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**CITY OF LAURENS
HISTORIC PRESERVATION OVERLAY DISTRICT
ORDINANCE**

November 2001

**AMENDMENT TO LAURENS ZONING ORDINANCE AND THE PUBLIC SQUARE IMPROVEMENT DISTRICT
ORDINANCE*

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ORDINANCE 46-131 ADOPTION PROVISIONS

(a) Repealer

The following provisions of the Code of the City of Laurens are hereby repealed:

- Chapter 28, “Public Square Improvement District.”

(b) Context of Adoption and Transition

The City of Laurens is updating its Public Square Improvement District Ordinance in order to create a Historic Preservation Overlay District Ordinance. The Public Square Improvement District Ordinance’s Minimum Standards and Sign Provisions will be adopted herein.

(c) Applicability

All development within a designated historic district shall comply with the requirements contained in this Ordinance. In addition, all development within a designated historic district shall comply with the requirements of any underlying zoning district.

(d) Permitted Uses

Those uses permitted by the underlying district are allowed in the Historic District.

(e) Effective Date

This ordinance shall be effective upon adoption.

(f) Title

This ordinance shall be effective throughout and referred to as the '**City of Laurens Historic Preservation Overlay District**'.

(g) Purpose

The strength and happiness of a community is measured and preserved by the contributions and commitment of its people to its past, present and future. The purpose of establishing local historic preservation overlay districts and a historic landmark is to promote, protect, conserve and preserve one of Laurens’ most valued and important assets, its historical and architectural heritage. By means of recognizing, designating, and regulating historic overlay districts and historic landmarks, and by means of acquiring and managing selected historic properties where appropriate, the City of Laurens seeks to:

1. Protect, preserve and enhance the distinctive architectural and cultural heritage of Laurens;
2. Promote the use and conservation of Laurens’ historic resources for the education, pleasure and enrichment of the residents of the City, County and State as a commemoration and reminder of its origins and development;
3. Foster civic beauty and pride through the development and maintenance of historic sites, buildings and landmarks; and

4. Stabilize and enhance property values in the historic preservation overlay district areas; promote the economy, commerce and industry, and encourage tourism.

It is the hope of the Laurens City Council that by encouraging a general harmony in style, form, proportion and material between buildings of historic design and those of contemporary design, Laurens' historic buildings and historic overlay districts will continue to be a distinctive aspect of Laurens and will serve as visible reminders of the significant historical and cultural heritage of Laurens and State of South Carolina.

This ordinance is part of the zoning ordinance of Laurens and is enacted pursuant to the South Carolina Code of Laws, Ordinances 6-29-710 and Ordinance 6-29-870 et sequitur.

(h). Conflict with other Regulations

When the provisions specified under the authority of this ordinance impose other more restrictive standards than are required in or under another ordinance, statute or regulation, the provisions made under the authority of this chapter shall govern. When the provisions of another ordinance, statute or regulation require more restrictive standards than are required by this chapter, the provisions of the more restrictive ordinance, statute or regulation shall govern.

(i) Jurisdiction

The provisions of this ordinance shall apply to all designated historic districts and improvements located thereon within the City of Laurens, South Carolina.

(j) Severability

Should any ordinance or provision of this ordinance be declared invalid, the remaining ordinances or provisions shall remain valid.

ORDINANCE 46-4 DEFINITIONS (incorporated in current Zoning Definitions Ordinance)

(a) Word Usage

In the interpretation of provisions in this Ordinance, the rules of this ordinance shall be observed and applied, except when the context clearly indicates or requires otherwise:

1. The word "shall" is mandatory.
2. The word "may" is permissive.
3. The word "person" includes individuals, firms, corporations, associations, trusts and any other similar entities or groupings of such entities.
4. The word "City" shall mean the City of Laurens.
5. In the case of any difference of meaning or implication between the text of this Ordinance and any caption, number, illustration or table, the text shall control, unless otherwise specifically noted herein.

(b) Definitions

The following words are used throughout this Ordinance.

Abandoned sign (please revise current definition in zoning ordinance to reflect this definition)

A sign, other than a billboard, that advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted. A sign that advertises a business, enterprise or other activity that is closed for the off season, not to exceed 270 consecutive days, shall not be considered an abandoned sign.

Administrator

The City of Laurens Building Official or their designee.

Alteration

A change in the exterior architectural features (including, but not limited to, the kind and texture of the building material and the type, design, and character of the windows, doors, light fixtures, signs, and appurtenant elements) of any historic property or in the interior of any such structure if the interior feature is specifically included in the historic designation; a change in the landscape features of any historic site or place; or work having an adverse effect upon designated archaeological resources.

Animated Sign

Any sign that use movement, change of lighting or other means to depict action or create a special effect.

Archeological Site

A site that has yielded, or exhibits the promise of yielding, information important in the understanding of human prehistory or history. Such information may consist of evidence of past human life, habitation, or activity, as well as material remains.

Awning or Canopy Sign (please revise current definition in zoning ord. to reflect this definition)

Any sign that is a part of or attached to an awning, canopy or other structural protective covering above a door, entrance, window or walkway.

Banner Sign

A sign made of fabric or any non-rigid material with no enclosing framework. National, state or municipal flags shall not be considered banners.

Building Frontage

The length of an outside building wall parallel to and visible from a public or private street right-of way.

Building Marker

Any sign indicating the name of a building or date and incidental information about its construction, often cut into a masonry surface or made of bronze or other permanent material.

Business

A commercial establishment, store or professional office.

Building and Zoning Department

The building department of the City of Laurens.

Certificate of Appropriateness

Document issued by the Laurens Historic Preservation Commission, following a prescribed review procedure, certifying that the proposed actions by an applicant are found to be acceptable in terms of design criteria relating to the individual property or the historic district.

Commercial message

Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Contributing Property

Any structure over fifty years old.

Construction

The act of adding height or enclosed area to an existing structure or landmark, expanding the footprint of an existing structure or landmark, or erecting a structure.

Commission

The City of Laurens Historic Preservation Commission (HPC), consisting of 7 members.

Council

The Council of the City of Laurens.

Demolition

Any act or process that destroys in part or in whole a historic structure or feature associated with a historic property.

Design Guidelines

A standard of appropriate activity that will preserve the historic and architectural character of a structure or area and by which the Historic Preservation Commission makes its decisions. The document includes policies, principles and guidelines prepared by the Historic Preservation Commission and adopted by City Council, which illustrates appropriate and inappropriate methods of rehabilitation, alteration and construction.

Distinctive Character

The distinguishing architectural and aesthetic characteristics of a Landmark or Historic Property, or those generally found throughout a Historic District, which fulfill the criteria for designation.

Exterior Architectural Features

The architectural features, character, and general composition of the exterior of a structure or of a landmark, including, but not limited to, the kind and texture of the building material and the type, design, and character of windows, doors, light fixtures, signs, and appurtenant elements. For the purposes of this Ordinance, the term "exterior features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs and other appurtenant features. In the case of outdoor advertising signs, the term "exterior features" shall be construed to mean the style, material, size and location of all such signs. These "exterior features" may include historic signs and significant landscape, archaeological and natural features of the area.

Flag

Any fabric, banner or bunting containing distinctive colors, patterns or symbols.

Freestanding sign (please revise current definition in zoning ordinance to reflect this definition)

A sign that is attached to erected on or supported by a structure (such as a pole, column, mast, flame or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign. If the message is removed from a structure that was originally designed and used as a freestanding sign, this structure shall still be considered a sign. Freestanding signs, as used in this ordinance, shall include the following:

1. ***Ground-mounted sign.*** A freestanding sign, supported by a contiguous structural base or planter box that is permanently affixed to the ground, shall be considered a ground-mounted sign.
2. ***Column sign.*** A sign supported by one or more columns or poles or other similar support.

Historic District

An area, designated by the City Council in the form of overlay zoning, upon the recommendation of the Laurens Historic Preservation Commission and pursuant to the provisions of this ordinance. A district may be comprised of individual sites, buildings, structures, or objects separated geographically but linked by association or history. ✓

Historic Preservation Plan

A document, formally adopted by the City Council, containing goals and policies directing historic preservation activity within the City. (Each district maintains individual preservation plans).

Historic Property

Any place (including an archaeological site or the location of a significant historical event), building, structure, work of art, fixture or similar object that has been individually designated by City Council or designated as a contributing property within a historic district.

Improvement

Includes any building, structure, place, fence, gate, landscaping, tree, wall, parking facility, or other object constituting a physical feature, which is not a natural feature.

