

ORDINANCE 2022- 27

AN ORDINANCE CREATING AND ESTABLISHING  
THE FERDINAND HISTORIC PRESERVATION COMMISSION

WHEREAS, the Town Council of Ferdinand, Indiana considers it to be in the best interest of the Town that a historic preservation agency be operated within the Town to, among other things, preserve and protect the historical and architectural integrity and visual quality of existing buildings, structures and sites located within the Town of Ferdinand, Indiana and further considers its members of the Economic Development Commission to be the best candidates for membership; and

WHEREAS, I.C. 36-7-11-1 et seq. provides the exclusive method by which a historic preservation agency can be operated within the Town of Ferdinand, Indiana;

NOW THEREFORE, be it ordained by the Town Council of the Town of Ferdinand, Indiana:

1. Title 1 "Administration" of the Ferdinand Municipal Code shall be amended to include an additional chapter, entitled "Chapter 1.110 Ferdinand Historic Preservation Commission", which amendment shall read as follows:

CHAPTER 1.110

FERDINAND HISTORIC PRESERVATION COMMISSION

(a) Establishment (1.110.010)

There is hereby established a Ferdinand Historic Preservation Commission pursuant to Indiana Code 36-7-11-1 et seq. which shall hereafter be referred to as the Ferdinand Historic Preservation Commission.

(b) Membership (1.110.020)

Members

The Ferdinand Historic Preservation Commission shall consist of three (3) voting members and the membership shall consist of whomever are the then members of the Ferdinand Economic Development Commission (hereinafter "EDC"). Members shall be appointed to the Economic Development Commission in accordance with the statutes relative to the EDC and the members of the EDC shall, by virtue of their membership on the EDC, also be members of the Ferdinand Historic Preservation Commission, subject only to approval by the Town Council after appointment.

Qualifications:

- A. Members must be residents of the Town of Ferdinand, Indiana and members of the Town of Ferdinand EDC.

- B. Each member shall be appointed because of the member's knowledge, experience, awareness of or interest in the architectural, history, planning, and other disciplines related to historic preservation.

(c) Terms of Members (1.110.030)

(1) Appointed Members

A. Initial Terms

i. Appointments

The term of office of each member shall be co-existent with the member's term of office on the EDC.

B. Subsequent Terms

A member shall serve until his or her successor is appointed and qualified. A member shall be eligible for reappointment.

(d) Vacancies (1.110.040)

If a vacancy occurs among the Ferdinand Historic Preservation Commission membership, then the entity or person responsible for appointing a member to fill the vacancy on the EDC shall appoint a member for the unexpired term of the vacating member, and that member shall then also serve on the Ferdinand Historic Preservation Commission, subject to approval by the Town Council.

(e) Conflict of Interest (1.110.050)

A member of the Ferdinand Historic Preservation Commission may not participate as a member in a decision of the Ferdinand Historic Preservation Commission concerning a matter in which the member has a direct or indirect financial interest. The Ferdinand Historic Preservation Commission shall enter in its records the fact that its member has such a disqualification. A member of the Ferdinand Historic Preservation Commission may not directly or personally represent another person in a hearing before the Ferdinand Historic Preservation Commission concerning a Ferdinand Historic Preservation Commission matter.

(f) Quorum (1.110.060)

Action of the Ferdinand Historic Preservation Commission shall not be official unless it is authorized, at a regular or special meeting, by a majority of the entire voting membership of the Ferdinand Historic Preservation Commission.


2. (1.110.070) If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

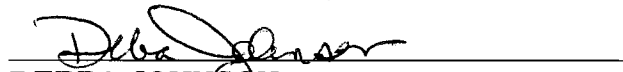
3. (1.110.080) This Ordinance shall be in full force and effect from and after its adoption and signing.

PASSED AND ADOPTED by the Town Council of Ferdinand, Indiana, this 16 day of August, 2022.

TOWN COUNCIL OF THE TOWN  
OF FERDINAND, INDIANA

  
KENNETH J. SICARD

  
RON WEYER

  
DEBRA JOHNSON

ATTEST:

  
TAMARA M. MILLER, Clerk-Treasurer