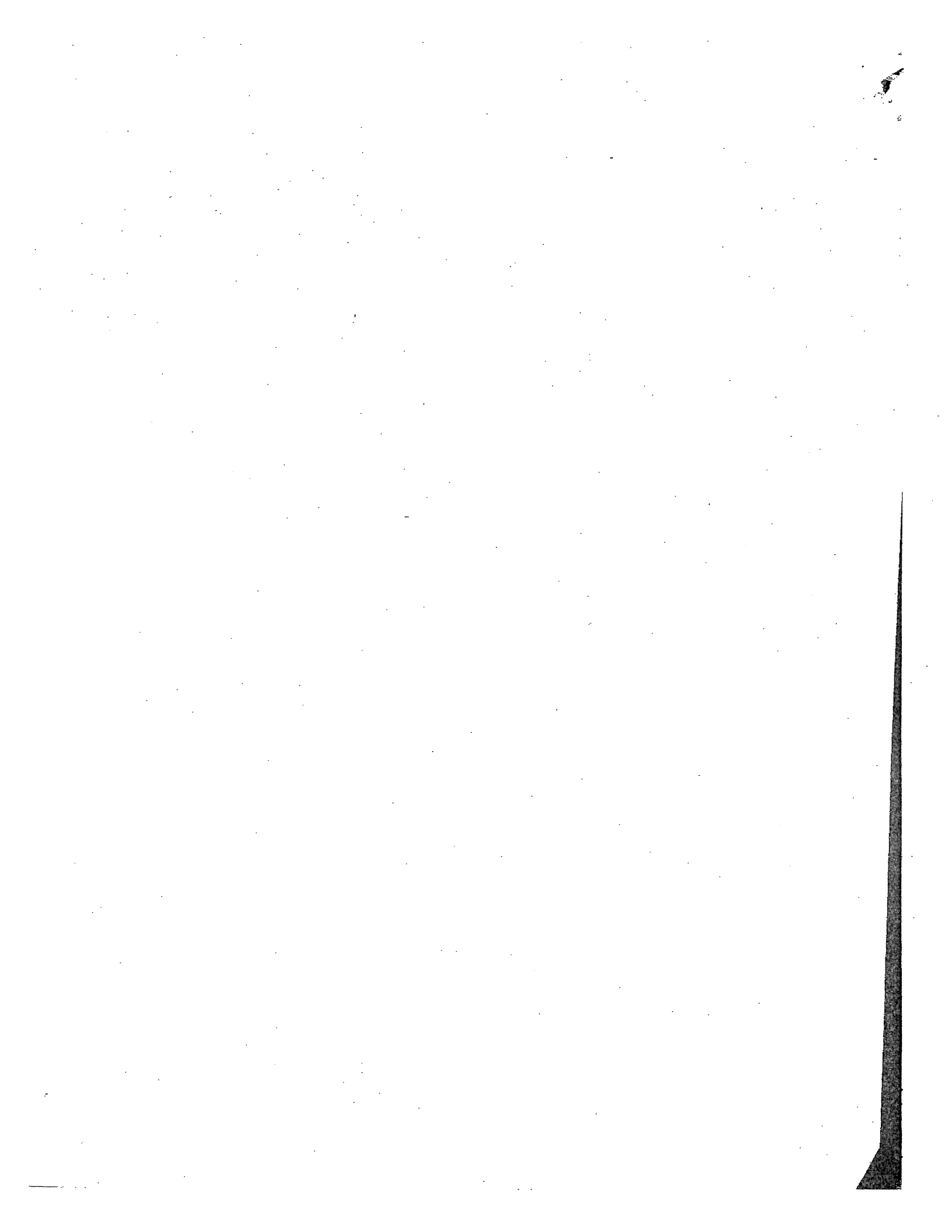


*CITY OF PONTIAC
MICHIGAN
HISTORIC DISTRICT
COMMISSION
RULES OF
PROCEDURE AND POLICY*



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ARTICLE I

OBJECTIVES

The objectives, purposes, powers and duties of the Historic District Commission of Pontiac, Michigan, County of Oakland, State of Michigan, are those set forth in the Municipal Code of Pontiac, Michigan, 1984, as Amended, Article 7, Sections 7-35 through 7-48, and as specified in Act 169 of the Public Acts of 1970.

ARTICLE II

OFFICERS AND DUTIES

Section 1 OFFICERS

A Chairman, Vice-Chairman, and Secretary shall be elected by simple majority vote of the members of the Historic District Commission every year, at the first regular meeting in the month of January. Voting shall be by secret ballot.

Section 2 DUTIES OF THE CHAIRMAN

The Chairman shall preside at all meetings and shall appoint such committees as may be authorized by the Historic District Commission and be an ex-officio member of all such committees. The Chairman shall in a prompt and timely manner forward all communications to other members, and shall keep all members informed.

Section 3 DUTIES OF THE VICE-CHAIRMAN

The Vice-Chairman shall provide and exercise all of the duties of the Chairman, in his absence. Should neither the Chairman nor the Vice-Chairman be present at a meeting, a temporary Chairman shall be elected by a majority vote of the members present.

