relative to a parcel of land or to a building, structure, object, site, or a related group thereof.
- (d) Architectural elements: Parts of a building that are integral to its composition, including balconies, roofs, porches, chimneys, dormers, parapets and other parts of a building that contribute to its overall shape and silhouette. The choice and arrangement of elements

of a new construction should reflect those of other buildings in the historic districts livelihood.

- (e) Building: Any covered structure intended for shelter, housing, enclosure or economic activities relative to persons, animals, or chattel. The term "building" shall be construed to include the term "structure."
- (f) Certificate of Appropriateness: A signed and dated document evidencing the approval of the Commission for work proposed by an applicant.
- (g) Construction: The addition or placement of any improvement onto a real property.
- (h) Decorative details: Ornamentation or embellishment, including cornices, lintels, arches, balustrades, chimneys, shutters, columns and other common details which when used should create a unifying effect on a building and should be compatible with the context of the historic districts.
- (i) Demolition: The complete or partial removal of buildings, structures, objects, or sites, including appurtenances or any other improvements.
- (j) Demolition by Neglect: Improper maintenance or lack of maintenance of any real property or any other improvements thereon which results in substantial deterioration.
- (k) Historic Property: An individual building, structure, site, object, or collection thereof, including the adjacent area necessary for the proper appreciation thereof designated by the City of Grambling as a historic property pursuant to the criteria set forth in this Chapter and state and federal law. A building or structure may be classified as historic when it is at least fifty years of age and is of significant local, regional, historic, architectural or cultural value.
- (l) Historic district: A district designated by the City of Grambling as an area containing significant concentrations linkage or continuity of buildings, structures, sites areas or lands which are united by architectural, historical, archaeological or cultural importance or significance such that the area requires protection and preservation for the purposes of this article. A historic district shall include an area or group of areas, sites, buildings, structures or archeological sites or particular historic or architectural significance to the City of Grambling, the State of Louisiana, or to the United States of America. Such areas, sites, buildings, structures, or archeological sites may be either publicly or privately owned. These districts, including significant landscape features, surface textures and street furniture located thereon, need not have contiguous boundaries.
- (m) Landmark: A building, site, or structure which contains an outstanding or unique example of an architectural style, which contains or is associated with a major historic event or activity, which contains important, intact archaeological resources, which is a site or structure of unique visual quality and identification, or which is a site of general historic or cultural recognition by the community. A landmark shall also meet all

criteria for designation as a historic district

- (n) Material alteration: A significant change to any portion of a real property that is visible from any public street, alley or lot. Replacement of windows, doors, facade materials, and roof materials, which significantly change the building, must be compatible with the existing structure.
- (o) Non-material alteration: Alteration having relatively minor importance or consequences to any portion of a real property that is visible from any public street, alley, sidewalk or lot. For buildings or structures, non-material alteration shall include but not limited to ordinary maintenance or repairs.
- (p) Ordinary repairs or maintenance: Work done to prevent deterioration of a real property or any part thereof by returning the real property as nearly as practical to its condition prior to such deterioration, decay or damage.
- (q) Owner of record: The owner of a parcel of land, improved or unimproved, reflected on the city tax roll and/or in the Lincoln Parish Conveyance Records.
- (r) Preservation: The maintenance of a site or structure in its present condition or as originally constructed. Preservation aims at halting further deterioration and providing structural safety but does not contemplate significant rebuilding. Preservation includes techniques of arresting or slowing deterioration and improvement of structural conditions to make a structure safe, habitable or otherwise useful.
- (s) Relocation: Any changes in the location of a building, object, or structure in its present setting or to another setting.
- (t) Rhythm: The character of the district is influenced by the "rhythm" of the street scape. It is the pattern in spacing of the buildings or a building's features (doors, windows, porches, etc.) being compatible with the surrounding buildings and structures in the historic districts.
- (u) Scale: The size of a building or structure relative to surrounding structures. Scale refers to the visual perception of the size of a building and its elements in relation to other buildings and to people. Maximum height of any new construction shall conform to U.S. Department of Interior guidelines for historic districts.
- (v) Site: The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing buildings, structures, or objects.
- (w) Structure: A work made up of interdependent and interrelated parts in a definite pattern or organization.

