

SPRINGFIELD DEMO DELAY ORD

www.group.org/jahoo.com - ChicagoLand citizens

**AN ORDINANCE AMENDING CHAPTER 101, SECTION 101.16 AND CHAPTER 170, SECTION 170.12-03(a) OF THE 1988 SPRINGFIELD CITY CODE OF ORDINANCES, AS AMENDED, PERTAINING TO APPLICATIONS FOR DEMOLITION PERMITS FOR STRUCTURES LISTED BY THE HISTORIC SITES COMMISSION AS POTENTIALLY ELIGIBLE FOR LANDMARKING.**

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, as a matter of public policy the City aims to preserve, enhance and perpetuate those aspects of the City that have historical, cultural, architectural and/or archeological merit; and

**WHEREAS**, preservation of certain buildings and structures will promote and protect the health, safety, prosperity, education and general welfare of the people living in and visiting Springfield, Illinois; and

**WHEREAS**, it is in the best interest of the City of Springfield to authorize the Historic Sites Commission to review the application for demolition permits submitted to the Department of Building and Zoning with respect to certain buildings or structures that may possess historic significance; and

**WHEREAS**, it is necessary to amend Chapter 101, Section 101.16 and Chapter 170, Section 170.12.03(a) of the 1988 Springfield City Code of Ordinances, as amended, to authorize the Historic Sites Commission to review demolition permits issued by the Department of Building and Zoning.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** The City Council of the City of Springfield, Illinois, hereby amends Chapter 101, Section 101.16 of the 1988 Springfield City Code of Ordinances, as amended, as follows:

**§ 101.16. Regulation of alteration, construction, demolition: landmarks or historic district and proposed landmarks and historic districts.**

(a) – (b) Language remains the same.

(c) Any application for a demolition/wrecking permit for a building or other structure that is listed by the Historic Sites Commission as being potentially eligible for landmarking as described below shall be referred to the Historic Sites Commission prior to issuance of such a permit by the Department of Building and Zoning:

(1) In keeping with the Criteria for Landmark Designation as described in section 101.10 of this Chapter, the Commission shall annually review and publish in a newspaper of general circulation in the City of Springfield 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:

list of properties  
that can be designated a

- (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 building or structure on the Springfield Historic Sites Register;
- (iv) Any historically significant building or structure identified by other lists and inventories that are:
  - a. Conducted under the auspices of the federal government, state of Illinois, and/or the City of Springfield; and
  - b. Use a methodology approved and certified by the Historic Sites Commission and/or the Illinois Historic Preservation Agency; and
  - c. Specifically identifies buildings or structures eligible for landmarking under local, state or federal law.
- (d) Except in those instances where the City 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 Department of Building and Zoning for a demolition / wrecking permit for any building or structure identified on the list of properties potentially eligible for landmarking, the Department of Building and Zoning shall defer taking action on the application for an initial period of thirty (30) days from the date the application was received and immediately refer the application to the Historic Sites Commission.
- (e) During this initial thirty 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 thirty (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.
- (f) If an extension is granted by the Commission, the Commission shall notify the Department of Building and Zoning that an extension has been granted, in which case the Department shall take no action on the application for an additional thirty (30) days.
- (g) If the application is not withdrawn during the initial thirty day delay, or within the period of extension if granted, the Department of Building and Zoning shall proceed to take action on the application as requested.

(Ord. No. 550-7-94, § 1, 7-5-94; Ord. No. 175-3-95, § 1, 3-7-95)

**Section 2:** The City Council of the City of Springfield, Illinois, hereby amends Chapter 107, Section 107.12.03(a) of the 1988 Springfield City Code of Ordinances, as amended, as follows:

**§ 170.12.03. Demolition permits.**

(a) Notwithstanding any provisions of article I, of chapter 170, the issuance of a demolition permit is conditioned upon the following:

(1) – (2) Language remains the same.

(3) Except in those instances where the City 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 Department of Building and Zoning for a demolition / wrecking permit for any building or structure identified on the list of properties potentially eligible for landmarking as promulgated by the Historic Sites Commission, the Department shall delay action on the application for an initial period of thirty (30) days from the date the application was received and follow the procedures set forth at Ch. 101, Section 101.16 of this Code pertaining to regulations for the demolition of landmarks and proposed landmarks.

(b) – (e) Language remains the same.

(Ord. No. 597-7-91, 7-16-91; Ord. No. 675-12-97, § 1(Exh. A), 12-2-97)

**Section 3:** This ordinance shall become effective ten days after its passage and publication according to law.

PASSED: \_\_\_\_\_, 2003

SIGNED: \_\_\_\_\_, 2003

RECORDED: \_\_\_\_\_, 2003

\_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
City Clerk

Approved as to legal sufficiency:

Requested by: Alderman Redpath

\_\_\_\_\_  
Office of Corporation Counsel/Date



**Illinois Historic  
Preservation Agency**

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

January 2, 2003

Marshall Lemme  
Springfield Historic Sites Commission  
231 S. 6<sup>th</sup> Street  
Springfield, IL 62701

Dear Mr. Lemme;

*Marshall*

Thank you for providing the draft copy of Springfield's Demolition Delay Ordinance, which is a good first step in addressing the need for preservation of the City's important historic resources.

Your list of Historically Significant Properties represents a good starting point, however a quick review of that list suggests that the addresses of many properties of outstanding cultural and social historical significance, of both high style and vernacular architectural importance seem to have been overlooked. It will be important to make an aggressive effort to add those properties which may be the subject of the Aristocracy Hill survey, currently underway through the IHPA CLG grant program, as well as properties identified individually or through ongoing surveys of other historic neighborhoods throughout Springfield which may be undertaken in the future.

In addition, the clustering of significant properties on many streets within your list also suggests that the City should give serious consideration to local designation of neighborhood historic districts, as an effective way to heighten awareness of the value and need for protection of its important community resources.

I appreciate your efforts to keep me informed of the progress of Springfield's preservation program, Marshall, and I look forward to working with you throughout this new year.

Sincerely,

*Catherine O'Connor*

Catherine O'Connor  
Manager, Local Government Services