Informational Sign

Any sign that serves solely to provide direction or information to persons using the property, such as entrance/exit, parking or telephone, and that does not include business names, brand names or information regarding product lines.

Integrity

The survival of a sufficient amount of a property's character-defining materials, design features and building fabric, in a manner that allows the observer to interpret the character of the property during its period of significance.

Internally Illuminated Sign

A sign where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source. Without limiting the generality of the foregoing, signs that consist of or contain tubes that are filled with neon or some other gas that glows when an electric current passes through it and are intended to form or constitute all or part of the message of the sign, rather than merely providing illumination to other parts of the sign that contain the message, shall also be considered internally illuminated signs.

Landmark

A designation applied to an individual property (building, structure, road, natural or man-made object) as a result of formal action by the City Council.

Laurens Historic Register

The listing of all districts and landmarks designated as historic by Council under this Ordinance.

Maintenance

The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

Marquee

A roof-like structure or awning projecting over the entrance to a business.

Message Board Sign

A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a message board sign for the purposes of this article.

Natural Feature

A planting, landform, rock outcropping, body of water or other object of the native landscape on property, which has historical significance.

Non-Contributing Property

Any structure less than fifty years old.

Nonconforming Sign

A sign that was erected legally but that does not comply with subsequently enacted sign restrictions and regulations.

Ordinary Maintenance and Repair

Regular or usual care, upkeep, repair or replacement in kind of any portion of an existing property, building or structure in order to maintain a safe, sanitary and stable condition.

Owner

The person(s) listed in the property records as having fee ownership of an individual parcel or property.

Parapet

The extension of a false front or a false wall above the roofline.

Pennant

Any lightweight plastic, fabric or other material, whether containing a message of any kind, suspended from a rope, wire or string, usually in series, and designed to move in the wind.

Period of Significance

The time from a building, structure or neighborhood's history during which it gained historical significance.

Planning Commission

The City of Laurens Planning Commission.

Public Space Within a Building

Spaces designed for use by the public, such as auditoriums, courtrooms, lobbies, entrance halls, etc. These spaces are usually gathering places as opposed to corridors for public use.

Preservation

The identification, study, protection, restoration, rehabilitation or enhancement of historic properties.

Projecting Sign (please revise current definition in zoning ordinance to reflect this definition)

Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall. A projecting sign is affixed to the building or wall so that it is perpendicular to such building or wall.

Rehabilitation

The act or process of returning a building or structure to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural or cultural value.

Removal

Any relocation of a structure or landmark on its site or to another site.

Renovation

The act or process of returning a building or structure to a state of utility through repair or alteration, which makes possible a contemporary use.

Repair

Any change to a structure or landmark that is not construction, removal, relocation, demolition, or alteration.

Restoration

The act or process of accurately recovering the form and details of a building or structure and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Roof sign (please revise current definition in zoning ordinance to reflect this definition)

Any sign erected, constructed or maintained upon or over the roof of a building, or extending above the highest wall of the building, and having its principal support on the roof or walls of the building.

Roofline

The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

Secretary of the Interior's Standards for Rehabilitation Projects

The U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Buildings, issued by the National Park Service.

Sign Area

The entire face of a sign including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

Sign Structure

The supports, uprights, bracing, or framework of any structure exhibiting a sign, be it single-faced, double-faced, or v-type or otherwise.

Significant

With reference to a property, building or structure, means having aesthetic, architectural or historical qualities of critical importance to its consideration in connection with the designation of a property.

Streamer

A long, narrow, ribbon-shaped flag or pennant.

Structure

Anything constructed or erected the use of which requires permanent or temporary location on or in the ground, or which is attached to something having a permanent location on the ground, including, but not limited to, the following: buildings; gazebos; signs; billboards; radio and television antennae and satellite dishes, including supporting towers; swimming pools; decks; patios; light fixtures; walls; and fences. This definition shall not include play equipment, benches, birdbaths, mailboxes or any other insignificant objects as determined by City Council.

Substantial Hardship

Hardship, caused by unusual and compelling circumstances, based on one or more of the following:

- A. The property cannot reasonably be maintained in the manner dictated by the ordinance,

- B. There are no other reasonable means of saving the property from deterioration, or collapse, or
- C. The property is owned by a nonprofit organization and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately.

Temporary Sign (please revise current definition in zoning ordinance to reflect this definition)

Any sign, banner, pennant, or advertising display intended to be displayed for a limited time period. Easily removed signs attached to windows are considered temporary signs.

Visible

Capable of being seen without visual aid by a person of normal visual acuity.

Visible From a Street

Able to be seen by a person standing at any point on any street, including, but not limited to, any object that could be seen from a street if not for obstructing trees, vegetation, or fences.

Wall Sign (please revise current definition in zoning ordinance to reflect this definition)

Any sign attached to, or erected against or within the wall of a building or structure, having the exposed face of the sign in a plane parallel to the plane of such wall.

Window Sign (please revise current definition in zoning ordinance to reflect this definition)

Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, sale or service that is placed inside a window, or upon the windowpanes or glass, and is visible from the exterior of the window. For the purposes of this ordinance, a sign that rests against a window, a sign that is separated from the window by a bumper pad, or a sign that is placed within two inches of the window through the use of a hanging device, shall be considered a window sign.

ORDINANCE 46-132 PUBLIC SQUARE IMPROVEMENT DISTRICT

(a) Public Square Improvement District Boundaries.

Bounded on the north commencing at the interordinance of the eastern side of Church Street and the southern side of Reedy Fork Creek and thence following such creek in an easterly direction until it intersects with the waters of Little River and thence following the waters of Little River on the southern side; thence bounded on the east by the western side of Little River until such river intersects with the railroad tracks at East Main Street; thence bounded on the south by such railroad tracks and following such railroad tracks in a southwest direction until the tracks intersect with Caroline Street and thence taking in the property of George Motor Company, Inc., and thence back to the railroad tracks until the tracks intersect with Chestnut Street; thence following Chestnut Street on the west until Chestnut Street intersects with Church Street and thence following Church Street on both sides thereof until Church Street intersects with East Hampton Street and thence following Church Street on its eastern side until Church Street intersects with the eastern side of Church Street and the waters of Reedy Fork Creek, the point of beginning.

For a more accurate description of the entire district, see Exhibit A, the official map, which is on file and available in the city offices, and that area designated thereon and highlighted in yellow constitutes the district.

The entire district shall consist of two separate categories, namely "on the public square" and "off the public square." The category known as "on the public square" is shown and designated as Exhibit B, and is on file and available in the city offices. All property in the district outside the perimeters of the property shown on Exhibit B shall be in the category known as "off the public square."

(b) Assessment of Real Property; Lien; Collection of Tax.

Applies to ordinance

In addition to municipal taxes levied on real property pursuant to S.C. Code 1976, § 5-21-110 and chapter 36 of this City of Laurens Code, all real property located within the district shall be assessed at non-uniform rates as provided by ordinance 4.3, based on the commercial uses and location of the real property within the district. The assessment, upon the execution of this chapter, shall become a lien on the property as to which it is assessed. The municipal clerk, together with all other municipal real property taxes as provided in the City of Laurens Code, shall collect the tax generated by such assessment.

(c) Basis of Assessment; Assessment Categories.

The assessment shall be based upon the assessed value of the real property within the district and categorized as follows:

<i>Category</i>	<i>Factor</i>					
On the Public Square	Assessed Value	X	0.1460	=	Assessment	
Off the Public Square	Assessed Value	X	0.0365	=	Assessment	
Vacant lots (in both categories)	Assessed Value	X	0.0185	=	Assessment	
Residential and nontaxable (in both categories)	Assessed Value	X	0.0000	=	Assessment	

No property owner shall pay an assessment in excess of \$3,000.00.

There shall be an accumulated minimum assessment of \$100.00 with respect to property on the public square. Such minimum shall have no application to property designated as off the public square.

(d) District to be eliminated by Petition of Owners.

The city shall forthwith adopt an ordinance eliminating the district and the assessment at any time after five years from June 18, 1996, upon receiving a petition requesting the termination of this chapter executed by two-thirds of the owners of real property within the district, representing two-thirds of the assessed value of all property within the district.

(e) Disposition of Proceeds Generated from Assessment of Real Property.

7. The proceeds generated from the assessment on real property within the district shall be paid by the city to the corporation on a monthly basis to pay the costs and expenses incurred by Main Street Laurens USA, Inc. and for such other uses as may be provided for under the Municipal Improvement Act of 1973, S.C. Code 1976, § 5-37-10 et seq.