Sec. 17.10 Historical District Established

- (a) There is hereby created in the City of Grambling a historic district which is designated as the "Grambling Historic Preservation District." Supplemental and illustrative maps serve as a guide, which are on record in the Grambling City Clerk's Office and are subject to expansion pursuant to the standards set forth in this Chapter, the Rules of the Commission, and federal and state law.
- (b) The "Grambling Historic Preservation District shall include two areas: the Village Area and Other Designated Grambling Historic Landmarks Area.
- (c) The exterior boundaries of the Village Area of the Grambling Historic Preservation District are generally described as follows:

All of Main Street from the Southern border of College Avenue to the Northern border of Martin Luther King Jr., Avenue including all properties on both sides of Main Street and specifically including properties that any portion or part of a parcel of land borders Main Street regardless of the street address, and the property located at 123 Railroad Avenue, which is West of Main Street

- (d) The following properties located in the Village Area of the Grambling Historic Preservation District are designated as Historic Properties and Landmarks:

- (1) 123 Railroad Avenue The Levis Jackson Home
- (2) 282 S. Main Street The Sunrise Lodge # 114
- (3) 300 Main Street The Conley House
- (4) 301 Main Street Lewis Temple CME Church
- (5) 293 Main Street The Evangelist Lodge #144 (Old Post Office)

- (e) The following properties are the Other Designated Grambling Historic Landmarks:

- (6) 234 Adams Avenue Family Home of Legendary Coach Eddie Robinson
- (7) 486 RWE Jones Drive Former Jones Brothers Barbeque
- (8) 707 Main Street The Willis House
- (9) 638 Main Street St. Luke Episcopal Church
- (10) 465 Main Street St. Benedict Catholic Church
- (11) 2033 M L K, Jr. Avenue First Grambling Credit Union
- (12) 2045 M L K, Jr. Avenue First Grambling City Hall
- (13) 2155 M L K, Jr. Avenue New Rocky Valley Baptist Church
- (14) 2155 M L K, Jr. Avenue New Rocky Valley Baptist Church Cemetery
- (15) 2586 Highway 150 Mt. Zion Baptist Church
- (16) 118 Bennett Road Liberty Hill Baptist Association
- (17) 292 Cornwell Drive The Cornwell Family Church

Art. III. Enforcement

Sec. 17.11 Commission Enforcement Powers; Criminal Penalty; Continuing Violations.

- (a) The Commission shall have the power to institute suit in any court of competent jurisdiction to prevent any unlawful action in violation of the provisions of Chapter 16 of Title 25 of the Louisiana Revised Statutes, as amended from time to time, the Grambling Historic Preservation Ordinance, or of any of the rules and regulations adopted by the Commission in conformity with same.
- (b) Any owner, agent, lessee, or other person acting for or in conjunction with him, who shall violate the ordinance or law or rules, regulations, or decision of the Commission, shall for each offense be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00), or suffer imprisonment for not more than thirty (30) days, or both fine and imprisonment. Any owner, agent, lessee, or other person acting for or in conjunction with him, who shall demolish a structure or edifice without having been issued a Certificate of Appropriateness shall be fined a single fine of not less than one thousand dollars (\$1,000.00).
- (c) For violations other than demolition without a Certificate of Appropriateness, each day that a violation continues shall constitute a separate offense.

Sec. 17.12 Injunctions.

- (a) Whenever any person has engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of this chapter or of any of the rules and regulations of the Commission, the Commission or the City of Grambling may make application to the Lincoln Parish District Court for an order enjoining such act or practice, or requiring such person to refrain from such prospective violation or to remedy such violation by restoring the affected property to its previous condition.
- (b) Upon a showing by the Commission or the City of Grambling, that such person has engaged or is about to engage in such act or practice, a permanent or temporary injunction, temporary restraining order, and/or other appropriate action shall be granted without bond.

Art. IV. Commission Approval

Sec. 17.13 Submission of Plans for Exterior Changes To Commission.

