

ORDINANCE NO. 5-07  
CITY OF CAMPBELLSVILLE HISTORIC PRESERVATION ORDINANCE

AN ORDINANCE ESTABLISHING THE CAMPBELLSVILLE HISTORIC PRESERVATION COMMISSION AND AUTHORIZING THE DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS AND THE REGULATION OF CHANGES TO LANDMARKS AND PROPERTY IN HISTORIC DISTRICTS AND PROVIDING FOR THE PENALTIES FOR THE VIOLATION THEREOF.

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SECTION 1

PURPOSE AND DECLARATION OF PUBLIC POLICY

- A. The City Council of the City of Campbellsville finds that there is concern about the future of the central business district and that the City has begun a Main Street Program in cooperation with the State government to help the central business district.
- B. The Council finds that many buildings having historic, architectural, aesthetic, or cultural interest and value have been neglected, altered, or destroyed, notwithstanding the feasibility and desirability of preserving and continuing the use of such buildings and without adequate consideration of the irreplaceable loss to the people of the City.
- C. The Council finds that neighborhoods and areas of the City have been damaged and have deteriorated or are threatened because of new construction, demolitions, alterations, and relocations that have harmed or will harm the historic and architectural character of these neighborhoods and areas notwithstanding the feasibility and desirability of preserving and improving these neighborhoods and areas through appropriate changes.
- D. The Council finds that the historic and architectural character of the central business district is of vital importance in maintaining the integrity and economy of the City.
- E. The Council finds that Campbellsville has played an important role in the development of Kentucky and that this growth is shown today through buildings representing the activity as a governmental, agricultural and commercial center. The Council finds that the city has buildings, historic sites, and areas that represent the persons who live and work or have lived

and worked in Campbellsville during its history. It is the finding of the City Council that the distinctive and significant character of this City can only be maintained by protecting and enhancing its historic, architectural, aesthetic, and cultural heritage and by preventing unnecessary injury or destruction of its landmarks and historic districts which are civic and community assets.

- F. The Council finds that the Federal and Kentucky governments have passed laws to protect and preserve landmarks and historic districts, that some of these laws provide incentives for historic preservation, and that the National Historic Preservation Act was amended in 1980 to establish a Certified Local Government program creating a new federal-state-local partnership to encourage the efforts by cities to protect and preserve their landmarks and historic districts.
- G. The Council finds that this Ordinance benefits all the residents of Campbellsville and all the owners of property.
- H. The City Council declares as a matter of public policy that the preservation, protection, perpetuation, and use of landmarks and historic districts is a public necessity because they have a special or distinctive character or a special historic, architectural, aesthetic, or cultural interest and value and thus serve as visible reminders of the history and heritage of this City, state, and nation. The Council declares as a matter of public policy that this Ordinance is required in the interest of the health, prosperity, safety, welfare, and economic well-being of the people.
- I. The purpose of the Ordinance is to affect the goals as set forth in the above findings and declarations of public policy and specifically, but not exclusively, to:
  - 1) Effect and accomplish the preservation, protection, perpetuation, and use of historic districts, landmarks, and landmark sites having a special or distinctive character or a

special historic, architectural, aesthetic, or cultural interest and value to the City, state, and nation;

- 2) Promote the educational, cultural, economic, and general welfare of the people and safeguard the City's history and heritage as embodied and reflected in such landmarks, sites, and districts;
- 3) Stabilize and improve property values in such districts and in the City as a whole;
- 4) Foster civic pride in the value of notable accomplishments of the past;
- 5) Strengthen the economy of the City;
- 6) Protect and enhance the City's attractions to residents, tourists, and visitors and serve as a support and stimulus to business and industry; and
- 7) Enhance the visual and aesthetic character, diversity, and interest of the City.

## SECTION II

### DEFINITIONS

As used in this Ordinance, the following terms shall mean:

Alteration: Any construction, replacement or change to the exterior of a building or structure when it is visible to the public. An alteration shall include a proposed sign or changes to any existing sign. Painting and ordinary maintenance and repairs shall not be considered alterations.

