



WILDWOOD

BY-LAWS

CITY OF WILDWOOD HISTORIC PRESERVATION COMMISSION

“Planning Tomorrow Today”

ARTICLE I - OBJECTIVES

Section 1. The powers and duties, procedures, and polices of the Historic Preservation Commission are as established by City of Wildwood Ordinances, as amended and supplemented, and the relevant statutes of the State of Missouri, as amended and supplemented, relating to Charter Cities. Minimally, the Historic Preservation Commission shall have the following powers and duties:

- (a) To conduct an ongoing survey and research to identify and document buildings, structures, elements, objects, remnants, roads and trails, sites and districts that are of historic, archaeological, architectural, engineering, cultural or scenic significance to the locality, the State or the nation; to update and maintain the survey routinely; to provide a status report to the City Council at least annually; to highlight the status of those properties or elements considered landmarks, as defined in this Chapter, and to publish the current report for public perusal.
- (b) To recommend to the City Council designation of significant historic properties as registered historic buildings, structures, elements, objects, remnants, roads and trails, sites, and historic districts, to prepare documentation supporting such nomination, and to maintain a register of designated registered historic properties, elements, and districts, and of significant historical, architectural and archaeological properties;
- (c) To recommend to the City Council the designation of specific historic properties or elements as City of Wildwood historic landmarks, as defined elsewhere in this Chapter;
- (d) To recommend to the City Council the establishment of regulations, guidelines and policies to preserve the integrity and ambiance of designated registered historic properties, elements, and districts. The Commission shall have the authority to review ordinary maintenance, as deemed appropriate, new construction, alterations, removals and demolitions proposed within the boundaries of a historic property or district, including review of plans for vacant lots and non-historic buildings and structures according to accepted criteria meriting field inspection and in accordance with the adopted procedures and policies promulgated for such reviews by it. These procedures and policies shall be maintained by the Historic Preservation Commission and available for public inspection and dissemination;

- (e) To provide technical assistance to owners of older and historic, architectural, archaeological, cultural and scenic properties concerning the preservation and maintenance of the property, including potential incentives and sources of funding;
- (f) To recommend to the City Council programs and policies and economic incentives to encourage the preservation of significant registered historic properties, elements, and districts;
- (g) To prepare and maintain a comprehensive historic preservation plan, or a preservation element to a master plan, to integrate the preservation program into the City government for planning and zoning for land use, building and fire codes, special-use permits, community revitalization and heritage tourism;
- (h) To participate in the conduct of land use, urban renewal, and other City activities affecting registered historic properties and districts;
- (i) To acquire by purchase, gift or bequest, fee title or lesser interest, including preservation restrictions or easements in designated properties and adjacent or associated lands that are important for the preservation and use of the designated properties;
- (j) To adopt its own bylaws and procedural regulations, provided that such regulations are not inconsistent with this Chapter and the Revised Statutes of the State of Missouri.
- (k) To schedule joint public meetings or work sessions with the Planning and Zoning Commission necessitated by the application of zoning or historic preservation codes within the context of the Master Plan or site-specific ordinances approved for the same.

ARTICLE II - OFFICERS AND THEIR DUTIES

Section 1. The officers of the Historic Preservation Commission shall consist of a Chair, Vice-Chair, and a Secretary. Each officer shall be a member of the Historic Preservation Commission.

Section 2. The Chair of the Commission shall have the following powers and duties:

- (a) To preside at all meetings and hearings of the Commission;
- (b) To appoint Commission members to Ad-Hoc Committees;
- (c) To have general charge of the activities of the Historic Preservation Commission and generally oversee the conduct of its affairs;
- (d) To call Special Meetings of the Commission;
- (e) To carry out other duties normally conferred by parliamentary usage on such officer; and

(f) Engage in other activities, as directed by the Historic Preservation Commission.

Section 3. The Vice-Chair of the Historic Preservation Commission shall have the following powers and duties:

(a) To act for the Chair in his or her absence;

(b) To perform all duties normally conferred by parliamentary usage on such officer; and

(c) Engage in other activities, as directed by the Historic Preservation Commission.