ORDINANCE 46-133 HISTORIC PRESERVATION COMMISSION ESTABLISHED

(a) Creation

To implement the provisions of this ordinance, there is hereby established a Historic Preservation Commission, (HPC), hereinafter referred to as the "Commission" consisting of seven (7) members and one (1) ex-officio member, Executive Director of the Main Street Laurens USA program. Laurens City Council shall appoint members. Council shall endeavor to appoint persons with diverse relevant qualifications.

(b) Composition and Qualifications

All members of the commission shall have a demonstrated interest in historic preservation. If available in the community, the commission should have at least one (1) member who is qualified as:

1. A historian, knowledgeable in local history, and
2. An architect or if an architect is not available to serve, someone knowledgeable in building design and construction.

A total of three (3) members shall be persons who are knowledgeable in one or more of the following disciplines: archaeology, architecture, American history, urban planning, engineering, environment, law, banking, or real estate to the extent that such professionals are available.

Each voting member must have a demonstrated interest in or knowledge of:

The history of the City of Laurens and design, architecture, real estate and other matters relevant to judging the economic and cultural value of particular historic preservation activities.

No members shall hold any other municipal office. S.C. Code 6-29-870(C).

(c) Terms of Office

The term of office for each member shall be three (3) years. Any person who has served as a member of the Commission for three consecutive terms shall not be eligible for reappointment for at least one year. A term of less than one year shall not be counted in determining eligibility for reappointment.

Place numbers 1 through 7 shall identify commission members. Terms of office for members in the odd-numbered places shall expire in odd numbered years; terms for even-numbered members expire in even numbered years, provided, however, that each member shall serve until his successor is appointed and installed. Members shall assume their duties at the first regular meeting after their appointment. Members shall serve without compensation.

(d) Removal

Any member of the Commission may be removed by the mayor upon confirmation of the City Council for repeated failure to attend meetings of the Commission or for any other cause deemed sufficient by the mayor.

(e) Appointment to Fill a Vacancy

If any place on the Commission becomes vacant due to resignation, removal, or for any reason, the mayor shall appoint a replacement within 60 days for the remainder of the un-expired term, subject to confirmation by the City Council. The Commission may submit nominees to fill vacancies for consideration by the mayor and Council.

(f) Conflicts of Interest

Any member of the Commission who has a personal or financial interest, either directly or indirectly, in any property which is the subject of, or affected by, a decision of the Commission shall be disqualified from participating in the decision of the Commission concerning the property. This will not disqualify a member from voting on issues that would affect his personal or financial interest the same as other properties in the historic districts.

(g) Liability of Members

Any member of the Commission acting within powers granted by the ordinance shall be relieved from personal liability for any damage and held harmless by the City of Laurens. Any suit brought against any member of the Commission shall be defended by a legal representative furnished by the City until the termination of the proceedings.

(h) Election of Chairperson & Vice-Chairperson

The Commission shall elect from its members a chairperson and vice-chairperson, who shall serve for one (1) year or until their successors are elected. No commissioner shall be elected chairperson or vice-chairperson for more than three (3) consecutive terms. The Commission shall appoint a

secretary, who may be an officer, employee of the City or a member of the Historic Preservation Commission.

(i) Training

It is clear that Commission members need to have appropriate knowledge and understanding of historical preservation issues. In an attempt to ascertain that this need is regularly met, the Commission members will be required to attend at least one (1) training session per year, to be held during the regular meeting time and place, unless otherwise determined by the Commission.

(j) Minutes

The Commission shall keep minutes of its proceedings, showing the vote for each member upon each question, or, if absent or failing to vote, indicating that fact.

(k) Rules

The Commission must adopt rules of procedure complying with the zoning ordinance.

(l) Quarterly Report

The Commission shall make quarterly report to the City Council citing applications brought before the Commission and the approvals, denials, or other resolutions issued by the Commission.

(m) Powers and Duties

The responsibility of the Commission is to promote the purposes and objectives of this ordinance, to review and recommend to city council the designation of individual historic properties and historic districts, and to review plans and applications, as hereinafter provided, for all construction within historic districts and construction or demolition pertaining to or affecting duly designated historic properties. The Commission shall have the power to approve, approve with modifications or deny approval for such applications in accordance with the prescribed procedures and guidelines.

(n) Meetings

The Commission shall announce and conduct public meetings quarterly, or more often, as needed. The Commission Chairman may also call meetings when necessary.

(o) Architectural Review of Historic District

It shall be the duty of the Commission to make the following determinations with respect to the Historic District:

1. Appropriateness of altering, moving or demolishing any designated building, structure, or landmark within a designated historic district, both contributing and non-contributing properties. The Commission shall consider the historic, architectural, and aesthetic features of buildings, their relationship to the district, and importance to the district.
2. Appropriateness of exterior architectural features including signs and other exterior fixtures of any new buildings and structures to be considered within the historic district.
3. Appropriateness of exterior design of any extension of any existing building or structure within the historic district.
4. Appropriateness of front yards, location of entrance drives into the property, sidewalks along the public right-of-way, which might affect the character of any building or structure within the historic district.
5. The general exterior design, scale, proportion, arrangement, texture, and material of the building or structure in question and the relation of such factors to similar buildings in the immediate

surroundings. However, the Commission shall not consider interior arrangements or interior design; nor shall it make requirements as to the use of such structure as long as this use is not in violation of existing historic zoning requirements.

6. It shall be the duty of the Commission to follow the established guidelines governing alterations, rehabilitations, additions and new construction within the boundaries of the historic districts.

ORDINANCE 46-134 HISTORIC PROPERTY INVENTORY

The Commission shall maintain a local inventory of buildings, structures, objects, and sites more than (50) fifty-years old. These records shall be available to the public.

ORDINANCE 46-135 HISTORIC LANDMARKS AND DISTRICTS OVERLAY

(a) Process for Designating a Historic Landmark

A property owner(s) wishing to designate their own property as an individual landmark shall submit an application to the Historic Preservation Commission through the Building and Zoning Department.

(b) Criteria for Historic Landmark Designation

The City Council may adopt, amend, reject, or repeal ordinances designating historic landmarks. The Commission shall review the local inventory and make recommendations for historic designation(s) to the Planning Commission. The Planning Commission shall then make recommendations for historic designation(s) to City Council based on the following criteria.

A property may be designated historic if it:

1. Has significant inherent character, interest, or value as part of the development or heritage of the community, state, or nation; or
2. Is the site of a significant event in history; or
3. Is associated with a person or persons who contributed significantly to the culture and development of the community, state, or nation; or
4. Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the community, state, or nation; or
5. Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period, or specimen in architecture or engineering; or
6. Is the work of a designer whose work has influenced significantly the development of the community, state or nation; or
7. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
8. Is part of or related to a square or other distinctive element of community planning; or
9. Represents an established and familiar visual feature of the neighborhood or community; or
10. Has yielded, or may be likely to yield, information important in prehistory or history.

(c) Historic District Designation

The historic district is hereby established as an overlay zoning district in the zoning jurisdictions of the City of Laurens.

1. For an area to be considered for designation as a historic district: the Historic Preservation Commission will make a recommendation; the Planning Commission will review and make a recommendation to City Council; and City Council will make the final decision regarding the designation. (An area is eligible for consideration only after the Laurens Historic Preservation Commission deems and finds the historical, architectural, or archaeological significance of the buildings, structures, features, sites or surroundings included in any such proposed district, and the description of the boundaries of such district has been prepared).
2. Historic districts shall consist of areas, which are deemed to be of special significance in terms of their history, prehistory, architecture and/or culture, and poses integrity of design, setting, materials, feeling, and association. The area, buildings, structures, sites, or objects shall be significant elements of cultural, social, economic, political, or architectural history of the City or of the archaeological history or prehistory of the City. The conservation of such a district will provide for the education, pleasure and enhancement of the quality of life of all residents of the City.
3. The City Council shall designate the boundaries of a historic district.
4. Following the City Council designation and approval of a historic district, the area so designated shall be labeled 'HP – Historic Preservation' on the official zoning map.
5. With respect to any changes in the boundaries of such district subsequent to its initial establishment or the creation of additional districts within the City, the investigative studies and reports shall be prepared by the Historic Preservation Commission and shall be referred to the Planning Commission for its review and recommendation. The Planning Commission's recommendations will then be referred to City Council.