- (a) Before the commencement of any work in the erection of any new building, the alteration or addition to an existing building, painting or repainting an existing building, demolition, or relocation of any existing building or structure, any portion of which is to front on any public street or alley in the Grambling Historic Preservation District Commission, application by the owner for a permit therefor shall be made to the Commission, accompanied by the full plans and specifications thereof so far as they relate to the proposed appearance, color, texture or materials, and architectural design of the exterior, including the

front, sides, rear and roof of such building, alteration, addition and any outbuilding, party wall, courtyard, fence or other dependency thereof.

- (b) A Certificate of Appropriateness shall be required even when the proposed work does not require a building permit.
- (c) At a minimum, each applicant for a Certificate of Appropriateness shall provide:
 - (1) Scaled drawings of the proposed work, including but not limited to site plans, building elevations and roof plans;
 - (2) Photographs of the existing building, structure, or site and of adjacent properties;
 - (3) Information about the building material to be used;
 - (4) Name and address of applicant and property owner;
 - (5) Detailed description of the nature of the proposed exterior alteration or repair to be completed; including any necessary site plans, elevations and building facade plans;
 - (6) A description of how the proposed change will be in character with the architectural or historical aspect of the structure or site;
 - (7) Any circumstances or conditions concerning the property or financial disadvantages which may affect eligibility for a certificate of appropriateness;
 - (8) The intended or desired starting date and completion date of the alterations to be made.
- (d) The Commission may request additional information from the applicant related to the proposed work as it deems necessary.
- (e) The application shall be accompanied with a Historic District Permit Fee as set by the Commission. An application is not considered complete until the Historic District Permit Fee is paid. The Historic District Permit Fee shall be in addition to all other permit fees required by the City of Grambling.

Sec. 17.14 Certificate of Appropriateness, Commission Recommendation and Action Thereon.

- (a) Applications for Certificates of Appropriateness shall be considered at a public hearing of the Commission. Notice of the time and place of said hearing shall be given by publication in the form of a legal advertisement appearing in the official journal of the City of Grambling at least seven (7) days before such hearing, and by the posting of such notice on or near the main entrance of any hall or room where the Commission usually meets.
- (b) Within not more than forty-five (45) days after the filing of an application, the Commission shall pass upon it and shall give written notice of its decision to the applicant setting forth

the reason therefor. Evidence of approval shall be by Certificate of Appropriateness issued by the Commission, and whatever its decision, notice in writing shall be given to the applicant. The Commission shall keep a record of all applications for Certificate of Appropriateness and of all its proceedings.

- (c) In making a decision on an application, the Commission shall determine whether the proposed work maintains or improves the historical and architectural features of the building, structure, or district. The Commission shall use the applicable standards and regulations set forth in Article VI and Article VII, the Commission's published rules, criteria, and guidelines and the Commission shall consider the following:
 - (1) The effect of the proposed work on the landmark or the property in the Grambling Historic Preservation District, and
 - (2) The relationship between the proposed work and adjacent buildings or other property in the Grambling Historic Preservation District. In evaluating the effect and the relationship, the Commission shall consider historical and architectural significance, architectural style, design, texture, and materials. A Certificate of Appropriateness from the Commission shall not relieve the property owner(s) from complying with the requirements of other state and local laws and regulations including but not limited to requirements for permits, zoning ordinances and building codes.
- (d) No building permit shall be authorized by the City of Grambling which affects a site or structure in the Grambling Historic Preservation District without a Certificate of Appropriateness except as otherwise permitted by resolution or ordinance of the City Council.
- (e) The Commission shall have the right to make such recommendations for changes and modifications as it may deem to be necessary in order to enable the applicant to meet with its requirements.

Sec. 17.15 Compliance with Certificate of Appropriateness.

All work performed pursuant to a certificate of appropriateness shall conform to the provisions of such certificate. It shall be the responsibility of the commission, assisted by city staff as necessary, to inspect from time to time any work being performed to assure such compliance.

Sec. 17.16 Certificate of Appropriateness Duration

- (a) A Certificate of Appropriateness shall remain valid for 365 days from the date of issuance.
- (b) Approved work shall be commenced within 365 days of the date of such approval and shall be completed within 730 days from the date of issuance of the Certificate of Appropriateness.

