

1 **City of St. Albans**  
2 **Ordinance For Establishment of a Historic Preservation Commission**

3  
4 *Second reading, August 12, 2019*  
5

6 WHEREAS, the City of St. Albans contains historic resources of local, state and national  
7 significance and the City Council has determined that a Historic Preservation Commission would  
8 be beneficial to the cultural enrichment and general well-being of the community, and  
9

10 WHEREAS, the City of St. Albans seeks entry into the National Park Service's Certified Local  
11 Government Program for the purpose of furthering historic preservation activities,  
12

13 NOW, THEREFORE, pursuant to the authority granted them by Title 24, Vermont Statutes  
14 Annotated, and Section 16 of the Charter of the City of St. Albans, **the City Council hereby**  
15 **ordains and enacts as follows:**  
16

17 **Sec. 1. Historic Preservation.**  
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19 The City of St. Albans has agreed to enforce, within its jurisdiction, the provisions of the  
20 Vermont Planning and Development Act (24 V.S.A. chapter 117), the Vermont Historic  
21 Preservation Act (22 V.S.A. chapter 14), and any other state or local legislation which may be  
22 enacted for the designation and protection of historic properties.  
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24 **Sec. 2. Creation of Historic Preservation Commission.**  
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26 The City of St. Albans hereby establishes a Historic Preservation Commission of five (5)  
27 members to be appointed by the City Council. Subsequent to the adoption of this ordinance,  
28 the City Council may adjust the total number of seats on the Historic Preservation Commission  
29 from a minimum of three (3) to a maximum of nine (9) seats. The City Council may also appoint  
30 alternate members to the Historic Preservation Commission. The structure and responsibilities  
31 of the Historic Preservation Commission shall be as follows:  
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- 33 a. The Historic Preservation Commission shall be composed of professional and lay  
34 members, a majority of whom reside within the jurisdiction of the City of St. Albans.  
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36 b. All members of the Historic Preservation Commission shall have a demonstrated  
37 interest, competence or knowledge in historic preservation.  
38  
39 c. To the extent available within the jurisdiction of the City of St. Albans, at least a  
40 majority of the Historic Preservation Commission members shall be professionals  
41 from the disciplines of history, archaeology, architectural history, architecture and  
42 historical architecture who meet the requirements outlined in Appendix A of the  
43 *Regulations for the Vermont Certified Local Government Program* (attached).  
44 Members representing other historic preservation related disciplines, such as urban  
45 planning, American studies, American civilization, cultural geography, or cultural

1 anthropology, and lay members are encouraged. When a discipline is not  
2 represented on the Historic Preservation Commission, the commission shall seek the  
3 assistance of the Division in obtaining the necessary expertise when considering  
4 National Register nominations and other actions that will impact properties which  
5 are normally evaluated by a professional in such discipline.  
6

- 7 d. The terms of membership shall be three years, except that the initial appointments  
8 shall be staggered so that 1/3 of the commission memberships expire after the first  
9 year, 1/3 after the second year, and the remainder after the third year of the  
10 Commission's existence.  
11
- 12 e. All activities of the Historic Preservation Commission shall be conducted in  
13 accordance with the terms of the Vermont Open Meeting Law (1 V.S.A. chapter 5,  
14 subchapter 3), and the Historic Preservation Commission shall take additional steps  
15 as it deems appropriate to stimulate public participation in commission activities,  
16 such as publishing its minutes, publishing the procedures by which assessments of  
17 potential National Register nominations will be carried out or using public service  
18 announcements to publicize Historic Preservation Commission activities. The  
19 Historic Preservation Commission may withhold from disclosure to the public  
20 information about the location, character, or ownership of archaeological resources  
21 if such disclosure might risk harm to the resources.  
22
- 23 f. The Historic Preservation Commission shall meet no less than four times annually,  
24 and maintain an attendance rule for its members.  
25
- 26 g. The Historic Preservation Commission shall have written rules of procedure,  
27 including conflict of interest provisions in compliance with the Historic Preservation  
28 Fund Grants Manual issued by the National Park Service.  
29
- 30 h. The Historic Preservation Commission shall have the following responsibilities, to be  
31 carried out in coordination with and in accord with format and standards established  
32 by the Vermont Division for Historic Preservation.  
33
- 34 i. Creation and maintenance of a system for the survey and inventory of  
35 historic properties within its jurisdiction that is coordinated with the  
36 *Vermont Historic Sites and Structures Survey* and the *Vermont Archaeological*  
37 *Inventory*.  
38
  - 39 ii. Preparation, for submission to the Vermont Division for Historic Preservation  
40 by the City Council, of a report concerning properties within its jurisdiction  
41 that are under consideration for nomination to the National Register of  
42 Historic Places. The report shall be prepared in cooperation with the Division  
43 and shall be prepared in a manner consistent with the requirements of the  
44 National Historic Preservation Act as described in the *Regulations for the*  
45 *Vermont Certified Local Government Program*.

- iii. When determined to be appropriate in the discretion of the Historic Preservation Commission, preparation and submission for approval by the City Council of grant applications to the Vermont Division for Historic Preservation for funds from the CLG share of the state's annual Historic Preservation Fund (HPF) grant award.
- iv. Advising and assisting the City Council, Planning Commission, and other appropriate persons on matters related to historic preservation.
- v. Performance of additional responsibilities in accordance with a mutual written agreement between the Vermont Division for Historic Preservation and the City Council.

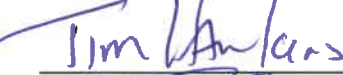

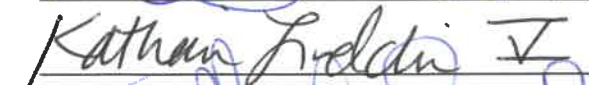





**Sec. 3. Severability.**

If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

**Sec. 4. Approval and Adoption.**

This Ordinance is hereby adopted this 12<sup>th</sup> day of August, 2019 and shall take effect immediately.

**City Council Signatures:**

 WARD I  
 WARD II  
 WARD I  
 — MAYOR  
 WARD III  
  
 WARD VI  


## **Appendix A: Professional Qualifications**

*From the "Regulations for the Vermont Certified Local Government Program"*

In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

**(a) History.** The minimum professional qualifications in history are a graduate degree in history or a closely related field; or a bachelor's degree in history or a closely related field plus one of the following:

(1) At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historical organization or agency museum, or other professional institution; or

(2) Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

**(b) Archaeology.** The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or a clearly related field plus

(1) At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management;

(2) At least four months of supervised field and analytic experience in general North American archeology, and

(3) Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the historic period.

**(c) Architectural History.** The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or a closely related field, with course work in American architectural history; or a bachelor's degree in architectural history, art history, historic preservation, or a closely related field plus one of the following:

(1) At least two years of full-time experience in research, writing, or teaching American architectural history, or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or

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(2) Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

**(d) Architecture.** The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time professional experience in architecture; or a state license to practice architecture.

**(e) Historic Architecture.** The minimum professional qualifications in historic architecture are a professional degree in architecture or state license to practice architecture, plus one of the following:

(1) At least one year of graduate study in architectural preservation, American architectural history, preservation planning or a closely related field; or

(2) At least one year of full-time professional experience on historic preservation projects.

Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.