

PINE BLUFF CITY CODE
CHAPTER 2 - ADMINISTRATION
DIVISION 11. HISTORIC DISTRICT COMMISSION*

***Editor's note:** Ord. No. 6133, §§ 1--5, adopted March 21, 2005, was not specifically amendatory of the Code and has been included as div. 11, §§ 2-331--2-335, at the discretion of the editor.

Sec. 2-331. Historic district commission.

(a) *Created.* There is hereby created and established the Pine Bluff Historic District Commission ("the commission"), pursuant to the authority contained in A.C.A. § 14-172-2-1 et seq.

(b) *Membership.* The commission shall consist of seven (7) members appointed by the mayor, subject to confirmation by the city council. Members shall be electors of the City of Pine Bluff, holding no salaried or elective municipal office, and shall include at least one (1) person who owns property within a proposed historic district. Members shall demonstrate a positive interest in historic preservation, possessing interest or expertise in architecture, history, urban or regional planning, building rehabilitation, real estate, or preservation or conservation in general.

(c) *Term.* Members shall be appointed for terms of three (3) years each, and shall holdover in office until their successors are appointed and qualified. At the first meeting of the commission, its initial members shall draw lots to determine their length of terms. Two (2) members shall serve for one (1) year; two (2) members for two (2) years, and the remaining three (3) members shall serve for three (3) years. Succeeding appointees shall serve three (3) terms, except when the appointee is appointed to fill the unexpired term of a member.

(d) *Compensation prohibited.* Members of the commission shall serve without compensation. (Ord. No. 6133, § 1, 3-21-05)

Sec. 2-332. Officers, meetings and staff.

The commission shall elect a chairman and vice-chairman annually from its own members and shall meet at least four (4) times per year. The commission may adopt rules and regulations not inconsistent with the provisions of this division and state law. A simple majority of the commission shall constitute a quorum for the transaction of business.

(Ord. No. 6133, § 2, 3-21-05)

Sec. 2-333. Fiscal procedures.

(a) The commission shall subject to all fiscal procedures of the city. The commission may, subject to council appropriation, employ clerical and technical assistance or consultants and may accept money, gifts or grants, and use the same for such purpose.

(b) All money received by the commission, whether by appropriation or otherwise, shall be deposited in a separate account which shall be designated as the Pine Bluff Historic District Commission Fund. The funds shall be paid into the city treasury, and kept the finance director and city treasury shall segregate and maintain the monies apart from other funds of the city. The

funds may be drawn upon by the authorized officers of the commission, upon properly authenticated vouchers and pursuant to the direction of the commission.
(Ord. No. 6133, § 3, 3-21-05)

Sec. 2-334. Duties generally.

- (a) The commission may conduct studies for the identification and designation of historic districts and sites. The commission may proceed at its own initiative or upon a petition from any person, group, or association. The commission shall maintain records of all studies and inventories for public use.
 - (b) The commission may make recommendations to the state historic preservation officer for the listing of a historic district or site in the National Register of Historic Places.
 - (c) The commission will cooperate with the Arkansas Historic Preservation Program ("AHPP") and the National Park Service ("NPS") in the pursuance of Certified Local Government ("CLG") status.
 - (d) The commission will serve as the official custodian of the city's history and will act as a point of contact for the public and for state and federal agencies in all matters concerning historic preservation within the City of Pine Bluff.
- (Ord. No. 6133, § 4, 3-21-05)

Sec. 2-335. Duties specifically.

- (a) The commission shall make an investigation and report on the historic significance of the buildings, structures, sites, or surroundings included in a proposed historic district and shall transmit copies of its report to the Arkansas Historic Preservation Program (AHPP), a division of the Department of Arkansas Heritage, or its successor agencies, and to the Pine Bluff Planning Commission for their consideration and recommendation. AHPP (or applicable state agency) and the planning commission shall give their recommendations to the historic district commission within sixty (60) days from the date of receipt of the report.
 - (1) Failure by these bodies to make recommendations within sixty (60) days after date of receipt shall be taken as approval of the report of the commission.
 - (2) Recommendations shall be read in full at the required public hearing to be held by the commission.
- (b) The commission shall hold a public hearing on the establishment of the proposed historic district after giving notice of such hearing by publication in a newspaper of general circulation in the city once a week for three (3) consecutive weeks, the first such publication being at least twenty (20) days prior to the public hearing. Such notice shall include the time and place of the hearing, specify the purpose and describe the boundaries of the proposed historic district.
- (c) The historic district commission shall submit a final report with its recommendations and a draft of a proposed ordinance to the city council within sixty (60) days after the public hearing. The report shall contain the following:
 - (1) A complete description of the area or areas to be included in the historic district or districts. Any single historic district may embrace noncontiguous lands.
 - (2) A map showing the exact boundaries of the area or areas to be included within the proposed district or districts.
 - (3) A proposed ordinance designed to implement the provisions of the Arkansas Historic Districts Act (A.C.A. § 14-172-201 et seq.).

(4) Such other matters as the commission may deem necessary and advisable, including a statement of purpose and policy.

(d) The city council, after reviewing the report of the commission, shall take one (1) of the following steps:

(1) Accept the report of the commission and enact the proposed ordinance therein; or;

(2) Return the report to the commission, with such amendments and revisions thereto as it may deem advisable, for consideration by the commission and a further report city council within ninety (90) days of such return; or;

(3) Reject the report of the commission, stating its reasons therefore, and discharge the commission.

(e) Upon the creation of a district, the commission shall exercise the powers detailed in A.C.S.

§§ 14-172-208--14-172-211.

(Ord. No. 6133, § 5, 3-21-05)

Secs. 2-336--2-350. Reserved.