- (c) If the approved work has not been completed within the time period provided herein, the Commission shall review the progress of the work and may require the applicant to submit an additional application for a Certificate of Appropriateness for the work that remains to be done.

Art. V. Appeals

Sec. 17.17 Appeals.

- (a) Any person or persons aggrieved by any decision, act, or proceeding of this Commission shall have a right to apply in writing to the Grambling City Council for reversal or modification thereof. All such appeals shall be filed with the Grambling City Clerk's Office.
- (b) Upon filing of the appeal, the Mayor shall have the authority to stay all further action until the City Council has ruled thereon.
- (c) Any such appeal shall be filed with the City Clerk within ten (10) days from the date of decision and the City Council may consider said appeal at its next general or special meeting, but in any event, not more than forty-five (45) days after the appeal is filed.
- (d) The City Council shall have the right to reverse, change, or modify any decision of the Commission by a majority vote of all the members present.
- (e) Any person or persons aggrieved by any decision of the City Council on the appeal shall have the right to file a civil suit within thirty (30) days from date of decision in a court of competent jurisdiction under the usual rules of procedure governing same, with the right to stay orders and injunctive relief provided the situation warrants it.

Art. VI. Additional Regulations

Sec. 17.18 Private Floodlights.

The public sidewalks, places and alleys, exteriors, roofs, outer walls and fences of buildings and other constructions and signs visible from any public street, place or position in the Grambling Historic Preservation District shall not be illuminated by privately-controlled floodlights or other illumination except by express approval of the Commission. Compliance shall be effective within six (6) months after enactment of this chapter.

Sec. 17.18 Overhang Balconies.

New or additional balconies may be erected if:

- (a) They are at least nine (9) feet above the level of the sidewalk; and
- (b) They conform to the distinctive architecture of the Grambling Historic Preservation District.

Sec. 17.19 Fences.

Fence design must be in harmony with the nature of the Grambling Historic Preservation District and must be approved by the Commission.

Sec. 17.20 Stopping Work Commenced Without Permits.

- (a) The Grambling Building Official shall promptly stop any work attempted to be done without or contrary to a permit issued under this chapter and shall promptly prosecute any person responsible for such a violation of this chapter or engaged in violation.
- (b) Any officer or authorized agent of the Commission shall exercise concurrent or independent powers with the Building Official in prosecuting violations of this chapter and stopping work attempted to be done without or contrary to the permits required by this chapter.

Sec. 17.21 Provisions of Chapter Prevail In Case Of Conflicts.

The provisions of this chapter shall govern and take precedence over any other provisions of any ordinances or codes of the City of Grambling.

Sec. 17.22 Signs.

- (a) *Definitions.* The following terms, as used in this section, are hereby defined as follows:
 - (1) *Sign* shall include any symbol, device, image, poster, flag, banner, billboard, design or directional sign used for advertising purposes, whether painted upon, attached to, erected on, or otherwise maintained on any premises, containing any words, letters or parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which is visible from any public street and is used to attract attention.
 - (2) *Display* includes erect, paint, repaint, place, replace, hand, re-hand, repair, maintain, paint directly upon a building or other structure, inlay, embed in, or otherwise exhibit in public view.
- (b) *General prohibition of miscellaneous signs.* The display of signs visible from the public streets, highways and alleys within the historical district of the city, except as otherwise provided for in this chapter and/or the rules and regulation of the Commission is prohibited.
- (c) *Signs must conform to character of section.* In addition to the prohibitions contained in this section, approval of the display of a sign in the Grambling Historic Preservation District Commission shall be granted by the Commission only when such signs and the plans

therefor, so far as they relate to the appearance, color, size, position, method of attachment, texture of materials and design, conform to the quaint and distinctive character of the historical district and do not injuriously affect it or impair the value of the community of those buildings having architectural or historical worth.