(d) Initiation of Requests for Designating a Historic District

Requests for designating an historic district may be made in any one of the following methods:

1. By petition to the Administrator of more than 10 percent of the property owners in the proposed historic district. (Petition shall be filed with the Laurens City Building Codes Department).
2. By initiative of the City of Laurens for proposed historic districts in the City's zoning jurisdiction.

(e) Procedure for Considering a Request for Designating an Historic District or for Modifying an Existing Historic District's Boundaries

Upon the filing of a petition from a property owner(s) or upon the initiative of the City, the following steps shall apply to the consideration of the proposed historic district.

1. An application, along with a historic preservation plan (refer to Ordinance 10), and appropriate fees are filed with the Administrator.
2. The Administrator shall publish notice that a request has been filed and will be considered by the Historic Preservation Commission at a specified date, time and location.
3. The Administrator shall conduct a preliminary consideration of the request and make a recommendation to the Historic Preservation Commission to approve, approve with condition, or deny.
4. The Historic Preservation Commission shall hold a public meeting to consider the request and recommend to the Planning Commission the approval, approval with condition, or deny the application for designation or modification of a historic district.

5. The Planning Commission shall hold a public meeting to consider the request and recommend to City Council the approval, approval with condition, or deny the application for designation or modification of a historic district.
6. The Laurens City Council shall conduct a public hearing on the request for designation or modification of a historic district, and shall notify property owners within the proposed historic district of the public hearing in accordance with the public notification provisions. Public Notice Requirements are as follows:
 - a. **Published Notice.** A distinctive advertisement (Public Hearing Notice) shall be placed by the Administrator in a local newspaper of general circulation within the City for not less than 15 calendar days prior to the hearing. The notice must list the hearing time and place.
 - b. **Posted Notice.** In rezoning cases, a notice of application sign shall be posted by the Administrator not less than 15 calendar days prior to the meeting at which the application will be reviewed. The sign shall be posted on or near the subject property(s) in a location clearly visible from each street adjacent to the property(s).
 - c. **Mailed Notice.** If a list of groups requesting notice is on record with the administrator notices must be mailed to such groups. Additionally, a notice of public hearing shall be sent by certified mail to owners of record of real property within 350 feet of the parcel(s) under consideration. Such notice shall be mailed not less than 15 calendar days prior to the scheduled hearing.
7. The mayor and council may vote to approve, approve with conditions, or deny the requested amendment, may refer it back to the planning commission for further study, may hold an additional public hearing, or may take other action as it may deem necessary.
8. If the City Council shall deny a request for designating an historic district, property owners may not initiate a new request to designate an historic district for the same area until at least one (1) year after the Governing Body's action to deny the request.

9. Owner Notification for Designating a Property Historic

Owners of properties proposed for historic designation shall be notified in writing (30) thirty-days prior to consideration by City Council. Owners may appear before the City Council to voice approval or opposition to such designation.

(f) Identification on City Zoning Map

All locally designated historic properties and historic districts shall be clearly shown on the official zoning map.

(g) Opposition to Designation

Any property owner may object to the decision by the City Council to designate their property as historic by filing suit against City of Laurens before the Courts of the State of South Carolina.

(g) Interior Changes

The Commission shall not consider interior changes to buildings and no Certificate of Appropriateness shall be required for interior changes. However, this does not excuse the property owner from obtaining required building permits for interior work.

(h) Repeal of Historic District Designation

The Planning Commission or the City Council, as appropriate, may repeal an ordinance designating an historic district. The Governing Body's action to repeal an ordinance of designation shall include the reasons for the repeal and a review by the State Historic Preservation Office. When such a repeal occurs, the administrator shall notify the Commission and the property owners.

ORDINANCE 46-136 REQUIREMENTS FOR HISTORIC DISTRICT PRESERVATION PLAN

A Historic District Preservation Plan shall include: an investigation and report describing the significance of the buildings, structures, features, sites, or surroundings included in the proposed historic district. In addition, a description of the proposed historic district's boundaries and a preservation strategy are required.

The preservation strategy shall include, but not be limited to the following elements:

- (a) The need for the historic district in that area, including the specific reasons why the regulatory provisions of this Ordinance should be applied in order to effectively accomplish the preservation of that area;
- (b) The means by which existence of the historic district will be publicized to historic district property owners and to the general public;
- (c) The principles, design guidelines and criteria to be followed in the historic district for exterior activities involving new construction, alteration, restoration, or rehabilitation and which shall be the basis for the Commission's review and action upon an application for a Certificate of Appropriateness; and
- (d) A description of the various financial incentives that are proposed for use in promoting preservation activities within the historic district, how those incentives would be utilized and how property owners will be made aware of them.

ORDINANCE 46-137 NOMINATIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES

The Commission may conduct first review and evaluation of all proposed nominations for the National Register of Historic Places for properties that are within its jurisdiction, prior to consideration by the State Commission of Review. The Commission may send their recommendations to the State Historic Preservation Office for consideration at the meeting of the State Commission of Review. The Commission shall not nominate properties directly to the National Register; only the State Commission of Review shall have this final review authority unless expressly authorized by federal statute.

ORDINANCE 46-138 CERTIFICATE OF APPROPRIATENESS

(a) General

A Certificate of Appropriateness is required before a building permit can be issued for the demolition, new construction, exterior alteration, modification or addition to a landmark or property within a historic district. Any building permit not issued in conformity with this ordinance shall be considered void.

Application for a Certificate of Appropriateness must be signed by the owner or his authorized representative and the form must be signed by the chairperson or vice-chairperson of the Commission stating its approval, approval with conditions, or denial and the reasons for the decision.

1. After the designation of an historic district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps, pavement, and other appurtenant features) nor any above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within such historic district until after an application for a Certificate of Appropriateness as to exterior features has been submitted to and approved by the Commission. An application for a Certificate of Appropriateness shall be obtained from the City of Laurens Building and Inspection Department, and when completed, filed with the administrator.
2. The City of Laurens shall not grant any building permit or other permit for the purposes of constructing, altering, moving or demolishing any structure within an historic district for which a Certificate of Appropriateness has not been approved. A Certificate of Appropriateness shall be required whether or not a building permit is required. Any building permit or other permit not issued in conformity with this Ordinance shall be invalid. A Certificate of Appropriateness may be issued by the Historic Preservation Commission subject to reasonable conditions necessary to carry out the purposes of this ordinance.

(b) Intent of Principles and Review Criteria--for Certificate of Appropriateness for Historic Districts

1. For historic districts, the intent of these regulations is to insure, insofar as possible, that buildings or structures in the historic district shall be in harmony with other building or structures located therein. However, it is not the intention of these regulations to require the reconstruction or restoration of individual or original buildings or to prohibit the demolition or removal of such buildings or to impose architectural styles from particular historic periods. In considering new construction, the Commission shall encourage contemporary design, which is harmonious with the character of the historic district.
2. In granting a Certificate of Appropriateness, the Commission shall take into account, in accordance with the Principals and Design Review Criteria of the Historic Preservation Plan adopted for the historic district:
 - a. The historic or architectural significance of the structure under consideration in relation to the historic value of the district;
 - b. The exterior form and appearance of any proposed additions or modifications to that structure; and
 - c. The effect of such additions or modifications upon other structures in the vicinity.

The intent of these regulations is to insure, insofar as possible, that changes to buildings or structures designated as historic landmarks shall be in harmony with the historic character that was cited as the reasons for designation.

(c) Exemptions

1. Ordinary maintenance or repair of any exterior architectural feature in the historic district or on an historic landmark, which does not involve a change in the design, material, or outer appearance thereof, provided that any required building permit is obtained.
2. Ordinary maintenance or repair of any exterior architectural feature of structures designated as historic when that repair does not involve a change in design, material, color, or outer appearance of the structure.

3. The Commission shall not consider the interior arrangements or alterations to the interior of a building unless the interior of a public building or the public space of a private building is specifically described and designated as historic. The Commission may authorize the Administrator to approve minor projects involving repairs and ordinary maintenance that do not alter design, materials, color or the outer appearance of a structure or interior projects not subject to design review. However, this does not excuse the property owner from obtaining required building permits for interior work.
4. The construction, reconstruction, alteration, restoration or demolition of any such feature, which is determined to be a threat to the public safety. The Laurens Inspections Department shall certify in writing to the Commission that such action is required for the public safety because of an unsafe or dangerous condition.
5. Nothing herein shall be construed to prevent a property owner from making any use of his or her property not prohibited by other statutes, ordinances or regulations.

