



Legislation Details (With Text)

File #: 17-00119 **Version:** 2 **Name:** Text Amendment to Chapter 37
Type: Ordinance **Status:** Passed
File created: 2/9/2017 **In control:** City Council
On agenda: 3/14/2017 **Final action:** 3/14/2017

Title: An Ordinance Amending Chapter 37, entitled "Preservation", of the Aurora Code of Ordinances to modify certain provisions therein contained

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A Text Amendment.pdf, 2. Legistar History Report - 2017-02-20 - 2017.015.pdf, 3. 17-00119 - 3-2 - O - Text Amnd Chap 37, Preserv, Sec 37-22 Org, Sec 37-24 Director, Sec 37-42 Appl historic dist desig and Sec 37.63.pdf

Date	Ver.	Action By	Action	Result
3/14/2017	2	City Council	adopted	Pass
3/7/2017	2	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
3/2/2017	2	Planning & Development Committee	recommended for approval	Pass
2/16/2017	1	Historic Preservation Commission	Forwarded	Pass

TO: Mayor Robert J. O'Connor

FROM: Historic Preservation Commission

DATE: February 17, 2017

SUBJECT:

An Ordinance Approving a Text Amendment to Chapter 37, Entitled "Preservation" to modify certain portions being Sec. 37-22 "Organization; rules; meetings; removals; conflicts," Sec. 37-24 "Director," Sec. 37-42 "Application for a historic district designation," and Sec. 37-63 "Certificate of appropriateness of a designated site." (City of Aurora -17-00119/ KDWK-17.015-TXT/HP- JM)

PURPOSE:

Attached is an ordinance amending certain sections of Chapter 37 - Preservation. The proposed amendments are intended to provide clarification regarding the requirement of public hearings for historic certificate of appropriateness and to clarify other sections of the Ordinance where the wording is ambiguous.

BACKGROUND:

The Aurora Preservation Commission was established by the City Council in 1979 to preserve properties that reflect Aurora's historical, cultural, artistic, social, and ethnic heritage. Chapter 37, Entitled "Preservation" was last modified in 2014 (O14-010) to enable the Aurora Preservation Commission to clarify the existing enforcement procedures. In October of 1982, the City Council

approved the first Historic Districts and Landmarks Guidelines to provide rehabilitation and restoration guidelines for properties within the then locally designated historic district(s) (R82-1043). Those guidelines have been updated from time to time with the latest revision being approved by City Council in 2012 (R12-236).

DISCUSSION:

This amendment will clarify the requirements of commissioner's attendance, the type of citations that can be issued for violations, the application for historic district designation, and the procedure of public hearings for certificate of appropriateness.

IMPACT STATEMENT :

The Planning and Zoning Division does not anticipate any impact to other City Departments with the approval of this amendment since it is simply a clarification of the current processes.

RECOMMENDATIONS:

The Historic Preservation Commission recommended APPROVAL of an Ordinance Approving a Text Amendment to Chapter 37, Entitled "Preservation" to modify certain portions being Sec. 37-22 "Organization; rules; meetings; removals; conflicts," Sec. 37-24 "Director," Sec. 37-42 "Application for a historic district designation," and Sec. 37-63 "Certificate of appropriateness of a designated site."

ATTACHMENTS:

Exhibit "A" Text Amendment

cc:

Alderman Saville, Chairman

Alderman Donnell

Alderman Irvin

Alderman Hart-Burns, Alternate



CITY OF AURORA, ILLINOIS

ORDINANCE NO. _____

DATE OF PASSAGE _____

An Ordinance Amending Chapter 37, entitled "Preservation", of the Aurora Code of Ordinances to modify certain provisions therein contained

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City Council of the City of Aurora has determined that it is necessary and desirable to amend Chapter 37, entitled "Preservation" in order to update and improve certain sections of said Ordinance to better carry out the purpose and intent of said Ordinance; and

WHEREAS, on February 16, 2016 the Aurora Preservation Commission held a meeting on the proposed amendment and recommended approval of same attached hereto and incorporated herein as Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect and shall be controlling upon its passage and approval.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: That Chapter 37, entitled "Preservation" of the Aurora Code of Ordinances, is hereby amended as set forth in Exhibit "A".