Section 4 DUTIES OF THE SECRETARY

The Secretary shall perform the duties customarily devolving upon such office, as the Historic District Commission may determine.

ARTICLE III

APPLICATIONS

Section 1 FILING OF APPLICATIONS

Certificate of Approval: Application for Certificate of Approval (pursuant to Section 7-39 of Municipal Code of Pontiac, Michigan) for construction, alteration, repair, moving or demolition of structures within an Historic District shall be in writing, signed by the Applicant and filed with the Planning and Community Renewal Division prior to presentation to the Historic District Commission.

Section 2 CONTENTS OF APPLICATION

All applications on matters requiring official action by the Historic District Commission, without limiting the right to file additional material, shall contain the following:

- a. The petitioner's name, address, and interest in the application, as well as the name and address of the property owner(s). Include all parties with ownership interest, i.e. land contract seller, lessor, lessee, etc.
- b. A written description of all intended work, specifying dimensions, textures, color and materials. This shall be accompanied by appropriate plans and/or drawings as specified below:

1. Exterior Alterations, Additions, Signs and New Construction:

- A. Scale drawings showing all exterior elevations visible from a public street and to be affected by the intended work are required where there are:

- any changes in dimensions, material or detailing.
- any new additions or signs to any building

- B. Consideration of signs also requires provision of:

- a sample of the proposed style of lettering and colors.
- a description of frame and installation.

2. Repairs:

Any repairs using original dimensions, type of material and details would not require a scale drawing; only a written description is needed.

3. Demolition:

- A. State reasons for demolition.
- B. State why you believe it is not feasible to put the structure in acceptable condition for reuse.

4. Moving:

- A. State reasons for moving.
- B. State proposed location.
- c. Provision of samples and/or brochures describing substitute materials.
- d. Explanation of other circumstances, factors, and reasons which the applicant offers in support of granting the Certificate of Approval.

Section 3 ADDITIONAL REQUIRED INFORMATION

In addition, to the foregoing, the application shall provide any additional information pertaining to the proposed development, which in the opinion of the Planning and Community Renewal Administrator, is necessary to properly evaluate the proposal.

Section 4

All required material, information, and documents (as well as any additional relevant item(s) which the applicant wishes to present) must be submitted to the office of the Planning and Community Renewal Division no later than seven (7) calendar days prior to the meeting of the Historic District Commission at which consideration is requested. In the event of the applicant's failure to comply with the foregoing, the matter shall not be placed on the agenda for such meeting but shall be deferred to a later date.

Section 5

Fees for Certificate of Approval application shall be according to those which are adopted by the City Council.

ARTICLE IV

PROCEDURES

Section 1

The Historic District Commission's procedures for review of an Application for a Certificate of Approval shall be in accordance with the requirements of Article 7 of the Municipal Code of the City of Pontiac, as amended.

ARTICLE V

DELIVERY TO HISTORIC DISTRICT COMMISSION

Section 1

Available information and descriptive matter pertaining to items on the agenda as well as available minutes of previous meeting(s), shall be furnished to the Historic District Commission members at least four (4) days in advance of each scheduled regular meeting.

ARTICLE VI

MEETINGS

A. General

Section 1

All Historic District Commission meetings shall be open to the public in accordance with currently existing open meetings laws and current City policy.

Section 2

A quorum, which shall consist of four (4) members, must be present to constitute an official meeting of the Historic District Commission.

B. *REGULAR MEETINGS*

The regular meetings of the Historic District Commission are to be held on the 3rd Tuesday of each month, except when such days falls on a legal holiday, in which case the Historic District Commission shall determine when the meeting shall be held. If there are no agenda items, the scheduled meeting will be cancelled.

C. Special Meeting

A Special Meeting of the Historic District Commission may be called by the Chairman, or the Vice-Chairman in the event the Chairman is unavailable or by any four (4) members of the Historic District Commission. Each member of the Historic District Commission must receive at least two (2) days notice as to the time, place, and purpose of the meeting.

D. Rules of Conduct

Section 1

All decisions and resolutions of the Historic District Commission shall be initiated by motion. The vote upon motions and resolutions shall be recorded by roll-call vote.

Section 2

The concurring vote of a majority of the members present and voting shall be necessary to pass on any matter referred or considered.

Section 3

The last edition of Robert's Rules of Order shall apply in any situation not governed by the Historic District Commission's Rules of Procedure and Policy.

ARTICLE VI; D. Rules of Conduct; Section 4

a) A conflict of interest exists when a person may benefit either through financial or personal gain or may be unable to make impartial decisions or render impartial advice due to outside relationships or other activities.

b) An apparent conflict of interest exists whenever circumstances are such that a person may appear to be in a position to benefit either through financial or personal gain or may be unable to make impartial decisions or render impartial advice due to outside relationships or other activities.

c) An apparent conflict of interest also exists when a person may appear to have an unfair competitive advantage because of his/her relationship with the Historic District Commission or Michigan Bureau of History.

d) Voting Commission Meetings. When a real or apparent conflict of interest situation arises in the context of a voting situation, the member must disclose the possible conflict and physically absent and remove himself/herself from the decision-making process (including presentations and discussion) and neither vote directly, in absentia, nor by proxy in that matter. The member's physical removal and the reasons therefore must be recorded in the meeting minutes. Those in a position to make a decision must be fully informed as to the possible interest of the person(s) abstaining.