Section 4. The Secretary of the Historic Preservation Commission shall have the following duties:

(a) To act for the Chair and Vice-Chair in their absence;

(b) To certify and maintain a record of each meeting and hearing of the Historic Preservation Commission. The Secretary may delegate this responsibility to the Director of Planning, or another designated member of the Department of Planning staff;

(c) To attend to correspondence of the Historic Preservation Commission. The Secretary may delegate this responsibility to the Director of Planning, or another designated member of the Department of Planning staff;

(d) To give to each Commission Member due notice of the time and place of each Annual, Regular, or Special Meeting and each Public Hearing of the Commission. The Secretary may delegate this responsibility to the Director of Planning, or another designated member of the Department of Planning staff;

(e) To carry out other duties normally conferred by parliamentary usage on such officer; and

(f) To engage in other activities, as directed by the Historic Preservation Commission.

ARTICLE III - ELECTION OF OFFICERS

Section 1. A nominating committee of not less than three (3) Commissioners shall be appointed by the serving Chair of the Historic Preservation Commission at the first meeting in December to nominate officers of the Historic Preservation Commission for the following year. The Committee shall report to the full membership at the first meeting of the Historic Preservation Commission in January, with the election of the officers occurring at this time. Nominations may also be entertained from the floor at this first meeting in January. The new officers, being duly elected, shall take office at the first meeting of the Historic Preservation Commission in February and hold office for one (1) year or until their successors are appointed.

Section 2. The Chair may request nominations for two (2) or three (3) officers simultaneously or, at the discretion of the Chair, require a separate nomination and vote for each officer.

- Section 3. A candidate receiving a majority vote of the Historic Preservation Commission shall be declared elected.
- Section 4. Two (2) members of City Council ~~A City Council Member~~ shall be appointed to serve as liaisons to the Historic Preservation Commission, but may not serve as an officer of the Commission. **One (1) member of the Planning and Zoning Commission shall be appointed to serve as liaison to the Historic Preservation Commission, but may not serve as an officer of it.**
- Section 5. A vacancy in office shall be filled as soon as possible in accordance with the election procedure set forth herein or by a special election as directed by the Chair of the Commission.

ARTICLE IV - MEETINGS

- Section 1. The meeting of the Historic Preservation Commission shall be held on the ~~fourth~~ **third** Thursday ~~Wednesday~~ of each month, **at a time and location, as determined by the Historic Preservation Commission.** ~~7:30 p.m. in the City Council Chambers, unless otherwise specified by the Chair.~~
- Section 2. An additional or special meeting may be called by the Chair, or at the request in writing of any three (3) or more members of the Commission.
- Section 3. A simple majority of the membership of the Commission shall constitute a quorum (~~four (4)~~ **three (3)** ~~of the seven (7) regular~~ members) for the transaction of Commission business. Each member of the Commission shall have one (1) vote. ~~City Council liaisons shall not be voting members.~~ **The City Council representatives shall not be considered voting members, regardless if their participation is necessary to constitute a quorum. The Planning and Zoning Commission liaison shall not be a voting member as well.**
- Section 3(a). Two (2) non-voting alternate Commission members shall be appointed by the Mayor, with the consent of City Council. These alternate members would be expected to attend Commission meetings, receive routine training, offer comments on agenda topics, and act as potential replacement(s) for a Commission member who is no longer able to serve. These alternate Commission members shall be considered voting members only, when their participation is necessary to constitute a quorum for the meeting, but may not be officers of the Commission in any circumstance.
- Section 4. The submittal of a recommendation for approval of a property to the City's Historic Register shall require the affirmative vote of at least ~~four (4)~~ **three (3)** ~~of the seven (7) regular~~ members of the Historic Preservation Commission.
- Section 5. Except as otherwise specified by these By-Laws, Robert's Rule of Order shall prevail at all meetings of the Commission.
- Section 6. The order of business at Meetings shall be:

- (a) Approval of minutes of previous meetings and hearings;
- (b) Public Comment;
- (c) Public Hearing;
- (d) Old Business;
- (e) New Business;
- (f) Reports of officers and committees;
- (g) Other; and
- (h) Adjournment.

