

**ALBANY DOUGHERTY HISTORIC PRESERVATION COMMISSION RULES,
REGULATIONS, PROCEDURES, BYLAWS, AND STANDARDS**

**SECTION ONE
PURPOSE, LEGAL AUTHORITY, JURISDICTION**

Purpose

The purpose herein is to set forth and adopt rules, regulations, procedures, bylaws and standards to govern the operations of the Albany Dougherty Historic Preservation Commission, hereinafter sometimes called the "Historic Preservation Commission," including, among other things, to establish a uniform procedure for use in providing for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, cemeteries, structures, objects, landscape features and works of art having a special historical, cultural or aesthetic interest or value, expedited review procedures for approval of routine maintenance, adoption and application of general design standards and adoption and application of rules and standards.

Legal Authority

The Historic Preservation Commission and the terms of this instrument shall be governed by the provisions of the City of Albany and Dougherty County Ordinance #96-116.

Territorial Jurisdiction

The Historic Preservation Commission's territorial jurisdiction for its activities shall be Dougherty County, Georgia.

**SECTION TWO
DEFINITIONS**

Definitions Adopted

The Historic Preservation Commission and the terms of this instrument shall be governed by the definitions appearing in the City of Albany and Dougherty County Ordinance #96-116.

SECTION THREE THE COMMISSION

Members

The Historic Preservation Commission shall be composed of eight (8) members appointed by the Albany City Commission and the Dougherty County Commission. All members shall be residents of the appointing jurisdiction to serve for a term of two (2) years. All members shall serve until their successors have been appointed.

The Historic Preservation Commission shall be part of the planning functions of the City of Albany and Dougherty County.

Chairman

A chairman shall be elected from the members of the majority vote of the members of the Historic Preservation Commission with a quorum being present. The chairman shall decide all points of order and procedure by reference to the then latest edition of Robert's Rules of Order, subject to these rules. The chairman shall have the same voting privileges as any other member. The chairman may appoint any committees that the chairman finds necessary to carry out the business or procedures of the Historic Preservation Commission and shall have the power to abolish same.

Vice-Chairman

A vice-chairman shall be elected from the members by the majority vote of the members of the Historic Preservation Commission with a quorum being present. The vice-chairman shall serve as chairman pro tempore in the absence of the chairman or if for any reason the chairman cannot be reached or is unavailable or is out of the city and at such times shall have the same powers and duties as the chairman and may act on any matter in place of the duties as the chairman and may act on any matter in place of the chairman. The vice-chairman shall in addition have those duties assigned to the vice-chairman by the chairman.

Historic Preservation Commission Secretary

The Director of Planning & Development Services shall serve as Historic Preservation Commission Secretary, through his or her employees, agents, designees or appointees, subject to the direction of the chairman of the Historic Preservation Commission, shall take all minutes, shall keep all records and minutes, make all publications, conduct all correspondence, prepare and send all notices, and handle all the clerical work of the Historic Preservation Commission.

Elections

Election of the Historic Preservation Commission's elected officers for a one-year term shall be held immediately after the adoption of these within rules, regulations, procedures, bylaws and standards and thereafter at the first regular meeting in January of each year. If an office is vacated, then same shall be filled by election at the next regular meeting. All members of the elections shall be by the majority vote of the members of the Commission present at said meeting and a quorum must be present. Nominations shall be done in secret by placing written nominations in a container with a second not being required and the election shall be by secret written ballot done in like manner with each member then present being entitled to one vote. Other than for the initial election, the members shall be notified in writing of any said election by the secretary at least thirty (30) days prior to said election. Said elected officers shall continue to serve after the expiration of their respective terms until a successor has been elected hereunder.

In the instance that positions of both the Chairman and the Vice-Chairman are vacant, the Historic Preservation Commission may, by majority vote, elect a Commissioner to serve as a temporary Chairman for 30 days.