(d) Compliance

1. Compliance with the terms of a Certificate of Appropriateness shall be enforced by the City of Laurens Building Official or their designee. Construction or other work, which fails to comply with a Certificate of Appropriateness, shall be a violation of the Zoning Ordinance. The discontinuance of work for a period of six (6) months shall be considered a failure to comply with a Certificate of Appropriateness.
2. Nothing contained in this ordinance shall prohibit, impair or limit in any way the power of the City of Laurens to prevent the construction, reconstruction, alteration, restoration or removal of buildings, structures, appurtenant fixtures or outdoor signs in the historic district in violation of the provisions of this ordinance. The enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

(e) Inspection and Notice of Noncompliance

1. **General.** The Administrator at the direction of the Commission shall inspect or cause to be inspected on a periodic basis all buildings and/or signs located within the district, and after such inspection, should it be determined that a building or sign is not in compliance with this ordinance, the following proceedings shall be initiated so as to abate such noncompliance by repair, replacement or otherwise.
2. **Notice.** The Administrator shall prepare and issue a notice of noncompliance directed to the owner of record of the building or sign. The notice shall contain, but not be limited to, the following information:
 - a. The street address and legal description of the building.
 - b. A statement indicating the building or sign has been declared in noncompliance by the Administrator, together with a detailed report documenting the condition rendering the building or sign in noncompliance.
 - c. A statement advising that if the required repairs or sign modifications, as required by the Administrator, are not commenced within or completed by the time specified, the building's owner shall be in violation of this ordinance, and sanctioned in accordance therewith.

- d. A statement advising any person having a legal interest in the building that they may appeal the notice and request for repairs and/or sign modifications, provided that such notice of appeal is filed with the administrator's office within 30 days from the date of the such notice, and failure to appeal within the time specified shall constitute a waiver of any and all rights of appeal.
 - e. The notice shall be served by certified mail, postage prepaid, return receipt requested, *return* to each person at the address as it appears on the official public records. If addresses are not available on any person required to be served the notice, the notice addressed to such person shall be mailed to the address of the building involved in the proceedings. The failure of any person to receive notice, other than the owner of record, shall not invalidate any proceedings under this ordinance. Service by certified or registered mail, as described in this subordination, shall be effective on the date the notice was received as indicated on the return receipt.
 - f. A proof of service of the notice shall be by written declaration indicating the date, time and manner in which service was affected.
3. **Recording of notice.** If the notice is not complied with, nor an appeal filed within the allotted time, the Administrator shall file, in the office of the clerk of court for the county, a certificate describing the property and certifying that the building and/or sign is in noncompliance, and that the owner of record has been served. The certificate shall remain on file until such time as the conditions rendering the building and/or sign in noncompliance have been abated. Upon the building and/or sign being in compliance, the Administrator shall file a new certificate indicating that corrective action has been taken and the building and/or sign is no longer in noncompliance.
4. **Failure to respond.** If the owner of record who, after receiving a notice to repair and/or modify a sign from the administrator, or a final decision of the appropriate appellate tribunal, fails or refuses to respond to the direction of such notice and/or order shall be prosecuted and/or sanctioned to the extent provided by law.

(f) Time limits

Applications for a Certificate of Appropriateness shall be considered by the Commission at its next regular meeting, provided they have been filed at least fourteen (14) business days before the regularly scheduled meeting of Commission. If the Commission fails to take action upon any application within 45 days after the complete application is received, the application shall be considered approved, except in cases where the Commission has postponed an application to demolish a structure under the provisions contained in this ordinance. All Certificates of Appropriateness will expire one (1) year from the time they are approved.

(g) Commission Action on Application

- A. The Commission shall review the application, using the design guidelines on file in the Building and Zoning Department of City Hall to make findings of fact to decide whether or not the applicant's plans are appropriate. The decision of the Commission, along with the reasons for each decision, will be recorded in the minutes and will be available upon request as a public reference for preservation procedures.
- B. As part of its review procedure, the Commission may view the premises and seek the advice of the South Carolina Department of Archives and History or other expert advice, as it may deem necessary under the circumstances.

(h) Contents of Application

The Commission shall, in its Rules of Procedure, require data as is reasonable and necessary to determine the nature of the application. An application shall not be considered complete until all the required data has been submitted. Three copies each of the following shall accompany application for a certificate of appropriateness for alterations and/or additions to existing structures, or for erection of any new structures and/or signs, or modification of existing signs within the district:

1. Drawings, including plans and exterior elevations, drawn to scale.
2. Specifications or other information describing proposed materials, textures and colors, including samples of materials or color samples.
3. Plot plan or site layout showing all structures, walls, walks, terraces, plantings, accessory structures, signs, lights and other elements.
4. Photographs of the site location, showing contiguous properties and streetscapes.

An application for a certificate of appropriateness shall not be considered complete until all the above data have been submitted; however, the commission may, in appropriate cases, waive submission of any of the foregoing data. All of the data shall be filed with the Administrator, and the administrator shall cause such data, together with the application, to be made available to the commission within seven (7) days of the receipt of the same. Nothing shall keep an applicant from filing with the application additional relevant information bearing on the application.

(i) Notification of Affected Property Owners

Prior to the issuance of an approval or denial of a Certificate of Appropriateness, the Commission shall inform the owners of any property likely to be materially affected by the application, and shall give the applicant and such owners an opportunity to be heard.

(j) Submission of a new Application

If the Commission determines that a Certificate of Appropriateness should be denied, a new application affecting the same property may be submitted only if substantial change is made in the plans for the proposed work.

(k) Substantial Hardship

In the event a Certificate of Appropriateness is denied, the property owner may reapply to the commission citing substantial hardship of maintaining the property according to the design guidelines for historic properties. Substantial hardship is to be considered by the Commission where one or more of the following unusual and compelling circumstances exist:

1. The property cannot reasonably be maintained in the manner dictated by the ordinance,
2. There are no other reasonable means of saving the property from deterioration, or collapse, or
3. The property is owned by a nonprofit organization and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately. *

* The owner may be required to submit documents to show the inability to comply with the design guidelines and earn a reasonable rate of return on the investment in the property. Information required includes:

- a. Costs of the proposed development with and without modification needed to comply with the design guidelines as determined by the Commission,

- b. Structural report and/or a feasibility report,
- c. Market value of the property in its present condition and after completion of the proposed project,
- d. Cost of the property, date purchased, relationship, if any, between seller and buyer, terms of financing,
- e. For the past two years, annual gross income from the property with operating and maintenance expenses, depreciation, and annual cash flow before and after debt service during that time, and
- f. Other information considered necessary by the Commission to determine whether or not the property may yield a reasonable return.

(l) Penalties for Violation

1. Any persons violating any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined as determined by the court for each offense.
2. In case any building, structure or sign is, or is proposed to be, erected, constructed, reconstructed, altered, converted or maintained, or any building, structure, sign or land is, or is proposed to be, used in violation of this ordinance, the Administrator or their designee may in addition to other remedies, institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use; or to correct or abate the violation or to prevent the occupancy of the building, structure or land.
3. Each day such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use continues shall be deemed a separate offense.

(m) Demolition

If the Commission denies, or postpones for 180 days, a request to demolish a historic building, the Commission shall work closely with the owner to find an appropriate use for the property, to help find a buyer or to obtain funding for rehabilitation, including low interest loans or grants. The Commission shall inform the community concerning the threat to the building, its value as part of the fabric of the community and, through publicity and contacts with civic groups, seek to provide assistance in preserving the property.

ORDINANCE 46-139 DESIGN GUIDELINES

(a) Intent

It is the intent of this ordinance to ensure, insofar as possible that properties designated as historic shall be in harmony with the architectural and historical character of Laurens. In granting a Certificate of Appropriateness, the Commission shall take into account the architectural and historical significance of the structure under consideration and the exterior form and appearance of any proposed additions or modifications to that structure as well as the effect of such change or additions upon other structures in the vicinity. *

*(The Commission will issue specific design guidelines for separately designated areas containing different categories of resources, upon adoption by City Council.)

(b) The Secretary of the Interior's Standards for Rehabilitation

When considering an application for a Certificate of Appropriateness for new construction, alteration, repair, or restoration, the Commission shall use the Secretary of the Interior's Standards for Rehabilitation as guidelines in making its decisions. In addition, the Commission may adopt more specific guidelines for local historic districts and local historic buildings. These guidelines serve as the basis for determining the approval, approval with modifications, or denial of an application.

The Secretary's Standards for Rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

ORDINANCE 46-140 APPLICABILITY OF AND COMPLIANCE WITH ORDINANCE PROVISIONS

(a) Applicability and compliance.

