

RESOLUTION NUMBER

10-1

**AMENDMENT TO SANGAMON COUNTY HISTORIC PRESERVATION  
ORDINANCE REGARDING DEMOLITION DELAY**

**WHEREAS**, pursuant to 55 LLCS 5/5-30004, the County of Sangamon, Illinois has adopted a Historic Preservation Ordinance; and

**WHEREAS**, in order to make the regulations more effective, it is necessary from time to time to consider amendments that correct deficiencies or that relate to current development circumstances; and

**WHEREAS**, it is desirable to enact a 30 day delay in an application for a demolition permit for a building or other structure that has been listed by the Historic Preservation Commission as being potentially eligible for landmarking; and

**WHEREAS**, the Public Health, Safety & Zoning Committee of the Sangamon County Board has reviewed the proposed amendment to the Historic Preservation Ordinance identified as Exhibit A, attached hereto and made a part of this resolution and recommends approval; and

**WHEREAS**, the Sangamon County Building Code Board of Appeals has reviewed the proposed amendment to the Historic Preservation Ordinance identified as Exhibit A, attached hereto and made a part of this resolution and recommends approval.

RECEIVED

AUG 01 2008

Joe Aiello  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED**, by the Members of the Board of Sangamon County, Illinois, in session this **12<sup>th</sup> Day of August, 2008** that the amendment to the of the Sangamon County Historic Preservation Ordinance as proposed in the attached Exhibit A is hereby approved.

Signed and passed by the Sangamon County Board in session on this **12<sup>th</sup> Day of August, 2008**.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING  
COMMITTEE OF THE SANGAMON COUNTY  
BOARD



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

**ATTEST:**

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Demolition Delay Proposal

Add to the end of Article IV:

(7) Demolition delay

(a) Any application for a demolition permit for a building or other structure that is listed by the historic preservation commission as being potentially eligible for landmarking as described below shall be referred to the historic preservation commission prior to issuance of such a permit by the Building and Safety Department:

(1) In keeping with the criteria for landmark designation as described in this ordinance, the commission shall annually review and publish in a newspaper of general circulation in the County a list of properties that the commission deems potentially eligible for landmarking.

(2) In its preparation of the annual list of properties potentially eligible for landmarking, the commission shall limit itself to the following categories:

- (i) Any building or structure on the National Register of Historic Places;
- (ii) Any building or structure on the Illinois Historic Landmark Survey;
- (iii) Any historically significant building or structure (eg. bridge or barn) identified by other lists and inventories that are:

- (a) Conducted under the auspices of the federal government or State of Illinois; and
- (b) Use a methodology approved and certified by the historic preservation commission and/or the Illinois Historic Preservation Agency; and
- (c) Specifically identifies buildings or structures eligible for landmarking under local, state or federal law.

(b) Except in those instances where the county has determined that a building or other structure presents an imminent danger to the public health, safety or welfare, whenever an application is submitted to the Building and Safety Department for a demolition permit for any building or structure identified on the list of properties potentially eligible for landmarking, the Building and Safety Department shall defer taking action on the application for an initial period of 30

days from the date the application was received and immediately refer the application to the historic preservation commission.

- (c) During the initial 30 day delay, any interested person or entity may file a written petition with the secretary of the commission requesting that the commission extend the initial period of delay by an additional 30 days. The commission may grant such extension only if it finds that the request meets the following criteria:
  - (1) The petitioner possesses the ability to acquire, develop and maintain the property, and
  - (2) The owner of the property is willing to convey or negotiate an agreement to convey the property to the petitioner.
- (d) If an extension is granted by the commission, the commission shall notify the Building and Safety Department that an extension has been granted, in which case the department shall take no action on the application for an additional 30 days.
- (e) If the application is not withdrawn during the initial 30 day delay, or within the period of the extension if granted, the Building and Safety Department shall proceed to take action on the application as requested.