- (d) *What signs may advertise.* No sign of any character shall be displayed in the Grambling Historic Preservation District unless such sign advertises a bona fide business conducted in or on the premises and, if it does do so, not exceeding fifty (50) per cent of the area of such sign may be used to advertise products or commodities actually sold on the premises.
- (e) *Signs no longer complying as advertisements to be taken down.* Any sign displayed which no longer advertises a bona fide business conducted upon the premises shall, upon the notification by the Commission or its agent (who is hereby specifically authorized to so proceed) be taken down, removed or obliterated within five (5) days after such notification.
- (f) No sign shall be displayed from any building, balcony, gallery, canopy, shed, roof, door or window, or placed in any manner whatsoever so as to disfigure or conceal any architectural feature or detail of any building.
- (g) *Signs with interior illumination.* No signs with interior illumination can be constructed or erected within the historical district without the express approval of the Commission.
- (h) *Building code applicable to signs.* All signs under this section shall be further governed by the existing regulations of the building code of the city which are not in conflict with this section.
- (i) *Application for signs to be submitted to Commission.* All applications for permits to display signs within the Grambling Historic Preservation District shall be submitted to the Commission for approval before a permit therefor may be issued.
- (j) *Form of application to display signs; accompanying drawings.* Application for a permit to display a sign in the Grambling Historic Preservation District shall be made to the Commission upon forms furnished by the Commission. Such an application shall also be accompanied by sketches and drawings in triplicate showing details of construction and foundation when required by the Building Code of the City and shall delineate the size, shape, design, coloring, lighting, and position in relation to the building for or upon which it shall be displayed.
- (k) *Violating signs, etc., to be removed.* Any sign or exterior illumination of walls, exteriors, roofs, or appurtenances of buildings displayed after the effective date of this section and contrary to the provision of this section are prohibited.

Sec. 17.23 Prohibition of Aerials And Antennas.

The construction or addition of aerials or antennas of any type within the Grambling Historic Preservation District are prohibited without the express approval of the Commission.

Sec. 17.24 Prohibition Against Demolition By Neglect.

(a) Demolition by Neglect.

- (1) Any resource which is a landmark and all resources within the Grambling Historic Preservation District shall be preserved by the owner or such other persons as may have the legal custody or control thereof against decay and deterioration and free from unreasonable structural defects. The owner or other person having legal custody and control thereof shall repair such resources if it is found to have one or more of the following defects:
 - a. Deterioration to the extent that it creates or permits a hazardous or unsafe condition as determined by the city building inspector.
 - b. Deterioration, as determined by the building inspector, of a building characterized by one or more of the following:
 1. Those buildings which have parts thereof which are so attached that they may fall and injure persons or property;
 2. Deteriorated or inadequate foundations;
 3. Defective or deteriorated floor supports that split, lean, list, or buckle due to defective material, workmanship, or deterioration;
 4. Members of walls or other vertical supports that split, lean, list, or buckle due to defective material, workmanship, or deterioration;
 5. Members of walls or other vertical, supports that are insufficient to carry imposed loads with safety;
 6. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
 7. Members of ceilings, roofs, ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
 8. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration; or
 9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.
- (2) If the Commission makes a preliminary determination that a resource is being

demolished by neglect, it shall direct the Grambling Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefor, and shall give the owner of record thirty (30) days from the date of mailing of such notice or the posting thereof on the property, whichever comes later, to commence work to correct the specific defects as determined by the Commission. Said notice shall be given as follows:

- a. By certified mail through the U.S.P.S, Federal Express, UPS, or other commercial carrier that maintains signature requirements and records directed to the last known address of the record owner or owners as listed on the city and/or parish tax rolls;
 - b. By hand delivery to the property owner by the Grambling City Police Department, Lincoln Parish Sheriff's Office, or the Sheriff or law enforcement agency of the parish/county in which the property owner resides;
 - c. By the Grambling Building Official or a member of the Commission, provided the property owner signs a notice accepting a copy of same; or
 - d. If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the resource.
- (3) If the owner or owners fail to commence work within the time allotted as evidenced by a building permit, the Commission shall notify the owner or owners in the manner provided above to appear at a public hearing before the Commission at a date, time, and place to be specified in said notice, which shall be mailed or posted at least thirty (30) days before said hearing. For the purpose of insuring lawful notice, a hearing may be continued to a new date and time.
- (4) The Commission shall receive evidence on the issue of whether the subject resource should be repaired and the owner or owners may present evidence in rebuttal thereto.
- (5) If, after such hearing, the Commission determines that the resource is being demolished by neglect, it may make any and all appropriate recommendations, including but not limited to the recommendation that the city building official should bring misdemeanor charges against the owner or owners if the necessary repairs are not completed within ninety (90) days of the determination by the Commission that the subject building or resource is being demolished by neglect.
- (b) *Unreasonable economic hardship.* When a claim of unreasonable economic hardship is made due to the effect of this section, the owner of record must present evidence sufficient to prove that as a result of the Commission's action, he is unable to obtain a reasonable return or a reasonable beneficial use. The owner of record shall submit by affidavit to the Commission for its review information which shall include but not be limited to the following:
- (1) Date the property was acquired by its current owner;