Every building and/or structure, and the premises on which it is situated within the district, shall comply with the provisions of this ordinance, whether or not constructed, altered or repaired after the effective date of this ordinance. This ordinance establishes minimum standards for the initial and continued occupancy and use of all such buildings and/or structures, and does not replace or modify standards already established for the construction, repair, alteration or use of the building equipment or facilities contained therein.

(b) Duty to comply.

It shall be the duty of each and every owner and/or operator of a building and/or structure within the district to comply with the requirements set forth in this article. No business license, certificate of occupancy or certificate of appropriateness shall be issued or renewed unless and until all applicable ordinances of this article have been complied with. No building or structure, or combination thereof, shall be used in a manner inconsistent with or in conflict with the requirements of this ordinance.

(c) Duties and Responsibilities of Owners and/or Operators

1. *Enumeration.* It shall be the duty and responsibility of owners and operators to see that buildings and structures under their control are maintained to ensure that:

- a. The buildings and structures are free of all nuisances and any hazards to the safety of the occupants, customers or other persons utilizing the same, or to pedestrians passing thereby.
- b. The buildings and structures are free of loose and overhanging objects, which by reason of location above the ground level constitute a danger of falling on persons in the vicinity thereof.
- c. The buildings and structures are free of holes, excavations, breaks, projections or obstructions on walks, driveways, parking lots and parking areas, and other parts of the premises, which are accessible to and used by persons on the premises. All such holes and excavations shall be filled and repaired, walks and steps replaced, and other conditions removed where necessary to eliminate hazards or unsafe conditions with reasonable dispatch by the operator upon their discovery.
- d. The exterior of the premises and structure is in good repair and free from deterioration so as not to constitute a nuisance.
- e. All surfaces shall be maintained free of cracked or broken glass, loose shingles, loose wood, crumbling stone or brick, loose or broken plastic or other similar hazardous conditions.
- f. All structures and decorative elements of building fronts, sides, and backs shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction techniques.
- g. If a building is to be used for storage, its interior shall not be visible to passersby, by the use of window draping.
- h. All foundation walls shall be kept structurally sound and capable of bearing imposed loads safely.
- i. Where a wall of a building has become exposed as a result of demolition of adjacent buildings, such wall must have all doors, windows, vents or other similar openings closed with material of the type composing the wall. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed or bricked so as not to detract from the aesthetics and value of adjacent property, and weatherproofed, if necessary, due to construction material, to prevent deterioration of the wall.
- j. All windows must be tight fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints or broken or loose mullions shall be replaced. All broken and

missing windows shall be replaced with glass or plexi-glass. Plastic may not be used to replace glass in windows. All exposed wood shall be repaired and painted.

- k. All first floor openings originally designed, as windows shall be maintained as windows, complete with sills, lintels, frame and glass.
- l. The exterior surfaces of all buildings and/or structures shall be painted in a color as approved by the Historic Preservation Commission.
- m. All exterior surfaces, which require paint or sealing in order to protect the underlying surface from deterioration shall be so painted or sealed.
- n. All exterior surfaces, which have been painted, shall be maintained free of peeling and flaking.
- o. All chimneys, flues and vent attachments thereto shall be maintained structurally sound; free from defects so as to capably perform at all times the functions for which they were designed. Chimneys, flues, gas vents or other draft producing equipment shall provide sufficient draft to develop the rated output of the connected equipment; and shall be structurally safe, durable, smoke tight and capable of withstanding the action of flue gases.
- p. All exterior porches, landings, balconies, stairs and fire escapes shall be provided with banisters or railing properly designed and maintained to minimize the hazard of falling, and the same shall be kept structurally sound, in good repair, and free of defects.
- q. All cornices shall be made structurally sound, and rotten or weakened portions shall be removed and/or replaced to match as closely as possible the original patterns. All exposed wood shall be painted.
- r. Where landscaping has been incorporated in the development plan of a commercial business, or where landscaping has been required by the city as part of a development plan (including parking plans), the landscaped areas shall be maintained in a manner to equal and reflect the original landscaping approved for the development plan.
- s. Damage to public sidewalks and/or curb and gutter located in the public right-of-way shall be repaired or replaced at no expense to the city when such damage is caused by vehicles making deliveries to the premise under the control of the owner and/or operator.
- t. Vending machines, with the exception of newspaper racks, are prohibited from being placed on sidewalks and streets, except during designated special events and festivals.
- u. All unused and non-decorative metal hooks; clips, angles and brackets shall be removed from all building facades.
- v. All exposed electrical wiring shall be removed from the facades of all buildings. Electrical wiring concealed in conduit with weather head installations shall be permitted.
- w. Brackets, support rods, chains, cables and other support systems attached to canopies, awnings or other coverings protruding over the public right-of-way which are visible from 100 feet and at six feet above the ground, must be removed. It shall be the responsibility of the property owner to remove or reinstall all such canopies and awnings to be structurally sound, and to comply with this visual standard.
- x. All windows shall be repaired or replaced, and no windows may be permanently boarded up.

- y. All paneled areas, which cover original brickwork, other than as recessed in the original transom areas or in areas below the original transom area, shall be removed, and the original brickwork restored.
 - z. The roofs of all buildings and/or structures shall be maintained in compliance with all applicable building codes adopted by the city.
2. ***Relationship of duties and responsibilities to occupancy.*** The provisions of this article that apply to the exterior or exterior components of a building or structure shall be complied with whether the structure or building is occupied or vacant. All unoccupied or vacant buildings or structures shall be secured by their operators to prevent the entry of unauthorized persons or the formation of nuisance conditions, such as infestations, including roosting birds and accumulated debris in recessed entryways.
 3. ***Flexibility in administering article provisions.*** City Council recognizes that, because of the wide range of locations, buildings and properties to which this ordinance must apply, it is neither possible nor prudent to establish inflexible requirements related to minimum standards. Therefore, the Administrator and the Historic Preservation Commission may authorize deviations from the requirements of this ordinance wherever the Commission and Administrator find that such deviations are necessary because of the particular circumstances associated with that building, property or business. Whenever the Commission and Administrator allow or require a deviation from the requirements related to minimum standards, such deviations shall be noted on the face of the certificate of appropriateness, along with the reasons for allowing or requiring the deviation.

ORDINANCE 46-141 SIGNS

(a) Purpose

In order to preserve the quality, character and economic vitality of the district, these sign regulations are intended to:

1. Create a balance between the need to advertise, identify and communicate, and the desire to maintain a safe, healthful and attractive environment.
2. Enhance the general welfare of the district by protecting property values and preserving the natural environment, the unique character and the aesthetic integrity of the district.
3. Enhance the identification of public and private buildings and the effectiveness of visual communication by controlling the number, location, size, appearance and illumination of signs.
4. Permit signs that are compatible with their surroundings and that are consistent with the scenic beauty and aesthetic quality of the community.
5. Improve pedestrian and traffic safety through the proper placement of signs.
6. Protect the public from the dangers of unsafe signs, and require that signs be constructed, installed and maintained in a safe and satisfactory manner.
7. Lessen the confusion, visual clutter and sight impairment that can be caused by the proliferation, improper placement, excessive illumination and disproportionate sizes of signs when such signs are not properly controlled or regulated.

(b) Applicability of Sign Provisions

No sign shall be erected, constructed, placed, painted, moved, used, illuminated, maintained or substantially altered within the district except in conformity with the standards, procedures and requirements of this ordinance.

(c) Prohibited Signs

The following signs shall be prohibited within the district:

1. Any sign that, by reason of size, location, shape, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety; any sign that substantially interferes with the view necessary for motorists to proceed safely through interordinances, or to enter onto or exit from public streets, private roads or driveways; and any sign that obstructs the view of any authorized traffic sign, signal or device.
2. Any sign that revolves, or is animated, or that utilizes movement or apparent movement to attract the attention of the public. This prohibition shall include, but not be limited to, propellers, discs, pennants, streamers, animated display boards and flags. However, this shall not include flags of any governmental or nonprofit organization, provided that:
 - a. Such flags are not being displayed in conjunction with a commercial promotion or as an advertising device;
 - b. Not more than three such flags, including not more than one of any particular government or nonprofit organization, are being displayed at the same time;
 - c. Any such flag does not exceed 60 square feet in area; and
 - d. Any such flag is flown from a standard flagpole attached to a building, with the height of the pole not to exceed 15 feet above the ground level or from a freestanding standard flagpole not to exceed a height of 20 feet above the ground level.
3. Any sign with lights that flash, move, rotate, or flicker, except for current time and temperature, capable of being seen without visual aid by a person of normal visual acuity.
4. Any sign that is placed on or affixed to a vehicle or trailer and that is parked in the public right-of-way, on public property, or on private property so as to be visible from the public right-of-way, where the apparent purpose of the display is to attract the attention of the public to a business, product, service or activity. This subordination shall not apply to a sign on a vehicle that is regularly and customarily used as a vehicle in the normal day-to-day operations of the business.
5. Any sign that is located within any public right-of-way, except publicly owned or publicly authorized signs (for example, traffic control signs and directional signs); or any sign (other than a publicly owned or publicly authorized sign) that is attached affixed or painted on any utility pole, light standard, tree, rock or other natural feature. This subordination shall not apply to subdivision signs that are authorized to be placed in the landscaped median of a public or private street.
6. Any inflatable signs or balloons.
7. Any roof signs or signs that extend above the roofline of a building.