Individuals who have a pattern of conflicts-of-interest and consequent abstentions, should be removed from the Commission.

(Amended 8/11/92)

E. Meeting Format

Section 1

The normal order of business shall be:

- a. Call to Order
- b. Roll Call
- c. Minutes of previous meeting(s) and motion(s) thereon
- d. Receipt of communications
- e. Old Business - items originally scheduled for the previous regular meeting, and/or deferred items
- f. New Business
- g. Open Forum
- h. Adjournment

Section 2

The order of presentation for reviewing an application:

- a. Summary presentation by the Planning Staff
- b. Questions by the Commission
- c. Comments by the applicant or representative
- d. Comments by interested citizens
- e. Additional comments by the applicant, citizens, and/or staff as appropriate
- f. Chairman closes discussion
- g. Action by Historic District Commission

F. Agenda

Section 1

Items shall be placed on the agenda for the next meeting, in the order that applications are received by the Planning and Community Renewal Division. The date of its receipt shall be stamped on each application, which shall become a permanent part of the official records of the Historic District Commission.

Section 2

Additional items may be placed on the agenda by the Chairman. Such agenda items must be submitted to the Planning and Community Renewal Division no later than seven (7) calendar days prior to the meeting to which the agenda relates.

G. Minutes

Section 1

Minutes shall be kept by the Secretary on all meetings of the Historic District Commission. The minutes shall include a record of all those speaking before the Historic District Commission.

Section 2

Minutes shall be subject to the approval of the Historic District Commission. All minutes that are not officially approved by the Historic District Commission must be boldly stamped as unofficial minutes.

ARTICLE VII

REMOVAL AND REPLACEMENT OF OFFICERS

Section 1

Any elected officer of the Historic District Commission serves at the Historic District Commission's pleasure, and may be removed from their office by a simple majority vote at a regularly scheduled meeting, and a new election called for of that office.

Section 2

Any Historic District Commissioner missing three (3) consecutive meetings without justifiable cause may be asked to resign by the Historic District Commission.

Section 3

In the case of a vacancy in any elected office of the Commission for any reason prior to the expiration of the officer's regular term, a replacement shall be elected at the next regular meeting of the Commission, for the balance of the original term of the officer whose position has become vacant.

ARTICLE VIII

REAPPLICATIONS

Any application for the same action, relief or approval on the same parcel of property as requested in a prior application, irrespective of the identity of the applicant, shall for purposes of these Rules of Procedure and Policy be considered a request for a reapplication. Such reapplication shall not be processed or scheduled for hearing before the Historic District Commission until three (3) months has expired from the date the matter was last presented to the Historic District Commission.

ARTICLE IX

ANNUAL BUDGET

Preparation of the annual budget of the Historic District Commission for the ensuing fiscal year (July 1 through June 30) shall be initiated by the Historic District Commission at the first regular meeting in January and transmitted to the Planning Staff no later than March 1, of the current fiscal year.

ARTICLE X

OFFICIAL RECORDS

The records of the Historic District Commission shall be kept in the office of the Planning and Community Renewal Division in such a manner as to be reasonably accessible to the public during the same hours that the Pontiac City Hall is open for conducting regular business.

ARTICLE XI

AMENDMENT OR SUSPENSION OF RULES

Section 1

These rules may be amended or modified, provided that such amendment or modification is presented, in writing, at a regular meeting and that favorable action is taken thereon at a subsequent meeting.

Section 2

Six (6) members of the Historic District Commission, by due motion and recorded vote, may suspend the application of the rules that pertain to a particular application, or case of business pertaining to historic preservation that is pending before the Historic District Commission, providing it does not conflict with applicable Federal, State, or Local Law.

CERTIFICATE OF APPROVAL

- STEP 1 — Application is filed at the Planning and Community Renewal Division office. The Planning and Community Renewal staff sets (3-26 days) the date for consideration by the City Planning Commission (the Historic District Commission must act within 30 days of application). The Planning and Community Renewal staff may review and discuss the proposed activity and analyze the expected impact on the existing property anytime after the application is filed.
- STEP 2 — The Planning and Community Renewal staff incorporates the (4 days) the application into an agenda package and transmits the materials to the Historic District Commission.
- STEP 3 — The Planning and Community Renewal staff presents the application(s) and reports on the staff findings and/or (1-7 days) conclusions to the Historic District Commission at its public meeting (fourth Tuesday of the month). The Historic District Commission may approve or deny (or defer) the application.
- STEP 4 — The Planning and Community Renewal staff prepares written notice of the Historic District Commission's action and transmits same to the applicant and to the Building and Safety Engineering Division (who may subsequently issue the related permits).

