

ORDINANCE NO. 1528

**AN ORDINANCE CREATING AN
HISTORIC DISTRICT COMMISSION
IN THE CITY OF HARRISON, ARKANSAS**

By M. Adam D.C.

WHEREAS, the City of Harrison wishes to promote the educational, cultural, economic, and general welfare of the public through the preservation and protection of buildings, sites, places, and districts of historic interest; and

WHEREAS, the City of Harrison wishes to create a historic district commission to oversee the creation and operation of historic districts within the City of Harrison; and

WHEREAS, A.C.A. § 14-172-201 et seq. sets out the procedures required to create historic district commissions and historic districts.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARRISON, ARKANSAS:

Section 1: There is hereby created the City of Harrison Historic District Commission (henceforth referred to as the HDC) pursuant to the authority contained in A.C.A. §14-172-201 et seq., which provisions of said statutes are hereby adopted.

Section 2: The HDC shall consist of five (5) members appointed by the Mayor, subject to confirmation by the City Council, under the following requirements as established by law:

- a) Members must be electors of the City of Harrison, Arkansas.
- b) Members cannot hold a salaried or elective municipal office.
- c) Members shall demonstrate a positive interest in historic preservation, possessing interest or expertise in architecture, history, building rehabilitation, archeology, or preservation or conservation in general.
- d) Members shall be appointed for terms of three (3) years each and until their successors are appointed and confirmed by the City Council with said Commission beginning with one 1-year member, two 2-year members, and two 3-year members.
- e) Members shall serve without compensation.

Section 3: The HDC shall elect a Chairman and Vice-chairman annually from its own members and shall meet at least four (4) times per year. The Mayor shall designate an individual to serve as the City's Historic Preservation Officer, who shall provide administrative support to the HDC and advise the HDC on matters submitted to it. The Historic Preservation Officer may be a current city employee or a consultant procured via a contract for professional services.

The City Clerk, or their designee, shall serve as the secretary to the HDC.

In addition to serving as representative of the HDC, the Historic Preservation Officer is responsible, with the assistance of the Chairman, or appointed designee, for coordinating the City's preservation activities with those of state and national agencies and organizations. The Historic Preservation Officer may consult, at his or her discretion, with preservation-related professionals including, but not limited to, architects, historians, engineers, and archeologists.

The HDC shall meet at least quarterly, or more frequently if so required, to conduct business. A simple majority of the HDC shall constitute a quorum for the transaction of business. The Historic Preservation Officer may, when necessary and with adequate notice, call special meetings of the HDC. All meetings of the HDC shall be public meetings subject to Arkansas FOIA requirements.

Section 4: The HDC is subject to all fiscal procedures of the City. The HDC may, subject to appropriation, employ clerical and technical assistance or consultants and may accept money, gifts or grants, and use the same for such purpose.

Section 5: Duties generally:

- 1) The HDC may conduct studies for the identification and designation of historic districts and sites. The HDC may proceed at its own initiative or upon petition from any person, group, or association. The HDC shall maintain records of all studies and inventories for public use.
- 2) The HDC may make recommendations to the State Historic Preservation Officer (SHPO) for the listing of a historic district or site in the National Register of Historic Places.
- 3) The HDC will coordinate with the appropriate state and federal agencies in the pursuance and maintenance of Certified Local Government (CLG) status for the City of Harrison.
- 4) The HDC will serve as the official custodian of the City's history and will act as a point of contact for the public and for state and federal agencies in all matters concerning historic preservation within the City of Harrison.
- 5) The HDC may adopt rules of procedures (by-laws) not inconsistent with the provisions of this ordinance and applicable state law for the conduct of business. The HDC shall adopt a schedule for regular meetings and shall advise the City Clerk of such.

Section 6: Duties specifically:

- a) The HDC shall make an investigation and report on the historic significance of the buildings, structures, sites, or surroundings included in a proposed historic district and

shall transmit copies of its report to the Arkansas Historic Preservation Program (AHPP), an agency of the Division of Arkansas Heritage, or its successor agencies, and the to City of Harrison Planning Commission for their consideration and recommendation. AHPP (or applicable state agency) and the Planning Commission shall give their recommendations to the HDC within sixty (60) days from the date of receipt of the report.

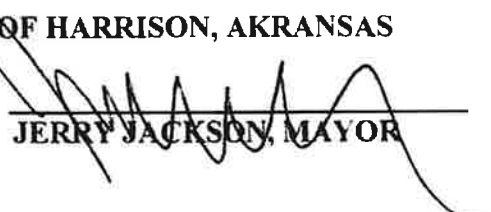
- 1) Failure by these bodies to make recommendations within sixty (60) days after the date of receipt shall be taken as approval of the report of the HDC.
 - 2) Recommendations shall be read in full at the required public hearing to be held by the HDC.
- b) The HDC shall hold a public hearing on the establishment of the proposed historic district after giving notice of such hearing by publication in a newspaper of general circulation in the city once a week for three (3) consecutive weeks, the first such publication being at least twenty (20) days prior to the public hearing. Such notice shall include the time and place of the hearing, specify the purpose and describe the boundaries of the proposed historic district.
- c) The HDC shall submit a final report with its recommendations and a draft of a proposed ordinance to the City Council within sixty (60) days after the public hearing. The report shall contain the following:
- 1) A complete description of the area or areas to be included in the historic district or districts. Any single historic district may embrace noncontiguous lands.
 - 2) A map showing the exact boundaries of the area or areas to be included within the proposed district or districts.
 - 3) A proposed ordinance designed to implement the provisions of the Arkansas Historic Districts Act [A.C.A. §14-172-201 et seq.].
 - 4) Such other matters as the HDC may deem necessary and advisable, including a statement of purpose and policy.
- d) The City Council, after reviewing the report of the HDC, shall take one (1) of the following steps:
- 1) Accept the report of the HDC and enact the proposed ordinance therein; or
 - 2) Return the report to the HDC, with such amendments and revisions thereto as it may deem advisable, for consideration by the HDC and a further report to City Council within ninety (90) days of such return; or
 - 3) Reject the report of the HDC, stating its reasons therefore, and discharge of the HDC.

Section 7: In the event any portion of this ordinance is found invalid or unconstitutional, such finding shall not affect the remaining portions of this ordinance, which shall remain in full force and effect as if the portion found invalid or unconstitutional was not originally a part of this ordinance. Additionally, all ordinances or parts of ordinances found to be in conflict herewith are hereby repealed.

PASSED AND ADOPTED THIS 22nd day of August, 2024.

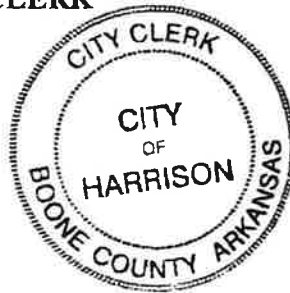
CITY OF HARRISON, AKRANSAS

BY:


JERRY JACKSON, MAYOR

ATTEST:


JAMES WHITE, CITY CLERK



STATE OF ARKANSAS-SS
COUNTY OF BOONE

I hereby certify that this instrument
was filed for record in my office the
08/27/2024 11:00AM and duly recorded.
Record as Instrument # 2024004512
Witness my hand and the court seal this
08/27/2024 11:00AM
JUDY KAY HARRIS
Circuit Clerk and Recorder