

ORDINANCE NO.: 5202

AN AMENDED ORDINANCE to amend various sections of Chapter 20 of the Code of Ordinances of the City of La Crosse regarding Historic Preservation.

SECTION I: Subsection 20-1 is hereby amended as follows:

~~*Certificate of recommendation* means the certificate issued by the Commission approving or disapproving a proposed alteration, construction or reconstruction of a historic structure or historic site. The certificate of recommendation shall be a nonbinding recommendation only.~~

Historic Preservation means the research, protection, restoration and rehabilitation of historic properties.

Reconstruction means reestablishment of a historical feature or execution of a new design that is compatible with the character-defining features of a historic building. The new design should always consider the size, scale, and material of the historic building itself, and should be clearly differentiated so that a false historical appearance is not created.

Rehabilitation means the process of returning a historic building to good repair and safe condition and may include interior improvements that are needed to support the exterior of the building, as well as repurposing or adapting the building to a new use.

Restoration means the process of returning a historic building to a previous appearance, preferably through the use of historic photographs, and other physical or documentary evidence. Introduction of hypothetical or conjectural materials should be avoided in restoration.

SECTION II: Subsection 20-55 is hereby amended as follows:

At such time an individually listed historic property, historic structure, site or buildings within a listed historic district has been properly designated, the Commission may cause to be prepared and erected on such property or within such district at City expense, a suitable plaque declaring that such property is a historic structure, site or district. Such plaque shall be so placed as to be easily visible to passing pedestrians. The plaque shall state the name of the historic property, the date of its construction of significance, and other information deemed proper by the Commission.

SECTION III: Subsection 20-92 is hereby amended as follows:

- (a) Prior to applying for a permit from the Fire Department - Division of ~~Fire Prevention and Building Safety~~ Community Risk Management involving the exterior of a designated historic site or historic structure, an application for a certificate of ~~recommendation~~ appropriateness shall be filed with the Commission, in the Department of Planning, Development and Assessment. All existing individually listed properties will be subjected to a certificate of appropriateness unless a written statement from the property owner requesting that the property be de-designated has been submitted to the Department of Planning, Development, and Assessment by the owner by March 1st, 2022.

- (c) No owner or person in charge of a historic site or historic structure shall construct or alter all or any part of the exterior of such property or construct any improvement upon such designated property or cause or permit any such work to be performed upon such property until a certificate of ~~recommendation~~ appropriateness has been issued by the Commission. The request for a certificate of ~~recommendation~~ appropriateness for such sites shall be accompanied by the payment of a fee in the amount established by resolution. Until such certificate of ~~recommendation~~ appropriateness has been issued by the Commission, the Fire Department - Division of Community Risk Management ~~Fire Prevention and Building Safety~~ shall not issue a permit for any such work.
- (d) Upon filing of any application with the Commission, the Commission shall within 45 days of receipt of the application consider and may give weight, in issuing its certificate of ~~recommendation~~ appropriateness, to any or all of the following:
- (10) During deliberation, the Commission may require applicants to provide more information and documentation to form a decision on the matter. It is within the Commission's authority to gather information from other appropriate and trustworthy sources.
- (e) The Commission shall issue the certificate of ~~recommendation~~ appropriateness within 45 days of the filing of the application. The certificate of ~~recommendation~~ appropriateness shall serve as a ~~nonbinding~~ binding agreement. During such period of review, the Commission shall work with the applicant to preserve the historical attributes of any structure or building.
- (g) Ordinary maintenance and repairs may be undertaken without a certificate of ~~recommendation~~ appropriateness provided that the work involves repairs to existing features of a historic structure or historic site or the replacement of elements of a structure with materials similar in appearance and provided that the work does not change the exterior appearance of the structure or site and does not require the issuance of a building permit. Plans must be reviewed by the Department of Planning, Development & Assessment staff.
- (h) A Certificate of Appropriateness is not required if the project has been approved for State or Federal Historic Tax Credits by the State Historical Preservation Office or the National Park Service.

SECTION IV: Subsection 20-93 is hereby amended as follows:

- (a) Prior to applying for a permit from the Fire Department - Division of Community Risk Management ~~Fire Prevention and Building Safety~~ to demolish all or part of the exterior of an individually designated historic structure, historic site, or structure or contributing building in a historic district an application for a certificate of appropriateness for demolition along with a fee as established by resolution shall be filed with the Commission, in the Department of Planning and Development.

SECTION V: This ordinance shall take effect and be in force from and after its passage and publication.

_____/s/_____
Mitch Reynolds, Mayor

_____/s/_____
Nikki Elsen, City Clerk

Passed: 12/9/2021
Approved: 12/9/2021
Published: 12/18/2021