- (2) Price paid for the property (if acquired by purchase) and the relationship (if any) between the buyer and the seller of the property;
 - (3) Mortgage history of the property, including current mortgage;
 - (4) Current market value of the property;
 - (5) Equity in the property;
 - (6) Past and current income and expense statements for a two (2) year period;
 - (7) Past capital expenditures during ownership of current owner;
 - (8) Appraisals of the property obtained within the previous two (2) years;
 - (9) Income and property tax factors affecting the property; and
 - (10) Terms of any and all offers of such purchase of said property for past five (5) years, including name, address, and telephone number of such offerors.
- (c) The Commission may require that an applicant furnish additional information relevant to its determination of unreasonable economic hardship.
 - (d) The Commission may receive and consider studies and economic analysis from other city agencies and from private organizations relating to the property in question.
 - (e) Should the Commission determine that the owner's present return is not reasonable, it must consider whether there are other uses currently allowed that would provide a reasonable return and whether such a return could be obtained through investment in the property for rehabilitation purposes.

Sec. 17.25 Minimum Maintenance Requirements.

- (a) In order to insure the protective maintenance of landmarks and/or resources within the Grambling Historic Preservation District, the exterior features of such properties shall be maintained to meet the requirements of the city's minimum housing code and the city's building code.
- (b) The use of boarded openings is prohibited within the Grambling Historic Preservation District. The use of boards for windows shall be permitted in cases of emergency for a period of time not to exceed fourteen (14) days consecutively.
- (c) All property owners with boarded windows at the time of adoption of this section shall be notified in writing that all such boards are to be removed within thirty (30) days of such notice. Said notice shall be given as follows:

- (1) By certified mail through the U.S.P.S, Federal Express, UPS, or other commercial carrier that maintains signature requirements and records directed to the last known address of the record owner or owners as listed on the city and/or parish tax rolls;
- (2) By hand delivery to the property owner by the Grambling City Police Department, Lincoln Parish Sheriff's Office, or the Sheriff or law enforcement agency of the parish/county in which the property owner resides;
- (3) By the Grambling Building Official or a member of the Commission, provided the property owner signs a notice accepting a copy of same; or
- (4) If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the resource.

Sec. 17.26 No Grandfather Clause.

No "grandfather clause" shall be applicable to this chapter.

Art. VII. Standards and Criteria for Certificates of Appropriateness.

Sec. 17.27 Standards for New Construction.

- (a) Proposals for new construction in the Grambling Historic Preservation District should seek compatibility with existing structures through the appropriate use of site planning, materials, decorative details, architectural elements, and scale. A proposal should not draw unnecessary attention to itself in any one of these characteristics. However, a proposal should not duplicate or copy historic styles and periods. The architectural context is of primary concern and the following factors are considered.
- (b) Scale. The relationship of the building and its elements (including doors and windows) to other structures in the district. It is important in considering scale, that a careful study be made of the height, width, and mass of buildings in the immediate neighborhood and district as a whole. This study should serve to confirm or deny the appropriateness of the height, width, and mass of the proposed building. Maximum height of any new structure shall conform to The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings. In no case shall a new structure exceed a height of 75 feet above the street.
- (c) Siting. The positioning of a building on a lot. This process includes determining the setback of a building, the spacing of this building from adjacent buildings, and the location of the walls, fences, walks, drives, and landscaping, if any of these are used in the overall design.
- (d) Materials. The surface building fabric which contributes to the exterior character and appearance of a building.

