

ORDINANCE NO. _____

AN ORDINANCE CREATING A PROGRAM
OF HISTORIC PRESERVATION, AND
CREATING AN HISTORIC PRESERVATION
COMMISSION TO IMPLEMENT THE PROGRAM
UNDER THE CERTIFIED LOCAL GOVERNMENT
PROGRAM OF THE STATE OF WYOMING

Section 1. Title. This ordinance shall be called the Historic Preservation Ordinance of the City of Gillette, Wyoming.

Section 2. Purpose and Public Policy.

2.1 The State of Wyoming and the City of Gillette have a wide range of cultural resources that include prehistoric and historic sites which are invaluable relics that remain to illustrate our state's past. The City Council of the City of Gillette hereby finds that the State of Wyoming and the City of Gillette are noteworthy for their historic sites and natural beauty, including locations important to the settlement of Wyoming and the west and sites that are important in the founding and development of the city itself. In recent years many significant structures and historic archeological sites have been destroyed without adequate consideration of either the values represented therein or the possibility of reserving the properties for use in economically productive ways. Citizens of Gillette share the belief that Wyoming's cultural resources enhance the quality of life for all and promote our general welfare. It is hereby declared a matter of public policy that the protection, enhancement, and perpetuation of significant historical, archeological, and architectural relics of value is a public necessity and is required in the interest of health, prosperity, safety, and welfare of the people. The purpose of this section is to:

- (a) Effect and accomplish the protection, enhancement, and perpetuation of such improvements and of districts that represent or reflect elements of the City's cultural, social,

economic, political, engineering, and architectural history.

- (b) Safeguard Gillette's historic, archeological, and cultural heritage as embodied and reflected in such historic structures, sites, and districts.
- (c) Stabilize and improve property value.
- (d) Foster civic pride in the beauty and noble accomplishments of the past.
- (e) Protect and enhance Gillette attractions to residents, tourists, and visitors, and serve as a support and stimulus to business and industry to strengthen the economy of Gillette.
- (f) Promote the use of historic structures, sites, and districts for the education, pleasure, and welfare of the people of Gillette.

- 2.2 The City Council enacts this ordinance as stated above to help preserve Wyoming's heritage. The City Council also endorses the State of Wyoming's Certified Local Government (CLG) program and agrees to participate in this historic preservation program. Gillette has the ability to participate in the CLG program by provisions specified in W.S. Section 16-1-101.

Section 3. Historic Preservation Commission.

- 3.1 This ordinance hereby authorized the creation of an historic preservation commission known as the Gillette Historic Preservation Commission, which shall be charged with implementation of the Certified Local Government program of the City.
- 3.2 Designation of Local Cultural Resources. Based upon the results of a cultural resource inventory, the Commission shall complete a list of districts, buildings, structures, sites, or objects that meet the criteria for eligibility as specified in the

Department of the Interior's criteria for the National Register of Historic Places. The Commission shall establish and maintain an official list of locally significant cultural resources that shall be titled "The Locally Recognized Historic and Archeological Sites of the City of Gillette." (the List)

3.3 Purpose and Designation. The Commission shall propose the List to the City Council for adoption upon which the Commission will work with the affected landowners, in accordance with adopted rules, in preserving recognized sites, and in processing nomination of local sites to the National Register of Historic Places.

3.4 Effect of Local Designation. Local designation of sites shall be with consent of the owners of all sites. Local designation of sites does not impose special or specific restrictions on any site or limit the use of the property in any special manner. Local designation is intended to recognize sites important to Gillette and the history of Gillette and to encourage their preservation.

Only sites previously designated as locally recognized, however, may be reviewed and nominated by the City to the National Register of Historic Places. The national designation, jointly proposed by the land owner and the City, would enable the owner to apply for Federal funding, if available, to help maintain and use his/her property while preserving its cultural and historic features.

Section 4. Participation in the National Register Process.

- (a) The Commission shall review each pending National Register nomination that lies within the boundaries of its specified jurisdiction.
- (b) The Commission will comply with the *Wyoming Certified Local Government Handbook* as written by the State Historic Preservation Office, (SHPO) and officially approved by the Department of the Interior.

Section 5. Rules and Regulations. The City of Gillette, in accordance with this ordinance, hereby adopts rules and regulation for the implementation

of the program, *Bylaws of Gillette Historic Preservation Commission*, having the same effective date as this ordinance and being an attachment thereto. The City of Gillette, in accordance with this ordinance, may adopt further rules and regulation for the implementation of the program by Resolution.

Section 6. Severability. If any provisions, paragraph, word, section, or article of this ordinance is invalidated by any court or competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Section 7. Conflict. All other ordinances and parts of ordinances inconsistent or conflicting with any part of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

Section 8. Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval, and publication, as provided by law.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2015.

Louise Carter-King, Mayor

(S E A L)

ATTEST:

Karlene Abelseth, City Clerk

Published: