



Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Placed On File

**File created:** 6/4/2002      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 2/11/2003

**Effective date:**

**Title:** An ordinance relating to the regulations governing historic preservation districts.

**Sponsors:** ALD. HENNINGSSEN

**Indexes:** HISTORIC PRESERVATION, HISTORIC PRESERVATION COMMISSION

**Attachments:** 1. Fiscal Note.pdf, 2. HPC Letter.pdf

Date	Ver.	Action By	Action	Result	Tally
6/4/2002	0	COMMON COUNCIL	ASSIGNED TO		
6/5/2002		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/5/2002		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/25/2002	1	CITY CLERK	DRAFT SUBMITTED		
11/8/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/8/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/11/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/15/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
1/28/2003	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/29/2003	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/29/2003	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/30/2003	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/4/2003	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	3:0
2/11/2003	1	COMMON COUNCIL	PLACED ON FILE	Pass	13:2

020319

SUBSTITUE 1

ALD. HENNINGSSEN

An ordinance relating to the regulations governing historic preservation districts.

308-81-8-c am

308-81-9-0 am

This ordinance makes the following 2 changes to the rules governing historic preservation:

1. It requires that all recommendations for historical designation from the historic preservation commission to the common council include a clear statement relating the position of the affected property owner or owners with respect to the proposed designation.
2. Certificates of appropriateness will not be required for exterior alterations performed on a portion of a property not visible from a public street. For the purpose of this section only, the definition of "public street" does not include an alley abutting a property's rear lot line.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 308-81-8-c of the code is amended to read:

**308-81. Historic Preservation Commission.**

**8. NOMINATION AND DESIGNATION OF HISTORIC SITES, STRUCTURES AND DISTRICTS.**

c. The commission shall submit its recommendation for designation as a historic site, historic structure or historic district to the common council. >>This recommendation shall include a clear statement relating the position of the affected property owner or owners with respect to the proposed designation.<< The council in its decision on designation shall balance the interest of the public in preserving the affected property and the interest of the owner or owners in using the property for his or her purposes.

Part 2. Section 308-81-9-0 of the code is amended to read:

**9. REGULATION OF CONSTRUCTION, RECONSTRUCTION, REHABILITATION AND DEMOLITION.** No owner, renter, occupant or person in charge of a historic site, historic structure or an improvement within a historic district shall reconstruct or alter all or any part of the exterior of such property or construct any improvement upon such a property or properties or permit any such work to be performed upon such property or demolish such property unless a certificate of appropriateness has been granted by the commission. >>A certificate shall not be required for exterior alterations performed on a portion of a property not visible from a public street. For the purpose of this subsection, the definition of "public street" shall not include an alley abutting a property's rear lot line.

<< Unless such certificate has been granted by the commission, the commissioner of city development shall not issue a permit for any such work.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

LRB02280-1

jro

06/25/02