- (e) Decorative Details. Ornamentation or Embellishment. These include cornices, lintels, arches, balustrades, chimneys, shutters, columns, and other common details. When used, details should create a unifying effect on a building and should be compatible with the context of the neighborhood.
- (f) Architectural Elements. Parts of a building that are integral to its composition. These include balconies, roofs, porches, chimneys, dormers, parapets, and other parts of a building that contribute to its overall shape and silhouette. The choice and arrangement of elements of a proposed building should reflect those of other buildings in the neighborhood. The building should not draw unnecessary attention to itself by failing to relate to neighboring styles. Neither should it copy these styles. The object is to compliment the context of the Grambling Historic Preservation District.

Sec 17.28 Standards for Rehabilitation, Restoration and Reconstruction.

(a) Standards for Preservation.

- (1) A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected, and if necessary, stabilized until additional work may be undertaken.
- (2) The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- (3) Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
- (4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- (5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- (6) The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.
- (7) Chemical or physical treatments, when determined appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- (8) Archeological resources will be protected and preserved in place. If such resources must

be disturbed, mitigation measures will be undertaken.

- (9) When the property's distinctive materials, features, and spaces are essentially intact and thus convey the historic significance without extensive repair or replacement; when depiction at a particular period of time is not appropriate; and when a continuing or new use does not require additions or extensive alterations, Preservation must be considered as a treatment.

(b) Standards for Rehabilitation.

- (1) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- (2) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
- (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.
- (4) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
- (5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- (6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.
- (7) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- (8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- (9) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- (10) New additions and adjacent or related new construction shall be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

- (11) When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, Rehabilitation must be considered as a treatment.

(c) Standards for Restoration.

- (1) A property shall be used as it was historically or be given a new use which reflects the property's restoration period.
- (2) Materials and features from the restoration period shall be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period shall not be undertaken.
- (3) Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period shall be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
- (4) Materials, features, spaces, and finishes that characterize other historical periods shall be documented prior to their alteration or removal.
- (5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period shall be preserved.
- (6) Deteriorated features from the restoration period shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials.
- (7) Replacement of missing features from the restoration period shall be substantiated by documentary and physical evidence. A false sense of history shall not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
- (8) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- (9) Archeological resources affected by a project shall be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- (10) Designs that were never executed historically shall not be constructed.
- (11) When the property's design, architectural, or historical significance during a particular period of time outweighs the potential loss of extant materials, features, spaces, and finishes that characterize other historical periods; when there is substantial physical and documentary evidence for the work; and when contemporary alterations and additions

are not planned, Restoration may be considered as a treatment. Prior to undertaking work, a particular period of time, i .e., the restoration period, should be selected and justified, and a documentation plan for Restoration developed.

(d) Standards for Reconstruction.

- (1) Reconstruction shall be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.
- (2) Reconstruction of a landscape, building, structure, or object in its historic location shall be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures shall be undertaken.
- (3) Reconstruction shall include measures to preserve any remaining historic materials, features, and spatial relationships.
- (4) Reconstruction shall be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property shall re-create the appearance of the non- surviving historic property in materials, design, color, and texture.
- (5) A reconstruction shall be clearly identified as a contemporary re- creation.
- (6) Designs that were never executed historically shall not be constructed.
- (7) When a contemporary depiction is required to understand and interpret a property's historic value (including the re-creation of missing components in the Grambling Historic Preservation District or a site therein); when no other property with the same associative value has survived; and when sufficient historical documentation exists to ensure an accurate reproduction, Reconstruction may be considered as a treatment.
- (8) The Commission shall follow The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings in considering all proposals for new construction and/or rehabilitation.

Sec. 17.29 Standards for Demolition.

- (a) The demolition of a historic structure is strongly discouraged and is only considered as a last resort.