Building: Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

Certificate of Appropriateness: The permit, issued by the Commission, which gives its approval for work or demolition to be done in a historic district or on a landmark.

Certified Local Government: A government meeting the requirements of the National Historic

Preservation Amendments Act of 1980 (P.L. 96-515) and the implementing regulations of the U.S. Department of the Interior and the Kentucky Heritage Council.

Commission: The Campbellsville Historic Preservation Commission.

Demolition: Any act that destroys in whole or in part a landmark or a building or structure or which results in the moving of any landmark, building, or structure.

Design Criteria: A standard of appropriate activity as referenced in “The Secretary of the Interior’s Standards for Rehabilitation” that will preserve the historical and architectural character of a structure, object, or area.

Historic District: An area meeting one or more of the criteria contained in Section VII.D. of this Ordinance and which has been designated by the City of Campbellsville.

Landmark: A building, structure, or site meeting one or more of the criteria contained in Section VII.D. of this Ordinance and which has been designated by the City of Campbellsville.

Landmark Site: The land on which a landmark and related buildings and structures are located and land that provides the grounds, the premises, or the setting for a landmark.

Major Structural Change: Structural alterations and structural repairs made within any twelve (12) month period costing in excess of fifty percent (50%) of the physical value of the structure, as determined by comparison of the extent/value of the alterations involved and the replacement value of the structure at the time the plans for the alteration are approved, using the Building Officials Conference of America (BOCA) chart for construction cost.

New Construction: An addition to an existing building or structure or the construction of a new building or structure.

Ordinary Maintenance and Repairs: Any work, the purpose of which is to correct deterioration or to prevent deterioration of a designated historic property. The work shall restore the property to its appearance prior to deterioration or shall result in the protection of its present

appearance. The work shall involve the use of the same building materials or available materials that are as close as possible to the original. Work that changes the external appearance of a property shall be considered an alteration for purposes of this Ordinance.

Structure: Anything constructed or erected, the use of the ground, including (but without limiting the generality of the foregoing) barns, smokestacks, advertising signs, billboards, backstops for tennis courts, bridges, fences, pergolas, gazebos, radio and television antennae, solar collectors, microwave antennae, including the supporting towers, roads, ruins or remnants (including foundations, swimming pools, or walkways).

### SECTION III

#### HISTORIC PRESERVATION COMMISSION

##### A. Establishment

There is hereby established the Campbellsville Historic Preservation Commission. The Commission shall consist of five (5) members appointed by the Mayor and approved by City Council. The members shall have demonstrated interest in historic preservation, community development, entrepreneurship, and civic involvement. At least two (2) members shall have training or experience in a preservation-related profession: architecture, history, historic preservation, architectural history, planning/urban planning, architectural history, American studies, American civilization, cultural geography, cultural anthropology or related fields. When one or two professional members are not available, the Mayor may appoint other persons interested in historic preservation to serve. When the Commission reviews an issue that is normally evaluated by a professional member and that field is not represented on the Commission, the Commission shall seek expert advice before rendering its decision.

Members of the Commission shall serve without compensation, but they may be reimbursed for expenses incurred in the performance of their duties in accordance with the rules adopted by the Commission. Each member shall attend at least one educational meeting on historic preservation per year approved by the State Historic Preservation Officer.

B. Terms of Office

The terms of office of the members shall be three years, except the terms of two members of the original Commission shall expire after two years and the terms of two members of the original Commission shall expire after one year. Each member shall serve until the appointment and qualification of his successor. Vacancies on the Commission shall be filled within sixty (60) days. When a vacancy occurs during a term of office, it shall be filled within sixty (60) days, and the person selected shall be appointed for the unexpired portion of the term.

