

RESOLUTION NO. 19-196

A RESOLUTION RESCINDING RESOLUTION NUMBER 17-207, AND ADOPTING REVISED HISTORIC PRESERVATION PROGRAM RULES AND REGULATIONS FOR THE CITY OF CASPER, WYOMING

WHEREAS, the Historic Preservation Program was established in 1987; and,

WHEREAS, the Historic Preservation Program Rules and Regulations were originally adopted on September 1, 1987, and amended multiple times in the past, specifically by Resolution Numbers 87-126, 03-256, and 12-256; and,

WHEREAS, in November of 2017 the City Council rescinded previous resolutions, and adopted new Historic Preservation Program Rules and Regulations via Resolution Number 17-207; and,

WHEREAS, Section 2 of the adopted Rules and Regulations limits membership on the Historic Preservation Commission to no more than two (2) consecutive three (3) year terms; and,

WHEREAS, the City Council greatly appreciates the contribution of the Historic Preservation Commission volunteers, and desires to remove the limitation on the number of terms that may be served, which is consistent with Section 2.40.070 of the Casper Municipal Code, which does not provide for a limitation on the number of terms that may be served; and,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That Resolution Number 17-207 is hereby rescinded, and the City of Casper Historic Preservation Program Rules and Regulations (Revised 2019) are hereby adopted to read as follows:

Section 1. Title.

These revised rules and regulations for the Historic Preservation Program for the City of Casper, Wyoming, for the implementation of Ordinance No. 66-87, are entitled City of Casper Historic Preservation Program Rules and Regulations (Revised 2019).

Section 2. Commission Members.

- 2.1 Information on credentials of the Commission members must be kept on file and available for public inspection by the Community Development Department.
- 2.2 When an appropriate discipline is not represented among the Commission members, the Commission shall be required to seek the appropriate expertise and consider National Register nominees or other actions that will impact properties which are normally evaluated by professionals in such disciplines.
- 2.3 The term of the members of the Historic Preservation Commission shall be three (3) years. ~~Members may be appointed for no more than two (2) consecutive terms.~~

- 2.4 Any member may be removed at the sole discretion of a majority of a then full City Council.

Section 3. Ethics and Conflict of Interest.

The "Public Service Code of Ethics" as set forth in Chapter 2.60 of the Casper Municipal Code shall apply to the Historic Preservation Commission members regarding ethics and conflicts of interest.

Section 4. Meetings.

The Commission shall meet a minimum of six (6) times per year at a date, time and place established by the Chairman or a majority of the Commission for the purpose of carrying out the functioning of the Commission. All meetings of the Commission shall be open to the public. To transact any official business, a quorum must be present. A quorum is a simple majority of the total current membership of the Commission.

Section 5. Officers.

- 5.1 Nomination and election of officers for the upcoming year will be held at the January meeting or at the first meeting of the calendar year.
- 5.2 The officers of the Commission shall consist of a Chairman and Vice-Chairman.
- 5.3 The Chairman shall be responsible for presiding over and calling to order all regular and special meetings, announcing business to be conducted, provided for swift, orderly, and pertinent discussions of questions arising during proceedings and putting them to a vote. The Chairman shall also announce the result of the votes and authenticate, by his or her signature when necessary, all acts, orders, and proceedings of the Commission.
- 5.4 Upon absence of the Chairman, the Vice-Chairman shall automatically become the presiding officer of the Commission. The Vice-Chairman shall also be able to sign any documents for the Commission in the absence of the Chairman.
- 5.5 Each elected officer shall serve for one year, or until his or her successor takes office.

Section 6. Minutes.

Minutes of the records of the proceedings of the Commission shall be available to the Casper City Council, as well as submitted for permanent record keeping to the Records Management office at city hall. The Commission shall monitor, or report to the State Historic Preservation Officer, any activity affecting significant property with its jurisdiction.

Section 7. Annual Report.

An annual report of the activities of the Commission shall be submitted to the Casper City Council and the State Historic Preservation Officer.

Such report shall include, but is not limited to, items such as the number and type of cases reviewed, review decisions, proposed nominations, updated resumes of Commission members, appointees to

the Commission, meeting attendance records, progress reports on survey activities, and National Register nominations received.

Section 8. Education/Training.

Each Commission member is ~~required~~ ENCOURAGED to attend at least one (1) informal or educational meeting per year, as sponsored by the State Historic Preservation Officer, Certified Local Government or other qualified organization that pertains to the work and function of the Commission for historic preservation. The State Historic Preservation Officer will provide information to all Historic Preservation Commissions.

Section 9. Funding.

The Commission shall have the right to receive and spend funds legally received from any and every source, both in and out of the State of Wyoming, for the purpose of carrying out the provisions of these rules and regulations.

Section 10. Petitions for Local Designation/Listings.

A landowner, or other interested party, may submit a recommendation to the Commission for consideration of local listings. The Commission must diligently process any petition.

Section 11. Notification of Certification.

Notice of proposed designations shall be sent by regular mail to the owner of property, as identified by the latest tax record on file in the Natrona County Assessor's Office, proposed for designation, describing the property proposed and announcing a public hearing by the Commission to consider said designation.

Section 12. Notification of Property Owners for Public Hearing.

The Commission shall attempt to notify owners of property which are proposed for designation. The City shall advertise the Public Hearing once in a daily newspaper, at least fifteen (15) days prior to public hearing.

12.1 At the public hearing:

- A. The Commission may solicit expert testimony regarding historical, architectural, cultural, or archeological importance of the site, building, structure, district, or facility under consideration for designation.
- B. The Commission may present testimony or documentary evidence of its own to establish a record regarding historical, architectural, cultural, or archeological importance of the proposed designation.
- C. The Commission shall afford to the owner of said property reasonable opportunity to present testimony or documentary evidence regarding the importance of the proposed designation.
- D. The Owner of the property proposed for designation shall be afforded the right to representation by counsel.

- E. In his/her interest, the party may present testimony or documentary evidence regarding the proposed designation at the public hearing.
- F. The Commission, after holding a public hearing, must submit its decision the City Council within thirty (30) days of the public hearing. The City Council will act upon the recommendation of the Commission within sixty (60) days. The decision may be appealed by either party to the local District Court.

Section 13. Owners Notified of Designation.

Owners must be notified of the designation decision within fourteen (14) days after the Commission meeting. The State Historic Preservation Officer and other agencies, as appropriate, shall be notified of designation by the commission within thirty (30) days of the date of which the Casper City Council ratified designation of the site, building, structure, district, or facility as worthy of preservation. The Commission shall cause to be filed, with the appropriate legal entity, a certificate of notification that such property is designated, and such certificate of notification shall be maintained in the office of the City Planner until such time as the designation may be withdrawn by the Commission.

Section 14. Rescind Designation of Site.

The Commission may recommend to the Council that the Council rescind the designation of any site, building, structure, district, or facility if, due to professional error, the property was incorrectly designated. The Commission shall follow the public notification procedures as specified above to rescind the previous designation.

Section 15. Participation in the National Register Process.

The Commission shall review each pending National Register Nomination that lies within the corporate limits of the City of Casper.

The Commission will comply with *The Certified Local Government Handbook* as written by the State Historic Preservation Officer and officially approved by the Department of Interior.

BE IT FURTHER RESOLVED: That upon passage and execution of this resolution in accordance with law, this resolution shall be filed with the office of the Natrona County Clerk.


PASSED, APPROVED, AND ADOPTED this 1st day of October, 2019.

APPROVED AS TO FORM:


Wallace Thompson

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation


Fleur D. Tremel
City Clerk




Charles Powell
Mayor