Section 7. The Chair of the Commission, or majority of the Historic Preservation Commission, may alter the order of business at any meeting.

ARTICLE V - PUBLIC HEARINGS

Section 1. A Public Comment Session shall be held at the beginning of each meeting. The Public Hearings shall be held at City Hall, as specified by Article IV, Section 4 of these By-Laws, unless specified by the Chair.

Section 2. The order of business at a public hearing shall be as indicated in the public notice thereof.

Section 3. The Chair of the Commission, or a majority of the Historic Preservation Commission, may alter the order of business at the public hearing.

Section 4. The rules of procedure governing public hearings shall be:

- (a) The number of nominations will not exceed one (1) per agenda, unless related nominations are presented and heard together, at which time there may be two (2) per agenda.
- (b) The Chair of the Historic Preservation Commission may grant an exception to the number of nominations per agenda, when necessary under special conditions.
- (c) The petitioner, or representative of the petitioner, shall be granted thirty (30) minutes per hearing to explain the nomination.
- (d) Speakers in favor or opposed to a nomination shall be granted fifteen (15) minutes.
- (e) The Chair of the Commission may authorize an exception to the time limit allotted to the petitioner, representative, or speakers in favor/opposition, when necessary under special conditions or unusual circumstances.

ARTICLE VI - AD HOC COMMITTEES

- Section 1. The Chair of the Historic Preservation Commission may appoint, when circumstances necessitate it, ad-hoc committees to provide additional support to the normal activities of the Commission. These ad-hoc committees will serve at the discretion of the Chair in terms of length of time, composition, and subject matter. ~~Participation in the writing and editing of the Legacy~~ Contributing articles, information and other materials for the Wildwood Gazette and the City's website may be one such responsibility of these ad-hoc committees.
- Section 2. A committee's vacancy shall be filled by the Chair of the Commission.
- Section 3. The Chair of the Commission, with the approval of its members, may appoint a person who is not a member of the Historic Preservation Commission or the Department of Planning staff, as an advisory participant to a committee.
- Section 4. These committees shall meet at a time and place set by the Chair of the Committee.

ARTICLE VII - DIRECTOR OF PLANNING

- Section 1. The Director of Planning shall provide staff assistance to the Historic Preservation Commission and shall perform those duties required by law or delegated to him or an officer thereof.
- Section 2. The Director of Planning shall appoint as necessary, a member of the Department of Planning staff to meet with, work for, and advise any delegated Committee of the Commission.
- Section 3. The Director of Planning and/or City Attorney shall provide parliamentary assistance on the conduct of business as requested by the Chair of the Commission.

ARTICLE VIII – ETHICS

- Section 1. Each Commission member, alternate member, and liaison shall adhere to, and be bound by, the applicable City and State guidelines and codes covering ethical conduct. No member, alternate member, or liaison shall use his/her position, or derived information, for personal use or gain, as specified in the aforementioned applicable guidelines and codes.

ARTICLE IX -AMENDMENTS OF BY-LAWS

- Section 1. These By-Laws may be amended by an affirmative vote of not less than ~~four (4) three (3)~~ members of the Historic Preservation Commission.

- Original Draft - January 12, 2000
1st Revised Draft – February 16, 2000 (Adopted on February 16, 2000)
2nd Revised Draft – July 24, 2007 (Adopted on July 24, 2007)
3rd Revised Draft – January 7, 2013 (Adopted on January 7, 2013)
4th Revised Draft – May 29, 2013 (Adopted on May 29, 2013)

5th Revised Draft - August 22, 2013 (Adopted on August 22, 2013)

6th Revised Draft - _____, 2019

Editor's Note: Double strikethrough line represent deletions. Bolded and underlined type represents additions or changes.
Blue type reflects recommended additions to the current, adopted By-Laws.