C. Officers

The Commission shall elect a member to serve as Chairman, Vice Chairman and Secretary. The Chairman shall preside at the meetings of the Commission and shall be the spokesman for the Commission. In his absence, the Vice-Chairman shall perform these duties. The Secretary shall prepare the minutes of the Commission's meetings which shall be available for public inspection. Meetings shall be scheduled by the Chairman and special meetings may be called at the request of the Chairman or any two other commission members. All Commission decisions shall be by majority vote of the entire Commission.

D. Conflict of Interest

No member of the Commission shall vote on any matter that may affect the property, income, or business interests of that member.

## SECTION IV

### POWERS AND DUTIES OF THE COMMISSION

#### A. Specific Powers

In addition to the powers and duties stated elsewhere, the Commission shall take action necessary and appropriate to accomplish the purpose of this Ordinance. These actions may include, but are not limited to the following:

- 1) Conducting a survey of historic buildings and areas and preparing a plan for their preservation;
- 2) Recommending to the City Council the designation of historic districts and individual landmarks;
- 3) Regulating changes to designated property including proposed alterations that are visible to the public, demolitions, relocations, and new construction;
- 4) Adopting written guidelines for making exterior changes to designated property and for undertaking new construction on designated property;
- 5) Working with and advising the federal, state, and county governments and other parts of city government;
- 6) Advising and assisting property owners and other persons and groups, including neighborhood organizations who are interested in historic preservation;
- 7) Initiating plans for the preservation and rehabilitation of individual historic buildings; and
- 8) Undertaking educational programs including the preparation of publications and the placing of historic markers.

B. Rehabilitation of Buildings

The Commission may encourage plans for the preservation and rehabilitation of individual historic buildings. The Commission shall, on a regular basis, give recognition to owners and tenants who maintain or rehabilitate their historic buildings with care and thus contribute to the preservation of the history of Campbellsville.

C. Survey of Historic Buildings

In making its survey of historic buildings and areas, the Commission shall conduct this work in accordance with the guidelines of the Kentucky Heritage Council. The Commission shall provide that its survey and preservation plan shall be maintained and continued. The Commission shall use the preservation plan to assist the City in its overall planning efforts.

D. Meetings of the Commission

The Commission shall adopt and make public rules for the transaction of its business and shall hold public meetings and special public meetings when necessary. All meetings shall have a previously available agenda and shall comply with the Kentucky Open Meeting Statute, KRS 61.805. A simple majority of the membership shall be required for decisions involving historic buildings and areas.

E. Annual Report

The Commission shall prepare and keep on file, available for public inspection, a written annual report of its activities, cases, decisions, qualifications of members and other work.



F. Right to Receive and Spend Funds

The Commission, in addition to any appropriations made by the City of Campbellsville, shall have the right to receive, hold, and spend funds which it may legally receive from any and every source both in and out of the Commonwealth of Kentucky for the purpose of carrying out the provisions of this Ordinance.

G. Other Duties Under the Certified Local Government Program

In the development of the Certified Local Government program, the City may ask the Commission to perform other responsibilities that may be delegated to the City under the National Historic Preservation Act.

H. Assistance for the Commission

The Commission shall receive assistance in the performance of its responsibilities from a city staff member or designee whose assigned duties shall include this work with the Commission who shall have expertise in historic preservation or a closely related field. Other city staff members may be asked to assist the Commission by providing technical advice or helping in the administration of this Ordinance.

SECTION V

NOMINATIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES

A. Initiation of Nominations

The Commission will submit nominations for all applicable buildings to be designated on the National Register of Historic Places.

B. Review of Nominations

If either or both the Mayor and the Commission agree that a property should be nominated, the nomination will be scheduled for review by the Kentucky Historic Preservation Review Commission. The opinion or opinions of the Commission and the Mayor will be presented to them for their consideration. The Kentucky Historic Preservation Review Board after considering all opinions, shall make its recommendation to the State Historic Preservation Officer who decides whether to forward the nomination to the U.S. Secretary of the Interior who shall make the decision on listing the property on the National Register. The Mayor, the Commission, or the property owner may appeal the final decision by the State Historic Preservation Officer.

