

Chapter 9
HISTORIC PRESERVATION*

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***Cross references**--Buildings, construction and related activities, Ch. 5; trees and landscaping, Ch. 20; zoning, Ch. 22.

State law references--The Uniform Act for the Application of Building and Fire Related Codes to Existing Buildings, O.C.G.A. § 8-2-200 et seq.; buildings presenting special hazards to persons or property, O.C.G.A. § 25-2-13; grants to municipal corporations for repairs on facilities of historical value, O.C.G.A. § 36-40-1 et seq.; Facade and Conservation Easements Act of 1976, O.C.G.A. § 44-10-1 et seq.; Georgia Historic Preservation Act, O.C.G.A. § 44-10-20 et seq.

Section 9-0A ARTICLE I. IN GENERAL

Section 9-1 Purpose.

In support and furtherance of its findings and determination that the historical, cultural and aesthetic heritage of the city is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity and general welfare of the people; in order to stimulate revitalization of the business districts and historic neighborhoods and to protect and enhance local historical and aesthetic attractions to tourists and thereby promote and stimulate business; in order to enhance the opportunities for federal or state tax benefits under relevant provisions of federal or state law; and in order to provide for the designation, protection, preservation and rehabilitation of historic properties and historic districts and to participate in federal or state programs to do the same; the city council hereby declares it to be the purpose and intent of this chapter to establish a uniform procedure for use in providing for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, structures, objects, landscape features and works of art having a special historical, cultural or aesthetic interest or value, in accordance with the provisions of this chapter.

(Ord. of 1-12-87(5), § I)

Section 9-2 Compliance with zoning code required.

Nothing in this chapter shall be construed as to exempt property owners from complying with existing city or county building and zoning codes, nor to prevent any property owner from making any use of his property not prohibited by other statutes, ordinances, or regulations. (Ord. of 1-12-87(5), § V)

Section 9-3 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings

ascribed to them in this section, except where the context clearly indicates a different meaning:

Certificate of appropriateness means a document evidencing approval by the historic preservation commission of an application to make a material change in the appearance of a designated historic property or of a property located within a designated historic district.

Exterior architectural features means the architectural style, general design and general arrangement of the exterior of a building or other structure, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, features, details or elements relative to the foregoing.

Exterior environmental features means all those aspects of the landscape or the development of a site which affect the historical character of the property, i.e., walls, fences, paving, walks, drives, etc., but not plants, trees, or flowers of any kind.

Historic district means a geographically definable area designated by the city council as a historic district pursuant to the criteria established in sections 9-49--9-51.

Historic property means an individual building, structure, site, object or work of art including the adjacent area necessary for the proper appreciation thereof designated by the city commission as a historic property pursuant to the criteria established in sections 9-52 and 9-53.

Material change in appearance means a change that will affect either the exterior architectural or environmental features of a historic property at any building, structure, site, object, landscape feature or work of art within a historic district, such as:

- (1) A reconstruction or alteration of the size, shape or facade of a historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details or elements;
- (2) Demolition or relocation of a historic structure;
- (3) Commencement of excavation for construction purposes;
- (4) A change in the location or design of advertising visible from the public right-of-way; or
- (5) The erection, alteration, restoration or removal of any building or other structure within a historic property or district, including walls, fences, steps and pavements, or other appurtenant features.

(Ord. of 1-12-87(5), § VI)

Cross reference--Definitions and rules of construction generally, § 1-2.

Section 9-4 Penalty.

Violations of any provisions of this chapter shall be punished as provided in section 1-6.
(Ord. of 1-12-87(5), § VII)

Section 9-5 9-5--9-20. Reserved.