

**Certified Local Government Commission Ordinance
For Establishment of a Historic Preservation Commission in the
Town of St. Albans**

WHEREAS, the Town of St. Albans contains historic buildings, structures, objects, sites and districts of local, state and national significance and the Board of Selectpersons has determined that a Historic Preservation Commission would be beneficial to the cultural enrichment and general well-being of the community,

NOW, THEREFORE, pursuant to authority granted them by Title 24, Vermont Statutes Annotated, the Town of St. Albans, the Board of Selectpersons hereby ordains and enacts as follows:

Section 1 – Authority and Applicability

The Town of St. Albans has agreed to enforce, within its jurisdiction, the provisions of the Vermont Municipal and Regional Planning and Development Act (24 V.S.A. Chapter 117), the Vermont Historic Preservation Act (22 V.S.A. Chapter 14), and any other state or local legislation which may be enacted for the designation and protection of historic properties.

Section 2 – Intents and Purposes

The Town of St. Albans hereby establishes a Historic Preservation Commission of 5 members appointed by the Board of Selectpersons. The structure and responsibilities of the Historic Preservation Commission shall be as follows:

- a. The commission shall be appointed, and any vacancy filled, by the legislative body of the municipality. The term of each member shall be as established by the legislative body, except for those first appointed, whose terms shall be varied in length so that in the future the number whose terms expire in each successive year shall be minimized. Any appointment to fill a vacancy shall be for the unexpired term. 24 V.S.A. § 4433(1)(C).
- b. The commission shall be composed of professional and lay members, a majority whom reside within the jurisdiction of the Town of St. Albans.
- c. All members of the commission shall have a demonstrated interest, competence or knowledge in historic preservation.
- d. To the extent available within the jurisdiction of the Town of St. Albans, at least a majority of the members shall be professionals who meet the “Professional Qualifications Standards” published by the National Park Service in 36 CFR Part 61 including those from the disciplines of history, pre-contact or historic archaeology, architectural history, architecture and historical architecture who meet the requirements outlined in Appendix A of the *Regulations for the Vermont Certified Local Government Program*. Members representing other historic preservation related disciplines, such as urban planning, American studies, American civilization, cultural geography, or cultural anthropology, and lay members are encouraged. When a discipline is not represented on the commission, the commission shall seek the assistance of the Vermont Division for Historic Preservation in obtaining the necessary expertise when considering National

Register nominations and other actions that will impact properties which are normally evaluated by a professional in such discipline.


- e. All activities of the commission shall be in accord with the terms of the Vermont Open Meeting Law (1 V.S.A. Chapter 5, Subchapter 3), and the commission shall take additional steps as it deems appropriate to stimulate public participation in commission activities, such as, publishing its minutes, publishing the procedures by which assessments of potential National Register nominations will be carried out or using public service announcements to publicize commission activities.
- f. The commission shall meet no less than four times each year, and maintain an attendance rule for commission members.
- g. The commission shall have written rules of procedure, including conflict of interest provisions in compliance with the Historic Preservation Fund Grants Manual.
- h. The commission shall have the following responsibilities, to be carried out in coordination with and in accord with format and standards established by the Division:
 - i. Creation and maintenance of a system for the survey and inventory of historic properties within its jurisdiction that is coordinated with the *Vermont Historic Sites and Structures Survey* and the *Vermont Archaeological Inventory*.
 - ii. Preparation, for submission to the Division by the Board of Selectpersons, of a report concerning properties within its jurisdiction that are under consideration for nomination to the National Register of Historic Places. The report shall be prepared in cooperation with the Division and shall be prepared in a manner consistent with the requirements of the National Historic Preservation Act as described in the *Regulations for the Vermont Certified Local Government Program*.
 - iii. When determined to be appropriate in the discretion of the commission, preparation and submission for approval by the Board of Selectpersons of grant applications to the Division for funds from the CLG share of the state's annual Historic Preservation Fund (HPF) grant award.
 - iv. Advising and assisting the Board of Selectpersons, Planning Commission, and other appropriate persons on matters related to historic preservation.
 - v. Performance of additional responsibilities in accordance with a mutual written agreement between the Division and the Certified Local Government.

Section 3 - Severability

If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

Section 4 – Effective Date

This ordinance shall become effective 60 days after its adoption by the Selectboard or at such time following the expiration of the 60 days from the date of its adoption as is determined by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.



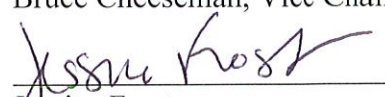
Brendan Deso, Chair



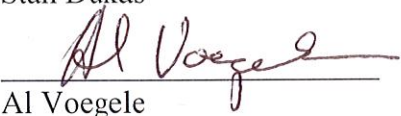
Bruce Cheeseman, Vice Chair



Stan Dukas



Jessica Frost



Al Voegele

Attest By: 
Anna Bourdon, Town Clerk

Date: May 7, 2019