SECTION VI

DESIGNATION OF LANDMARK AND LANDMARK SITES AND HISTORIC DISTRICTS

A. Recommendations and Designations

The Commission shall recommend to the City Council the designation of individual landmarks and landmark sites and historic districts, and the City Council may make these designations by the enactment of ordinances. Consideration of the designation of a landmark and landmark site or a historic district may be originated by the Commission or by the filing of an application for designation by a property owner, any resident of Campbellsville or any organization in Campbellsville. A person or an organization proposing a designation shall give the Commission the names and addresses of the owners of the affected property and the owners of all adjoining property as listed on the tax rolls of the City of Campbellsville.

B. Public Hearing and Notice

The Commission shall assemble information about a property or district being considered for the designation and shall schedule a public hearing on the proposed designation. Advertised notice of the hearing shall be given, including conspicuous posting on the property or in the proposed district. This notice shall be published not earlier than twenty-one (21) days and not later than seven (7) days before the public hearing. At least fifteen (15) days prior to the public hearing written notice shall be given by registered mail to owners of property under consideration and the owners of all adjoining property. Written notice shall be considered sufficient when it is mailed to the person listed on the tax rolls of the City of Campbellsville.

C. Guidelines

Before its first public hearing on a designation the Commission shall adopt general guidelines that will apply to Campbellsville's landmarks and historic districts and will assist owners in the preservation and rehabilitation of their property. The guidelines shall be submitted to the Planning and Zoning Commission and the City Council for their approval. The general guidelines shall include "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" and other guidelines that will apply to all designated property in the City. Before each public hearing on a designation the Commission may adopt additional guidelines that will supplement the general guidelines and will apply to the property under consideration if it is designated. The guidelines shall not limit new construction to any one architectural style but shall seek to preserve the character and integrity of the landmark or the historic district. The guidelines shall suggest changes that would be appropriate for landmarks or for property in historic districts. After a designation, the Commission may expand or amend the guidelines it has adopted provided it

holds a public hearing on the changes and submits the proposed changes to the Planning and Zoning Commission and the City Council for their approval.

D. Criteria for Designation

A landmark or historic district shall qualify for designation when it meets one or more of the following criteria which shall be discussed in a Commission report making its recommendations to the City Council:

- 1) Its value as a reminder of the cultural or archaeological heritage of the City, state, or nation;
- 2) Its location as a site of a significant local, state, or national event;
- 3) Its identification with a person or persons who significantly contributed to the development of the City, state, or nation;
- 4) Its identification as the work of a master builder, designer, or architect whose individual work has influenced the development of the City, state, or nation;
- 5) Its value as a building that is recognized for the quality of its architecture and that retains sufficient elements showing its architectural significance;
- 6) Its distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;
- 7) Its character as a geographically definable area possessing a significant concentration or continuity of sites, buildings, objects, or structures united by past events or aesthetically by plan or physical development; or
- 8) Its character as an established and geographically definable neighborhood, united by culture, architectural style, or physical plan and development.

E. Report to the City Commission

After evaluating the testimony at its public hearing, survey information, and other material it has assembled, the Commission shall make its recommendation to the City Council with a written report on the property or area under consideration. The report shall contain information about the buildings, sites and structures which have been identified for inclusion in the proposed designation.

F. Report by the Planning Commission

The Planning and Zoning Commission shall then report on the relationship between the proposed designation and existing and future plans for the development of the City. If the Planning and Zoning Commission approves of the proposed designation, it shall amend the Comprehensive Plan to include the proposed designation and shall recommend a change in the zoning map to show the proposed historic designation. The Planning and Zoning Commission shall forward its comments, the Comprehensive Plan amendment, and the zoning map change to the City Council. If the Planning and Zoning Commission does not approve of the proposed designation, it shall forward its comments to the City Council.