City of Wildwood, MO
Tuesday, March 26, 2019

Chapter 440. Historic Preservation and Restoration Code

Section 440.020. Historic Preservation Commission.

[Ord. No. 547 §1, 8-9-1999; Ord. No. 853 §1, 6-24-2002; Ord. No. 1579 §1, 11-24-2008; Ord. No. 2048 §1, 10-24-2014]

- A. *Composition Of Historic Preservation Commission.* The Historic Preservation Commission shall consist of seven (7) members, who are residents of the City of Wildwood for a minimum of one (1) year, with each being appointed by the Mayor, and consent of the City Council. As possible, one (1) member should be an experienced architect or preservation/restoration professional. Commission members may be active participants in a local or regional historical society or similar local organization dedicated to historic preservation and education. Such a potential member may be offered for nomination by the Mayor, as representing the local historical society or similar organization, so long as the individual chosen meets the requirements of membership to the Commission. The organization shall provide the Mayor a written nomination request of this candidate, including an overview of qualifications. In all cases, the Mayor shall make every reasonable effort to appoint persons with a demonstrated interest and some degree of expertise relative to the history and preservation of the City of Wildwood. The members shall serve without compensation but may be reimbursed for expenses they incur while on Commission business.
1. *City Council liaisons.* In addition, two (2) members of the City Council shall be appointed to serve as non-voting liaisons.
 2. *Alternate Commission members.* Two (2) non-voting alternate Commission members shall be appointed by the Mayor, with the consent of City Council. These alternate members would be expected to attend Commission meetings, receive routine training, offer comments on agenda topics, and act as potential replacement(s) for a Commission member who is no longer able to serve. These alternate Commission members shall be considered voting members only, when their participation is necessary to constitute a quorum for the meeting, but may not be officers of the Commission in any circumstance.
 3. *Other liaisons.* One (1) non-voting liaison from the Planning and Zoning Commission and one (1) non-voting liaison from the Architectural Review Board shall be appointed by their respective bodies to serve on the Commission for a term of no more than one (1) year, but may be reappointed.
- B. *Terms.* The terms of office for the members of the Historic Preservation Commission shall be as follows: three (3) years, excepting the membership of the first Historic Preservation Commission and the subsequent two (2) members added within this same transition time frame. These transition members shall be appointed to serve terms of one (1) for one (1) year and one (1) for two (2) years. Alternate members shall be appointed to serve terms of three (3) years. The Mayor shall fill vacancies created by unexpired terms on the Historic Preservation Commission within thirty (30) days of his/her notification by the Chair. The Historic Preservation Commission shall hold at least six (6) meetings per year or as directed by the Chair. A quorum shall consist of four (4) of the voting members or, as set forth above in Subsection **A(1)** of this Code.
- C. *Meetings.* All meetings of the Historic Preservation Commission shall be open to the public, except as provided by State law. The Historic Preservation Commission shall keep minutes of its

proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be public record. Regular meetings of the Historic Preservation Commission should be scheduled monthly and held not less than six (6) times per year. No more than two (2) months should elapse between regular meetings. More frequent meetings may be scheduled by the Chair or requested by the Director of Planning, as needed to address issues or accomplish tasks and projects. Special meetings and/or tours should be scheduled, conducted, recorded, and with notice given, as if a regular meeting.

D. Funding.

1. The City Council shall annually appropriate funds, within budget limitations established by the City Council, for the operation of the Historic Preservation Commission. The annually appropriated funding shall be used for expenditures directly related to the purpose(s), powers, and duties of the Commission, as outlined elsewhere in the Chapter of the Municipal Code, and including but not limited to:
 - a. Training and continuing education of Historic Preservation Commission members, alternate members, and liaisons, including attendance at conferences and seminars provided on a local and State level, historical reference publications, etc.
 - b. Citizen outreach and public relations, including task group meetings, special mailings, etc., especially those aimed at nurturing public awareness and participation in preservation activities among owners of historic and historically significant properties and elements.
 - c. General public education activities and materials, including brochures, videos, storyboards for schools, exhibits, etc., other than expenditures normally covered within the City's general operating budget.
 - d. Outside consultants for unique situations, special research and studies, ongoing updating of the listing of historic elements and sites, etc., as needed and approved by the Commission within its limit of authority.
 - e. Research, application, and securement of potential funding sources and grants to incentivize and foster the preservation of historically significant elements, as well as distribution or use of any secured funds, with City Council consent.
2. The Historic Preservation Commission may, with the consent of the City Council, apply for, receive, and expend any Federal, State or private grant, grant-in-aid, gift or bequest in furtherance of the general purposes of this Section. The Historic Preservation Commission shall exercise oversight over all funding receipts and expenditures covered by the provisions in this Section. The Department of Planning shall provide coordination and staff support for the Commission.