8. Any sign that identifies or advertises an activity, business, product or service that is no longer in existence, sold, produced, etc.
9. Any illuminated tubing or strings of lights outlining property lines, open sales areas, rooflines, doors, windows, edges of walls, trees or other landscaping. This subordination shall not apply to holiday lighting allowed during the period from November 15 through the following January 15.
10. Any sign that exhibits statements, words or pictures of an indecent, obscene or pornographic nature.
11. Any sign that obstruct or interfere with any window, door, sidewalk or fire escape.
12. Any searchlights.
13. Any abandoned sign or any sign that advertises a business or product no longer existing or sold on the premises. Whenever the use of a building is discontinued for a period of 30 days, all signs shall be removed. A sign that advertises a business, enterprise or other activity that is closed for the off-season, not to exceed 270 consecutive days, shall not be considered an abandoned sign.
14. Any sign or sign structure that is structurally unsafe.

(d) General Sign Regulations

All signs shall comply with the following:

1. **Electrical wiring.** An electric sign that has internal wiring or lighting equipment, or external lighting equipment that directs light onto the sign, shall not be erected or installed until and unless an electrical permit has been obtained from the Building Codes Department. All wiring to electric signs or freestanding equipment that lights a sign shall be installed underground.
2. **Applicable building and technical codes.** All signs shall comply with applicable provisions of city, state and federal codes.
3. **Structural stability.** Each sign shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property. Each sign shall meet the applicable standards for wind loads.
4. **Maintenance responsibilities.** All signs and all components thereof including, but not limited to, supports, braces and anchors, shall be kept in a state of good repair. To ensure that signs are erected and maintained in a safe and attractive condition, the following maintenance requirements shall apply to all signs:
 - a. A sign shall have no more than 10 % of its surface covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period more than 14 business days.
 - b. A sign shall not have bent or broken sign facing, bent or broken supports, loose appendages or struts, or be more than ten (10) degrees from vertical for a period of more than 14 business days.
 - c. A sign shall not have weeds, vines or other vegetation growing upon it or obscuring the view of the sign from the street or right-of-way from which it is to be viewed for a period of more than 14 business days.

- d. An internally illuminated sign shall not have only partial illumination for a period of more than 14 business days.
5. ***Removal of signs upon discontinuation of use.*** Whenever the use of a building or premises by a business or other establishment is discontinued for a period of 30 days, all signs pertaining to that business or establishment shall be removed. If a sign advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within 30 days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign. If the message portion of a sign is removed, the owner of the sign or the owner of the property where the sign is located, or other person having control over such sign, shall, within 30 days from the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign.

(e) Excluded Signs

The provisions and regulations of this ordinance shall not apply to the following signs, provided, however, that such signs shall be subject to the provisions above. The signs that fall under this category shall require a permit, although there shall be no fee for the issuance of the permit. The permit shall be procured from the administrator.

1. Real estate signs not exceeding eight (8) square feet in area, which advertise the sale, rental or lease of the premises upon which such signs are located only.
2. Professional nameplates not exceeding one (1) square foot in area.
3. Signs denoting the architect, engineer or contractor when placed upon work under construction, and not exceeding sixteen (16) square feet in area.
4. Occupational signs denoting only the name and profession of an occupant in a commercial building, public institutional building or dwelling house, and not exceeding two (2) square feet in area.
5. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface, or when constructed of bronze or other incombustible materials.
6. Traffic or other municipal signs, legal notices, railroad crossing signs, danger, and such temporary, emergency or non-advertising signs as may be approved by the city council.
7. Signs that are customarily associated with residential uses and that are not of a commercial nature, including the name and address of occupants, signs on mailboxes, or paper tubes, etc. (limited to an area of four (4) square feet or less).
8. Signs erected by or pursuant to the authorization of a governmental body, including legal notices, traffic signs, directional signs, informational signs or regulatory signs.
9. Official signs of a noncommercial nature erected by public utilities to identify line or facility locations or to advise or warn the public.
10. Signs proclaiming religious, political or other noncommercial messages. One such sign may be erected along each street abutting a property.
11. Signs erected in conjunction with an election or political campaign shall not be limited in number, but such signs may not be displayed more than 30 days prior to the election and shall be removed within three (3) business days following the election (limited to sixteen (16) square feet in area).

12. Decorations temporarily displayed in conjunction with traditional holidays or annual civic events. Strings of lights may be used for outline lighting or tree decoration during the period of November 15 through the following January 15. Such decorations shall contain no commercial message or graphics.
13. Signs indicating that a special public event such as a fair, carnival, horse show, circus, festival or similar happening is to take place on the lot where the sign is located. Such signs may be erected not more than two (2) weeks before the event, and must be removed not later than three (3) days after the event. Commercial and sponsor identification must be minimal and secondary to the event name (limited to an area of sixteen (16) square feet).
14. Banners or pennants for a special campaign or event of a noncommercial purpose provided that such banners or pennants shall not be displayed in excess of 14 business days.
15. Signs that is not visible from public streets or adjacent properties.
16. Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts or lights.
17. Building markers, historical markers or memorial tablets.
18. A sign that advertises the sale of personal property, such as a garage, yard, porch or moving sale. The sign shall not be more than four (4) square feet in area, and may not be displayed for more than three (3) consecutive days.
19. Any sign located inside a building, provided that the sign is not attached to a window, and that the sign is not visible beyond the lot line of the lot or parcel on which such sign is located. For the purposes of this ordinance, a sign that rests against a window, a sign that is separated from the window by a bumper pad, or a sign that is placed within two (2) inches of the window through the use of a hanging device, shall be considered to be attached to the window.
20. A ground sign or column sign identifying the schedule, rules and regulations for municipal, school, recreational and club-sponsored activities, provided that:
 - a. The sign is no higher than six (6) feet above the ground, as measured from the ground to the top of the sign;
 - b. The surface area of the sign is no more than sixteen (16) square feet;
 - c. The sign is located at least ten (10) feet from any public or private street right-of-way; and
 - d. The sign does not obstruct the sight triangle at an intersection or driveway.

(f) Permitted Signs

1. ***Sign materials, colors and message.*** Materials, colors and shapes of proposed signs and sign structures should be compatible with the related buildings. Colors of paints, stains and other finishes or materials shall be nature-blending, with no more than four colors, including black and white, used on any sign. Fluorescent colors are prohibited. Signs shall respect the overall architectural composition of the building and its scale, and not overwhelm the facade. Signs shall not cover up or interrupt major architectural features of a building. The sign message shall be limited to the name, street address and other identification of the business or establishment, including any logo, trademark or service mark.