G. Action by the City Council

The City Council shall approve, modify, or disapprove the proposed designation and the map amendment within sixty (60) days after receiving the recommendation of the Commission and the material from the Planning and Zoning Commission. If the City Council decides to make a designation and no Comprehensive Plan amendment has been adopted and no zoning map change has been recommended, the City Council shall request the Planning and Zoning

Commission to reconsider its earlier decisions and shall provide that the designation shall take effect after these preliminary steps have been approved.

H. Notification of Designation

The Commission shall notify each owner of the decision relating to his property and shall arrange that the designation of a property as a landmark or as a part of a historic district be recorded in the land records of the County. The Commission shall ask that fees be waived for the City documents recording the designations. The Commission shall also give notice of the decision to the government offices in the City and County which shall retain them for future reference.

I. Amendment or Rescission of a Designation

The amendment or rescission of any designation shall be accomplished through the same steps as were followed in the original designation.

SECTION VII

APPROVAL OF CHANGES TO LANDMARKS, LANDMARK SITES,  
AND PROPERTY IN HISTORIC DISTRICTS

A. Requirement for Certificate of Appropriateness

A Certificate of Appropriateness from the Commission shall be required before a person may undertake the following actions affecting a landmark, a landmark site, or a property in a historic district:

- 1) Alteration of the exterior part of a structure that is visible to the public;
- 2) New construction;
- 3) Demolition; or
- 4) Relocation.

B. Application to the Commission

When a person wishes to undertake an exterior alteration visible to the public affecting a landmark, a landmark site, or a property in a historic district that does not require a building permit, that person shall apply directly to the Commission for a Certificate of Appropriateness.

The Building Inspector shall forward to the Commission every application for a permit that would authorize an exterior alteration visible to the public, new construction, demolition, or relocation affecting a landmark, a landmark site, or a property in a historic district. The Building Inspector shall give the applicant a form from the Commission requesting additional information from the applicant. The applicant shall provide, where applicable, drawings of the proposed work, photographs of the existing building or structure or site and adjacent properties, and information about the building materials to be used.

C. Stop Work Order: Injunction

In the event work is being performed without the required Certificate of Appropriateness, the Commission shall ask that a Stop Work Order be issued. In the event work requiring a Certificate of Appropriateness but not a Building Permit is being performed without the required Certificate of Appropriateness, the Commission shall ask that a Stop Work Order be

issued. In the event work is being performed which is not in accordance with such Certificate, the Police Chief, Codes Enforcement Officer, or the Commission shall issue a Stop Work Order and any law enforcement officer may cite violators in District Court. All work shall cease on the designated property. No additional work shall be undertaken as long as such Stop Work Order shall continue in effect. The City may apply in Circuit Court for an injunction to enforce its Stop Work Order.

D. Action by the Commission; Notice

The Commission shall hold a public hearing on each Certificate of Appropriateness within forty-five (45) days after a completed application is received by the Commission. The Commission shall make a decision on the application within forty-five (45) days after the receipt of a completed application, provided that the Commission may extend the time for decision an additional sixty (60) days when the application is for demolition or new construction. The Commission shall approve or disapprove each application, and it shall give its reasons for its decision using the criteria contained in this section and in its guidelines. The Commission may suggest modifications to an application and may then approve a Certificate of Appropriateness providing for revisions in the plans submitted. If the Commission fails to decide on an application within the specified time period, the application shall be deemed approved. Applicants shall be given notice of the public hearings and meetings relating to their application and shall be informed of the Commission's decision. When an application has been approved, the applicant shall be given a Certificate of Appropriateness. Notice of the hearing shall be given, by conspicuous posting on the property for five (5) consecutive days immediately prior to the hearing.



