



Legislation Text

File #: 000441, Version: 0

000441
ORIGINAL

ALD. D'AMATO
An ordinance related to the reconsideration of historic designations.
308-81-8-e am
308-81-8-f cr
- Analysis -

This ordinance establishes the circumstances under which a site, structure or area may be reconsidered for historic designation once such designation has been dismissed or denied by the historic preservation commission. The circumstances are:

1. If more than 2 years have passed since the dismissal or denial of the designation. 2. If substantial new information is presented to the commission that could not have reasonably been presented at the previous hearing. The decision to reconsider shall be made by a majority of the historic preservation commission's membership.

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

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

308-81. Historic Preservation Commission.

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

e. In cases where the commission has nominated a site, structure or area for consideration for historic designation, final action, in accordance with this subsection, shall be taken within 2 years of the date of nomination. If final action is not taken, the nomination of the site, structure or area is terminated. [[Sites, structures or areas are eligible for renomination.]]

Part 2. Section 308-81-8-f of the code is created to read:

f. Once a nomination for historic designation has been dismissed or denied, the same site, structure or area may not be renominated unless one of the following conditions is met:

1. Two years have passed since the nomination was dismissed or denied. In such cases, the renomination shall be considered a new nomination for the purposes of this section. In cases where a nomination is terminated pursuant to par. e, the 2 years shall be counted from the date of the termination.

2. The commission is presented with substantial new evidence that could not reasonably have been presented at the previous hearing. In such cases, this evidence, including photographs, shall be accompanied by an appropriate application form. No such renomination shall take place without the affirmative vote of a majority of the members of the commission.

3. All renominations shall be subject to the same notice requirements as the original public hearings.

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: _____

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jro
06/29/00