2. **Signs within the overlay district.** In the overlay district, each business may have one of the following: a wall sign or an awning sign, except where the business is located in a building with multiple tenants. Business opting to use the wall sign or awning sign may also have a projecting sign. Each business may also have a window sign.
- a. **Wall sign.** Wall signs shall be limited to one sign per business. However, where the business has frontage on more than one street, with building entrances on each street, one such sign will be allowed per street frontage meeting those requirements. The sign surface area oriented toward a specific street shall not exceed the allocation derived from the building frontage on that street. If a building does not front on a street, the Administrator shall determine the sign area for the building as if the building had street frontage. No portion of the sign shall extend above the parapet or eave line. A wall sign may be attached to an overhanging eave, but the sign must be at least seven (7) feet above the surface of any pedestrian walkway underneath the sign. No sign or supporting structure may be located over the traveled portion of any right-of-way, sidewalk or public walkway without an encroachment permit. The wall sign may consist of an individual logo and individual letters. The logo and letters shall be full-face, box-type with opaque plastic facing and, if illuminated, shall have fluorescent back lighting. The logo and letters shall have colors that are nature blending, a matte-finish, and a non-reflective surface.
 - b. **Awning sign.** Awning signs shall be limited to one sign per business. However, where the business has frontage on more than one street, with building entrances on each street, one such sign will be allowed per street frontage meeting those requirements. Lettering and the logo, trademark or service mark of the business or establishment may be displayed on the drop flap of the awning, and the letters shall not exceed eight (8) inches in height. No portion of the sign message may be displayed on the main sheet of the awning. The framing for the awning must be at least eight (8) feet above the ground or sidewalk, and the skirt on the bottom of the awning must be at least seven (7) feet above the ground or sidewalk.
 - c. **Window sign.** A window sign, consisting of individual letters applied directly to the inside surface of the window glass, shall be allowed. The sign must be in proportion to window size. Window signs shall not exceed twelve (12) square feet, nor fill up more than 20% of the window area, whichever less. Maximum letter height shall be eight (8) inches.
 - d. In addition to the above, temporary window signs, constructed of paper, cloth or similar material, are permitted for the purpose of advertising a special sale or special promotion. Such a sign may be attached to the interior of a building window. The sign may not cover more than 25% of the window in which it is placed. The sign must be removed within 15 business days after placement.
 - e. **Projecting sign.** Projecting signs shall be limited to one sign per business. However, where the business has frontage on more than one street, with building entrances on each street, one such sign will be allowed per street frontage meeting those requirements. No portion of the sign shall extend more than ten (10) feet above the ground level or extend above the parapet or eave line. The bottom of the sign must be at least seven (7) feet above the ground or sidewalk. Projecting signs shall be attached to the building through the use of a decorative bracket.
 - f. **Multiple occupancy buildings.** Where a single lot contains a building with multiple tenants thereof, the sign area in connection therewith may not exceed 45 square feet.

All multi-tenant signs must be designed to allow changes in tenant occupancy. Unused tenant identification areas shall be filled with matching decorative panels.

- g. **Theaters.** A theater, whose primary function is to provide musical, dramatic or motion picture performance, may add a message board to its wall sign. The wall sign otherwise permitted for the business or property may be increased by twenty (20) square feet for the purpose of displaying the message board information. Any message board area shall have colors and materials that are similar to the sign itself. The changeable letters shall be securely fastened to the sign face and shall be neatly maintained.
- h. **Menu boards.** One ground-mounted menu board per site shall be permitted. The sign shall be used for the purpose of displaying menu items and prices. The area of the sign shall not exceed fifteen (15) square feet, and that area shall be in addition to the allowable sign area for the building or premises. This sign may have a plastic face and be internally illuminated.
- i. **Automated teller machine signage.** Automated teller machines can be identified by one sign not to exceed six (6) square feet in size, which must be installed at the specific location of the ATM, and shall be wall-mounted or on the ATM device. Such sign shall be in addition to the allowable sign area for the business. This sign may have a plastic face and be internally illuminated. Such sign can display the name of the particular type of machine or banking service in letters not to exceed four (4) inches in height. Credit card decals shall be limited to a small, unobtrusive size, and the group of decals shall not cover an area larger than one (1) square foot. The decals shall be placed on the face of the machine.
- j. **Temporary sign.** No temporary sign of a combustible material shall exceed four (4) feet in one of its dimensions or hundred (100) square feet in area, and provided such signs in excess of sixty (60) square feet shall be made of rigid materials, that is, of wallboard or other like materials with frames.
- k. **Marquee.** All marquees, including the anchors, bolts, supports, rod and braces thereof shall be constructed of incombustible materials, and shall be properly guttered and connected by downspouts to the storm drains so that the water there from shall not drip or flow onto adjacent property. No portion of a marquee shall be less than ten (10) feet above the level of the sidewalk or other public thoroughfare. No marquee shall be permitted to extend beyond a point one (1) foot inside the curb line, or be wider than the entrance of the building, plus five (5) feet on each side thereof; provided, however, that where the entrances to a building are not more than 20 feet apart, a marquee may be made a continuous single structure above such entrances.
- l. **Directional lighting.** Lighting directed toward a sign shall be designed and shielded so that it illuminates only the face of the sign and does not shine onto any alley or road right-of-way or adjacent properties. The sign base and landscaping shall be designed to shield the light source so that it is not visible from any right-of-way or adjacent properties. It is recommended that lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on top of the sign structure.

(g) Nonconforming Signs

- 1. Existing signs that do not conform to the provisions of this ordinance shall not be enlarged, extended, reconstructed, structurally altered, redesigned, replaced or modified as to the message or identification thereon. Nor may illumination be added to any nonconforming sign.

2. The nonconforming use of existing signs shall cease when the message or display contained thereon becomes unreadable, obsolete or no longer functional. A nonconforming sign may be continued so long as it is kept in good repair and maintained in safe condition.
3. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this ordinance.
4. The message of a nonconforming sign may not be changed unless the sign is brought into compliance with the provisions of this ordinance. The message of a nonconforming billboard may be changed, subject to the other provisions of this ordinance.
5. If a nonconforming sign is severely damaged or destroyed, it may not thereafter be repaired, reconstructed or replaced except in conformity with all of the provisions of this ordinance, and the remnants of the former sign structure shall be cleared from the land. A nonconforming sign is severely damaged or destroyed if the estimated cost of repairing the sign to its former stature is greater than 50 percent of the value of the sign so damaged.
6. If a nonconforming sign advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall be removed within 30 days after such abandonment by the sign owner, owner of the property where the sign is located or other party having control over such sign. A sign that advertises a business, enterprise or other activity that is closed for the off-season, not to exceed 270 consecutive days, shall not be considered an abandoned sign.

(h) Approval Requirements

No sign shall be erected, altered, constructed, relocated, placed, painted, enlarged, moved, used, illuminated, maintained or substantially altered unless the person erecting the sign, business owner or property owner has obtained a certificate of appropriateness in compliance with this ordinance.

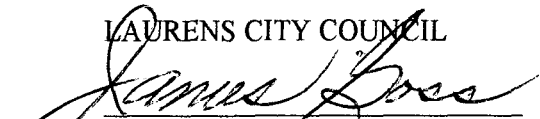
ORDINANCE 46-142 APPEALS

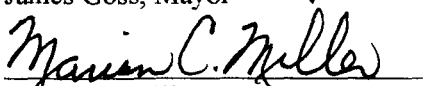
1. ***Appeal to Commission.*** Any person aggrieved or having a substantial interest in any decision made by the administrator relative to a notice of noncompliance may appeal such decision.
2. ***Appeal to Circuit Court.*** Any person who may have a substantial interest in any decision of the Historic Preservation Commission may appeal from any decision of the commission to the circuit court. The person must file a written petition with the clerk of court stating why the decision is contrary to law. The appeal must be filed within (30) thirty-days after the affected party receives action notice of the decision of the Historic Preservation Commission. The appeal shall proceed in accordance with Ordinance 6-29-900 of the Code of Laws of South Carolina.
3. ***Appeal to Supreme Court.*** A party may appeal a circuit court decision to the Supreme Court in the same manner as other circuit court judgments. S.C. Code Ordinance 6-29-940. A party must serve a notice of appeal to the Supreme Court within 30 days after receiving written notice of entry of the order of the circuit court.

ORDINANCE 46.143 ADOPTION

NOW THEREFORE, BE IT ORDAINED, that the City of Laurens adopts the Historic Preservation Overlay District Ordinance this 8th day of October, 2001.


LAURENS CITY COUNCIL


James Goss, Mayor

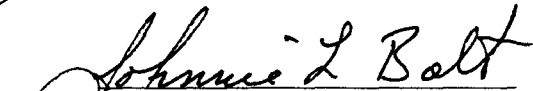

Marian C. Miller, Mayor Pro-Tem

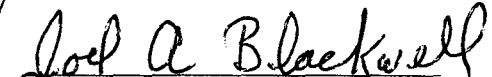
ATTEST:

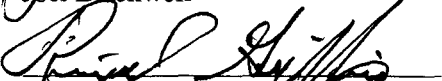

Eugene Madden, City Administrator
City of Laurens County Council


Thomas Thompson, City Attorney

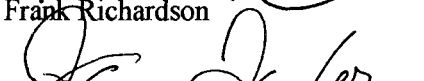

Amy Sandless, Clerk to Council


Johnny Bolt


Joel Blackwell


Richard Griffin


Frank Richardson


James Taylor

First Reading: 10-02-01

Second Reading: 10-08-01

Public Hearing: _____