E. Criteria in Deciding on Applications

In making a decision on an application, the Commission shall use the general guidelines and the guidelines it has adopted for that landmark or historic district. The Commission shall consider:

- 1) The effect of the proposed work on the landmark or the property in the historic district upon which such work is to be done; and
- 2) The relationship between such work and other adjacent or nearby buildings and property.

In evaluating the effect and the relationship, the Commission shall consider historical and architectural significance, architectural style, design, arrangement, texture, materials, and color. The Certificate of Appropriateness from the Commission shall not relieve the property owner from complying with the requirements of other state and local laws and regulations.

F. Consulting with Applicants

In making a decision on an application, the Commission shall be aware of the importance of finding a way to meet the current needs of the applicant. The Commission shall also recognize the importance of approving plans that will be reasonable for the applicant to carry out. Before an applicant prepares his plans, he may bring a tentative proposal to the Commission for its comments.

G. Routine Alterations: Ordinary Maintenance and Repairs

The Commission shall prepare a list of routine alterations that shall receive immediate approval without a public hearing when an applicant complies with the written guidelines of the Commission. At each meeting the Commission shall be informed of the Certificates of

Appropriateness that have been issued under this provision. The Commission may regulate the color of paint used on designated property.

Ordinary maintenance and repairs may be undertaken without a Certificate of Appropriateness provided this work on a landmark, a landmark site, or a property in a historic district does not change its exterior appearance that is visible to the public. Every person in charge of a landmark or a property in a historic district shall keep it in good repair:

- 1) All of the exterior portions of such buildings or structures; and
- 2) All interior portions thereof which, if not so maintained, may cause such buildings or structures to deteriorate, or to become damaged, or otherwise to fall into a state of disrepair. The purpose of this provision is to prevent a person from forcing the demolition of his building by neglecting it and by permitting damage to the building because of weather or vandalism.

No provision in this Ordinance shall be interpreted to require an owner or tenant to undertake an alteration or to restore his building to its original appearance.

#### H. Meetings with Owners about Condition of Buildings

The Commission shall request a meeting with a property owner when his landmark or his building in a historic district is in poor repair, and the Commission shall discuss with the owner ways to improve the condition of his property. After this step, the Commission may request the Building Inspector to take action to require correction of defects in any building or structure designated under this Ordinance, so that such building or structure shall be preserved in accordance with the purposes of this Ordinance. The action taken by the City

may include boarding up the doors, windows, and other parts of the building and additional steps to stabilize walls, roofs, and other parts of the building.

The Commission shall request a meeting with the owner of each vacant lot in a historic district, and the Commission shall discuss with each owner ways to maintain the vacant lot so that it will contribute to the preservation of the historic district. The Commission may prepare plans to improve the appearance of a vacant lot in the historic district.

The provisions of this section shall be in addition to all other provisions of the Kentucky Building Code requiring buildings and structures to be kept in good repair.

#### I. Emergency Situations

When a property is damaged by fire, storm, or other unexpected events, the owner or tenant may receive approval from the Chairman or Vice Chairman of the Commission for the work to be done in response to this emergency. At its next meeting, the Commission shall be informed of the Certificates of Appropriateness that were issued. In situations requiring temporary action, an owner may do work in order to temporarily protect the property from further damage provided the owner reports this work to the Commission within two (2) business days.

An owner shall immediately notify the Building Inspector of emergency conditions dangerous to life, health, or property affecting a landmark, a landmark site, or a property in a historic district, and the owner shall promptly provide evidence of the dangerous conditions that has been prepared by a person with professional qualifications in evaluating buildings and structures.

In any case where the Building Inspector determines that there are emergency conditions dangerous to life health, or property affecting a landmark, a landmark site, or a property in a historic district, he may order remedying of these conditions without the approval of the Commission. The Code Enforcement Officer shall promptly notify the Chairman of the Commission of the action being taken.