(b) Required information. The following information must be supplied by the applicant before an application for demolition will be considered complete:

- (1) Information describing the condition of the structure;
- (2) Estimated cost of restoration or repair;
- (3) Demonstration that the adaptive use or restoration of the structure has been seriously considered;
- (4) Any available historic records of the building (drawings, photographs);
- (5) Architectural drawings for any proposed new constructions which are intended to replace the historic structure;
- (6) Any other information the Commission finds appropriate to render a decision on the application; and
- (7) Documentation that the applicant has posted on the premises of the structure, in a manner easily visible from the public way, notice of intended desire to seek demolition for a period of six months prior to application for a Certificate of Appropriateness.

(c) A decision by the Commission approving or denying a Certificate of Appropriateness for the demolition of buildings, structures, sites, trees judged to be 50 years old or older, or objects shall be guided by:

- (1) The historic, scenic or architectural significance of the building, structure, site, tree or object;
- (2) The importance of the building, structure, site, tree or object to the ambiance of a district;
- (3) The difficulty or the impossibility of reproducing such a building, structure, site, tree, or object because of its design, texture, material, detail, or unique location;
- (4) Whether the building, structure, site, tree, or object is one of the last remaining examples of its kind in the neighborhood or the city;
- (5) Whether the applicant has explored preservation options, such as the sale of the structure to an individual or group interested in preserving the structure;
- (6) Whether there are definite plans for use of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be;
- (7) Whether reasonable measures can be taken to save the building, structure, site, tree, or object from collapse;

- (8) Whether the building, structure, site, tree, or object is capable of earning reasonable economic return on its value.

Sec. 17.30 Standards for Relocation

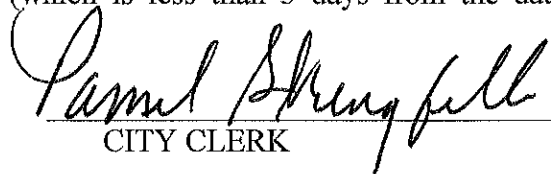
- (a) The relocation of a historic structure is strongly discouraged and is only considered as a last resort.
- (b) Required information. The following information must be supplied by the applicant before an application for relocation will be considered complete:
 - (1) Plans for the proposed new location, including the address, plat showing how the building will be set up at its new location, and a description of the surrounding properties;
 - (2) Plans for the method of relocating the building or structure;
 - (3) Any available historic records of the building (drawings, photographs);
 - (4) Whether there are definite plans for the area to be vacated and what the effect of those plans on the character of the surrounding area will be;
 - (5) Any other information the Commission finds appropriate to render a decision on the application; and
 - (6) Documentation that the applicant has posted on the premises of the structure, in a manner easily visible from the public way, notice of intended desire to seek relocate the building or structure for a period of six months prior to application for a Certificate of Appropriateness.
- (c) A decision by the Commission approving or denying a Certificate of Appropriateness for the relocation of buildings, structures, sites, trees judged to be 50 years old or older, or objects shall be guided by:
 - (1) The historic, scenic or architectural significance of the building, structure, site, tree or object;
 - (2) The importance of the building, structure, site, tree or object to the ambiance of a district;
 - (3) Whether the structure is endangered in its original location. Relocation is generally not be permitted if the structure is not endanger without evidence of extenuating circumstances;
 - (4) The historic character and aesthetic interest the building, structure or object contributes to its present setting;

- (5) Whether the building, structure or object can be moved without significant damage to its physical integrity; and
- (6) Whether the proposed relocation area is compatible with the historical and architectural character of the building, structure, site or object

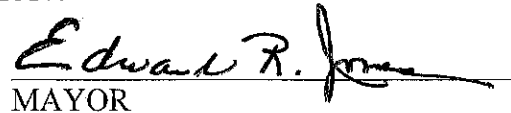
This Ordinance was duly introduced, the title of this ordinance was duly published in accordance with law, and then duly read and adopted on April 6, 2017 by the following votes:

5 YEAS 0 NAYS 0 ABSENT 0 ABSTAIN.

This Ordinance was adopted on the 6th day of April, 2017 and presented to the Mayor for his signature on the _____ day of April, 2017 (which is less than 3 days from the date the ordinance was adopted).


CITY CLERK

Approved by the Mayor on this _____ day of April, 2017.


MAYOR