Attendance at Meetings

Faithful and prompt attendance at meetings of the Historic Preservation Commission and conscientious performance of the duties required of members shall be a prerequisite for continuing membership on the Historic Preservation Commission. If any member misses more than three (3) consecutive regular or special called meetings or any combination of same during any period or more than one-third of said meetings or any combination of same in a twelve month period, then the chairman, with the concurrence of a majority of the entire Historic Preservation Commission, shall recommend to the City Commission that said member be removed for cause.

Qualification to Vote

No Historic Preservation Commission member shall vote on any application for a Certificate of Appropriateness unless that member shall have heard deliberations on such application unless said requirement is waived by the chairman.

Conflicts of Interest

At any time, the Historic Preservation Commission reviews a project in which a member of the Historic Preservation Commission has an ownership or other vested interest, that member will be forbidden from presenting, voting, or discussing the project other than answering a direct question.

Regular Meetings

Regular meetings of the Historic Preservation Commission shall be held on the first Wednesday of each month at 10:00 a.m. at any designated meeting place, provided the location is specified in all notices required by law. All of same shall be publicly announced and shall be open to the public.

Special Meetings

Special meetings of the Historic Preservation Commission may be called at any time by the chairman. At least twenty-four (24) hour notice either oral or written of the time and place of special meetings shall be given to each member. Public notice of same shall be provided prior to any such meeting.

Cancellation of Meetings

Whenever there is no business for the Historic Preservation Commission, the chairman may cancel a meeting by giving written or oral notice to all members prior to said meeting.

Quorum

A quorum shall consist of a majority of active Commissioners of the Historic Preservation Commission and a quorum is required for the Historic Preservation Commission to vote

Continuation of Meetings

Nothing herein shall prohibit a continuation of the hearing on an application or of a meeting or other matter by the majority vote of a quorum of the Historic Preservation Commission. The new hearing or meeting shall be publicly announced and shall be open to the public.

Called Special Meetings

If a quorum is not present at a regular meeting of the Historic Preservation Commission, a special meeting shall be held within fifteen (15) calendar days from such scheduled meeting, which shall be publicly announced, and which shall be open to the public.

Majority Vote, No Precedents Established

All decisions of the Historic Preservation Commission shall be by the majority vote of the members present with a quorum being present as provided heretofore herein with each member being entitled to one vote. No action of the Commission shall establish a precedent.

Order of Business

The order of business at meetings shall be as follows:

1. Call to order
2. Approval of minutes of Previous Meeting(s)
3. Hearings on New and/or Continued Applications
4. New Business
5. Old or Unfinished Business
6. Department Reports
7. Other Items
8. Adjournment

Public Meetings Required

All meetings of the Historic Preservation Commission shall be publicly announced and shall be open to the public. Historic Preservation Commission meetings shall occur at regular intervals. Public notice shall be provided prior to any special meetings.

Minutes

Minutes of all decisions and actions of the Historic Preservation Commission, including the reasons for making those decisions, shall be kept on file and available for public inspection in the Planning & Development Services Department.

Public Forum and Written Notification

All decisions of the Historic Preservation Commission shall be made in a public forum and applicants shall be given written notification of the Historic Preservation Commission's decision.

Public Record and Inspection

These rules of procedure adopted by the Historic Preservation Commission shall be available for public inspection and a public record shall be kept of the Historic Preservation Commission's resolutions, proceedings and actions.

Public Representations

When discussing Historic Preservation Commission matters publicly and privately, a Commissioner shall communicate that their view is their own and does not necessarily represent the thoughts or beliefs of the Commission as a whole, unless the Commissioner has the consent of the Chair or approval by a majority vote during a scheduled Historic Preservation Commission meeting. No Commissioner has the ability to commit the Historic Preservation Commission to a specific cause of action unilaterally.

These bylaws shall not conflict with ordinance #96-116 adopted by the Albany City Commission and the Dougherty County Commission. (See Attachment "A")