

ORDINANCE NO. 694

AN ORDINANCE REPLACING ORDINANCE 685, WHICH WAS NOT PUBLISHED WITHIN THIRTY DAYS OF PASSAGE BY THE BOARD OF ADA COUNTY COMMISSIONERS AND THEREFORE INEFFECTIVE AS LAW, AND AMENDING ADA COUNTY CODE, TITLE 8, CHAPTER 7, ARTICLE D, HISTORIC PRESERVATION, SPECIFICALLY ADA COUNTY CODE 8-7D-2(A) TO INDICATE THAT THE NUMBER OF COUNCIL MEMBERS WILL BE IN ACCORD WITH THE BYLAWS OF THE COUNCIL, ADA COUNTY CODE 8-7D-2(C) TO MODIFY THE MEANS FOR THE BOARD TO FILL VACANCIES ON THE COUNCIL, AND ADA COUNTY CODE 8-7D-3(A) TO PROVIDE THAT CHANGES OF THE BYLAWS SHALL BE APPROVED BY THE BOARD AFTER ADOPTION BY COUNCIL, WITH THE REST OF ADA COUNTY, TITLE 8, CHAPTER 7 REMAINING THE SAME.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, THAT TITLE 8, CHAPTER 7, ARTICLE D HISTORIC PRESERVATION BE AMENDED AS FOLLOWS:

8-7D-1: PURPOSE

The purpose of this chapter is to promote the educational, cultural, economic and general welfare of the public of Ada County through the identification, evaluation, designation, and protection of those buildings, sites, areas, structures, and objects which reflect significant elements of the county's, the state's and the nation's historic, architectural, archaeological, and cultural heritage.

8-7D-2: HISTORIC PRESERVATION COUNCIL

- A. There is hereby created an historic preservation council which shall consist of ~~five (5)~~ members who shall be appointed by the board. The number of members shall be set by the bylaws of the Council and shall be consistent with the standards set for participation in the National Park Services' Certified Local Government Program and Idaho Code §§ 67-4601 et seq. as may be amended and/or retitled in the future.
- B. All members of the council shall have a demonstrated interest, competence, or knowledge in history or historic preservation. The board shall endeavor to appoint at least two (2) members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archeology, engineering, law, or other historic preservation related disciplines.
- C. All appointments shall be made for three (3) year terms. Council members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as

original appointments and the appointee shall serve for ~~the remainder of the unexpired~~ a full term.

8-7D-3: ORGANIZATION AND ADMINISTRATION

- A. The council shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this chapter. Rules of procedure and bylaws adopted by the council shall be available for public inspection. Changes to bylaws shall be approved by the Board after adoption by the Council.
- B. The council shall elect a chairman and vice chairman from among the council members. The chairman shall preside at meetings of the council. The vice chairman shall, in the absence of the chairman, perform the duties of the chairman.
- C. All meetings of the council shall be open to the public, and follow the requirements of Idaho's open meeting laws. The council shall keep minutes and other appropriate written records of its resolutions, proceedings, and actions.
- D. The council may recommend to the board the employment of or the contracting with other parties for the services of technical experts or other persons, to assist the council in its functions.

8-7D-4: POWERS DUTIES AND RESPONSIBILITIES

The council shall be advisory to the board and shall be authorized to:

- A. Conduct a survey of local historic properties.
- B. Recommend the acquisition, by the county, of fee simple and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequest, or donation.
- C. Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the county.
- D. Recommend that the lease, sale, or other transfer or disposition of historic properties be made subject to rights of public access and other covenants and in a manner that will preserve the property.
- E. Draft and submit to the board for approval, contracts with the state or federal government, or any agency of either, or with any other organization.
- F. Cooperate with the federal, state, and local governments in the pursuance of the objectives of historic preservation.

- G. Make recommendations and otherwise participate in the planning processes undertaken by cities, the county, the state, or the federal government and related agencies.
- H. Recommend ordinances to the county and otherwise provide information for the purposes of historic preservation in the county.
- I. Promote and conduct educational and interpretive programs on historic preservation and historic properties in the county.
- J. Enter private property, buildings, or structures in the performance of its official duties, but only with the express consent of the owner or occupant thereof.
- K. Review nominations of properties, within the county's jurisdiction, to the national register of historic places and provide comments to the state historic preservation office.
- L. Nominate properties within the county's jurisdiction to the national register of historic places.

ADOPTED this __14__ day of __May__, 2008.

Board of Ada County Commissioners

By: _____
Fred Tilman, Chairman

By: _____
Paul R. Woods, Commissioner

By: _____
Rick Yzaguirre, Commissioner

ATTEST:

J. David Navarro, Ada County Clerk

PUBLISHED: _____