J. Demolition of a Landmark or a Building or Structure in a Historic District

When an applicant wishes to demolish a landmark, a building or structure on a landmark site, or a building or structure in a historic district, the Commission shall negotiate with the applicant to see if an alternative to demolition can be found. The Commission may ask interested individuals and organizations for assistance in seeking an alternative to demolition and in obtaining estimates on rehabilitation costs for the threatened building. After its public hearing, the Commission may decide that a building or structure in a historic district or on a landmark site may be demolished because it does not contribute to the historic district or to the landmark. On all other demolition applications, the Commission shall study the question of economic hardship for the applicant and shall determine whether the landmark or the property in the historic district can be put to reasonable beneficial use without the approval of the demolition application. In the case of an income-producing building, the Commission shall also determine whether the applicant can obtain a reasonable return from his existing building. The Commission may ask applicants for additional information to be used in making these determinations. These determinations shall be in addition to the points contained in Section VII.E. If economic hardship or the lack of a reasonable return is not proved, the Commission shall deny the demolition application unless the Commission finds grounds to grant the demolition application under the points contained in Section VII.E.

K. Moving a Landmark or a Building or Structure in a Historic District

When the applicant wishes to move a landmark, a building or structure on a landmark site, or a building or structure in a historic district, or wishes to move a building or structure to a landmark site or to a property in a historic district, the Commission shall consider:

- 1) The contribution the building or structure makes to its present setting;
- 2) Whether there are definite plans for the site to be vacated;
- 3) Whether the building or structure can be moved without significant damage to its physical integrity; and
- 4) The compatibility of the building or structure to its proposed site and adjacent properties.

These considerations shall be in addition to the points contained in Section VII.E.

L. Length of Validity of Certificate of Appropriateness

A Certificate of Appropriateness shall remain valid for one (1) year after it is issued. Work is required to start before the end of the one-year period. If actual work has not commenced within one year the certificate is invalid. Actual work is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition is required preparatory to rebuilding, such excavation or demolition shall be deemed to be actual work provided that it shall be carried out diligently.

M. Appeal of the Commission's Decision

The applicant shall have an appeal to the Circuit Court from a decision of the Commission on an application for a Certificate of Appropriateness. Such appeal must be filed in writing with the Taylor County Clerk within thirty (30) days after the decision of the Commission.

SECTION VIII

CONFORMITY WITH THE CERTIFICATE OF APPROPRIATENESS

All work performed pursuant to a Certificate of Appropriateness shall conform to the provisions of such Certificate. It shall be the responsibility of the Building Inspector to inspect from time to time any work being performed to assure such compliance. In the event work is being performed which is not in accordance with such Certificate, the Police Chief or the City Codes Enforcement Officer shall issue a Stop Work Order and any law enforcement officer may cite violators in District Court. All work shall cease on the designated property. No additional work shall be undertaken as long as such Stop Work Order shall continue in effect. The City may apply in Circuit Court for an injunction to enforce its Stop Work Order.

SECTION IX

EMERGENCY CONSIDERATION

In the case of unusual circumstances whereby the normal process for obtaining a Certificate of Appropriateness as set forth in this Ordinance creates undue hardship for the health, safety, and welfare of an applicant, the Commission may at its discretion waive the normal process and give immediate approval for a Certificate of Appropriateness. The Commission shall site its reasons in writing for such immediate approval.

SECTION X  
VIOLATIONS AND PENALTIES

Any person violating any of the provisions of this Ordinance shall be fined not less than fifty dollars (\$50), nor more than five hundred dollars (\$500) for each offense. Each day's violation shall constitute a separate offense.

SECTION XI  
SEVERABILITY

If any section of this Ordinance shall be declared void or unconstitutional, the remaining provisions shall continue to have full force and effect.

SECTION XII  
EFFECTIVE DATE

This ordinance was introduced and given a first reading at a regular monthly meeting of the City Council held on the 7<sup>th</sup> day of December, 2015; it received its second reading, passage and became effective at a special called meeting of the City Council held on the 4<sup>th</sup> day of January, 2016.