E. *Powers And Duties.* The Historic Preservation Commission shall have the following powers and duties:

1. To conduct an ongoing survey and research to identify and document buildings, structures, elements, objects, remnants, roads and trails, sites and districts that are of historic, archaeological, architectural, engineering, cultural or scenic significance to the locality, the State or the nation; to update and maintain the survey routinely; to provide a status report to the City Council at least annually; to highlight the status of those properties or elements considered landmarks, as defined in this Chapter, and to publish the current report for public perusal.
2. To recommend to the City Council designation of significant historic properties as registered historic buildings, structures, elements, objects, remnants, roads and trails, sites, and historic districts, to prepare documentation supporting such nomination, and to maintain a register of

- designated registered historic properties, elements, and districts, and of significant historical, architectural and archaeological properties;
3. To recommend to the City Council the designation of specific historic properties or elements as City of Wildwood historic landmarks, as defined elsewhere in this Chapter;
 4. To recommend to the City Council the establishment of regulations, guidelines and policies to preserve the integrity and ambiance of designated registered historic properties, elements, and districts. The Commission shall have the authority to review ordinary maintenance, as deemed appropriate, new construction, alterations, removals and demolitions proposed within the boundaries of a historic property or district, including review of plans for vacant lots and non-historic buildings and structures according to accepted criteria meriting field inspection and in accordance with the adopted procedures and policies promulgated for such reviews by it. These procedures and policies shall be maintained by the Historic Preservation Commission and available for public inspection and dissemination;
 5. To provide technical assistance to owners of older and historic, architectural, archaeological, cultural and scenic properties concerning the preservation and maintenance of the property, including potential incentives and sources of funding;
 6. To recommend to the City Council programs and policies and economic incentives to encourage the preservation of significant registered historic properties, elements, and districts;
 7. To prepare and maintain a comprehensive historic preservation plan, or a preservation element to a master plan, to integrate the preservation program into the City government for planning and zoning for land use, building and fire codes, special-use permits, community revitalization and heritage tourism;
 8. To participate in the conduct of land use, urban renewal, and other City activities affecting registered historic properties and districts;
 9. To acquire by purchase, gift or bequest, fee title or lesser interest, including preservation restrictions or easements in designated properties and adjacent or associated lands that are important for the preservation and use of the designated properties;
 10. To adopt its own bylaws and procedural regulations, provided that such regulations are not inconsistent with this Chapter and the Revised Statutes of the State of Missouri.
 11. To schedule joint public meetings or work sessions with the Planning and Zoning Commission necessitated by the application of zoning or historic preservation codes within the context of the Master Plan or site-specific ordinances approved for the same.
- F. *Delegation Or Abandonment Of Powers And Duties.* The Historic Preservation Commission and the City Council shall retain and be responsible for effective initiation, implementation, and accomplishment, as possible, of each of its described duties and responsibilities. The Commission and the City Council should neither delegate responsibilities and duties required by this Chapter to external organizations or entities, nor abandon them without just cause and clear direction from a majority of residents.
- G. *Ethics.* Each Commission member, alternate member, and liaison shall adhere to, and be bound by, the applicable City and State guidelines and codes covering ethical conduct. No member, alternate member, or liaison shall use his/her position, or derived information, for personal use or gain, as specified in the aforementioned applicable guidelines and codes.