

Miscellaneous Book

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Pope County, Arkansas
Diane Willcutt, Circuit Clerk
By: DJ Austin, D.C.

3 Pages **\$25.00**

ORDINANCE NO. 2212

**AN ORDINANCE AMENDING ORDINANCE NO. 2023 REGARDING
ESTABLISHING PROCEDURES FOR THE PROTECTION AND
PRESERVATION OF THE CHARACTER OF PROPERTIES WITHIN THE
RUSSELLVILLE DOWNTOWN HISTORIC DISTRICT AND FOR OTHER
PURPOSES**

WHEREAS, Ark. Code Ann. §14-172-201 *et seq.* governs the creation and
existent of Historic District Commissions of cities in the State of Arkansas; and

WHEREAS, the City Council of the City of Russellville, Arkansas, upon request
of the Historic District Commission of the City of Russellville, has requested Ordinance
No. 2023 be amended with the following amendments below listed.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF RUSSELLVILLE, ARKANSAS:**

SECTION 1: Section 3(b) of Ordinance No. 2023 is hereby amended to read as
follows:

SECTION 3(b): The Russellville Downtown Historic District (RDHD)
in Russellville, Arkansas, is more particularly described as follows:

Beginning at the point of intersection between the south boundary of the
Union Pacific Railroad right-of-way and centerline of North Commerce
Avenue; thence south along that centerline to the centerline of West C
Street; thence east along that centerline to a point roughly midblock;
thence south through the middle of that block, across West B Street, and
along westerly wall of County Extension Service building to the alley
just south of that building; thence east along the alley and through the
parking lot north of the County Courthouse to the centerline of North
Arkansas Avenue; thence south along that centerline to roughly the
midpoint of the block lying between Main Street and Second Street;
thence west through the middle of that block to the centerline of South
Boulder Avenue; thence north along that centerline to the centerline of
West Main Street; thence west along that centerline to the centerline of
Commerce Avenue; thence south along that centerline to centerline of
West Second Street; thence west along that centerline to the centerline
of South Denver Avenue; thence north along that centerline to centerline
of West Main Street; thence west along that centerline to roughly the
midpoint of the block between Denver Avenue and El Paso Avenue;
thence north through the middle of that block to a point on the south
boundary of the Union Pacific Railroad; thence southeasterly along that
boundary to the point of beginning.

- (i) This description is intended only to generally clarify the boundaries of the RDHD. It does not meet the standards of a legal description and should not be considered or used as such.
- (ii) As the Russellville downtown street grid is skewed several degrees in a clockwise direction from a true N-S/E-W basis, bounds used in the description should be considered general, and not be taken literally.
- (iii) In instances where the RDHD boundary is unclear as it passes through the middle of blocks, along alleys, or along irregular building lines, the line shall be considered to follow building walls, property lines, or other such reasonable dividing lines between properties to be included in the district, and properties lying outside the district. Where no such reasonable dividing line is present, RHDC shall determine the RDHD boundary by majority vote.”

SECTION 2: Section 5(e) of Ordinance No. 2023 is hereby added to Section 5 to read as follows:

“**SECTION 5(e):** A Certificate of Appropriateness (COA) shall remain valid for one year from the date of its approval by the Russellville Historic District Commission (RHDC). If the approved scope of work on any COA is not completed within one year, work on the project shall cease unless and until the applicant secures an extension of the COA. To apply for an extension of the COA, the applicant shall make a written request to the Historic Preservation Officer (HPO), and provide any materials the HPO deems necessary for review. In cases where an applicant is requesting their first extension, the HPO shall have power to approve a one-year extension, or to refer the request to the RHDC for their review. Only the initial request for a COA extension can be approved by the HPO. Any subsequent requests for extension after the initial one-year extension shall require a majority vote of the RHDC for approval. Extensions shall be valid for a period not to exceed one year. The HPO shall notify RHDC at their next meeting of any administrative actions taken in response to a request for extension of a COA.”

SECTION 3: Section 6(a) of Ordinance No. 2023 is hereby amended to read as follows:

“**SECTION 6(a):** Upon receipt in the proper form of an application for a Certificate of Appropriateness (COA), the Historic Preservation Officer (HPO) shall fix a public hearing date according to a monthly schedule maintained by the HPO. The following steps apply to the COA hearing process:

- (i) Notice of such hearing shall be given by posting a sign furnished by the HPO on the subject property not less than 15

days prior to the hearing. The sign shall remain posted in a location visible from the public right-of-way for the full 15 days until the hearing, and shall contain a statement that the posted property will be the subject of a hearing before the RHDC and shall also include HPO contact information. If outside posting is deemed hazardous to pedestrians or otherwise infeasible, the sign may be posted in a visible location in a street-facing first-floor window.

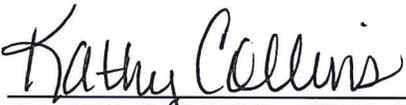
(ii) Notice of such hearing shall be given in written form to owners, occupants and/or operators of all properties any portion of which is within 100' of any portion of the subject property. Content of the notice will be provided by HPO to applicant, who shall be responsible for arrangements and costs associated with delivering notices by certified mail or other verifiable means within 20 days of the hearing date. Certified mail receipts or other proof of compliance with this requirement, along with a list of owners or occupants/operators must be provided to the HPO not less than seven days prior to the hearing date.

ORDAINED, this 15th day of October, 2015.



RANDY HORTON, MAYOR

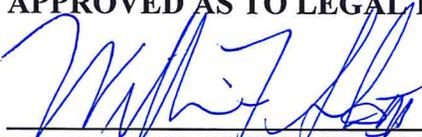
ATTEST:



KATHY COLLINS, CITY CLERK-TREASURER

I, Kathy Collins, City Clerk-Treasurer of Russellville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2212 passed by the City Council of the City of Russellville, Pope County, Arkansas, on the 15th day of October, 2015.

APPROVED AS TO LEGAL FORM:



WILLIAM F. SMITH III, CITY ATTORNEY

