



CITY OF TEXARKANA, ARKANSAS

DEPARTMENT OF PUBLIC WORKS

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HISTORIC DISTRICT COMMISSION Bylaws

ARTICLE I. Name

The name of this public body shall be the Historic District Commission of the City of Texarkana, Miller County, Arkansas.

ARTICLE II. Object

The object of this Historic District Commission shall be to regulate and assist in the orderly growth of the City of Texarkana, Arkansas as provided in the *Arkansas Code of 1987 Annotated* and the *Texarkana, Arkansas Code of Ordinances*.

ARTICLE III. Members

- Section 1. Members shall be appointed by the Board of Directors of the City of Texarkana, Arkansas in accordance with the *Arkansas Code of 1987 Annotated* and the *Texarkana, Arkansas Code of Ordinances*.
- Section 2. The absence of any member for more than twenty-five percent (25%) of all regular meetings in any twelve (12) month period for reasons other than illness or otherwise provided by the Commission shall be considered resigned from the Commission. The Chairperson is hereby authorized to notify the Board of Directors of said vacancy.
- Section 3. No member of the Historic District Commission with a direct or indirect financial interest in any item before the Commission shall participate in the voting on such matter. (Amended 8-19-2006 by HDC)

**ARTICLE IV.
Officers**

- Section 1. The officers of this Historic District Commission shall be a Chairperson and Vice-Chairperson. These officers shall perform the duties prescribed by these Bylaws and by parliamentary authority adopted by the Commission.
- Section 2. At the first regular meeting held in the month of June, the Historic District Commission shall elect a Chairperson and Vice-Chairperson who shall serve for one year or until their successors are elected.
- Section 3. A member, at the election of the Historic District Commission, shall be eligible to serve a maximum of two (2) consecutive terms in the same office and no more.
- Section 4. In the event that the Chairperson and Vice Chairperson are both absent, a temporary Chairperson shall be elected at large by a majority of the members present. The temporary Chairperson shall serve only for the meeting in question. (Amended 6-21-06 by HDC)

**ARTICLE V.
Meetings**

- Section 1. Meetings shall be called and held in accordance with the *Arkansas Code of 1987 Annotated* and the *Texarkana, Arkansas Code of Ordinances*.
- Section 2. A quorum shall consist of four (4) historic commission district members. A positive vote of a majority of the quorum shall be required to take any official action.
- Section 3. The regular monthly meeting day shall be the third Wednesday of the month, and shall convene at 9:30 A.M. in the Boardroom or City Manager's Conference Room of the Arkansas City Hall Building.
- Section 4. The City planner, with permission of the Chairman, may call special meetings.

**ARTICLE VI.
Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order - Newly Revised* shall govern the Historic District Commission in all cases to which they are applicable.

**ARTICLE VII.
Amendments**

These By-Laws can be amended at any regular meeting of the Historic District Commission by two-thirds (2/3) vote provided that the amendment has been submitted in writing at the previous regular meeting.

**ARTICLE VIII.
Rules of Procedure**

Section 1. Individual members of the Historic District Commission should not be privately contacted regarding any matters over which it has jurisdiction.

Section 2. In any case where the alteration, amendment, extension, abridgment or discontinuance of any plan, regulation, or ordinance involving the jurisdiction of the City Historic District Commission is desired, by any person, firm or corporation, the following procedure shall be observed:

A. A Certificate of Appropriateness setting forth the relief sought or action desired shall be filed with the City Planner of the Historic District Commission. Said Certificate of Appropriateness shall contain the legal description and street address, if any, of the property involved, and a clear statement concerning the relief sought or action desired and the basis therefore.

B. Said Certificate of Appropriateness shall be filed no less than twenty-one (21) days prior to the date on which the public hearing is to be held.

C. Upon filing of each Certificate of Appropriateness, the applicant shall submit a fee with the application to pay for the required public notice, public hearing and ordinance preparations. Said fees shall be as follows:

Project Cost - \$	Fee Schedule - \$
0 - 500	5.00
500 – 1,000	10.00
1,000 – 3,000	15.00
3,000 – 10,000	25.00

10,000 – Above 35.00

Sign Fee:

Non-illuminated \$0.50sq. ft. with \$5.00 minimum

Auxiliary & Temporary \$0.00

D. The City Planner shall cause notice of public hearing to be published in a newspaper of general circulation in the City, in accordance with the, *Arkansas Code of 1987 Annotated*. Along with the application, the applicant shall submit to the office of the City Planner a certified list of all of those persons, firms or corporations owning property or leasing property located within three-hundred-feet (300') of the property to be affected by the applicant's application. The certified list of property owners or tenants shall be prepared by and certified by an attorney, surveyor, abstract or title office, appropriate public official (i.e. Miller County Tax Collector, Miller County Circuit Clerk, or Miller County Tax Assessor) or any other person commonly or regularly engaged in the business of buying, selling, or transferring property. The certified property owner's list submitted to the City Planner shall be used for the purpose of providing notice to all of the owners/tenants of property to be affected by the application; however, it shall be the responsibility of the applicant to insure that all of the owners/tenants of property within the prescribed three-hundred (300') are notified fifteen days (15) prior to the date of the public hearing. All applications accompanied by the certified list of property owners and other information required by Ordinance No. L-237 or the City Planner shall be submitted on or before twenty-one (21) days prior to the date of the public hearing to be conducted by the Historic District Commission (HDC).

Section 3. In cases involving the projects over which the Historic District Commission has jurisdiction under the provisions of 14-172-201 through 14-172-212, *Arkansas Code of 1987 Annotated*, the proponent of such project shall comply with the provisions hereinabove specified under Article VIII, Section 2, "A", "B", and "C" with respect to the filing of a Certificate of Appropriateness, exhibits, and notice of public hearing.

Section 4. The Historic District Commission shall promptly convene at 9:30 a.m. in the Boardroom of the Arkansas City Hall Building at E. 3rd & Walnut Streets on the third Wednesday of each month. A workshop will be conducted with the Historic District Commission at 9:00 a.m. immediately preceding the meeting.

As an alternative meeting date, the Historic District Commission will meet, with proper notification, on the second Thursday of the month at 7:00 p.m. to accommodate property owners that cannot meet during the day.

- Section 5. Applicants will be called before the Historic District Commission in order of filing of applications. After the public hearing, the applicants will be notified by letter sent by regular mail of the action of the Historic District Commission in due course.
- Section 6. An applicant may, at the discretion of the Historic District Commission, present a matter informally to the Commission at any regular meeting date, although the Certificate of Appropriateness has not been timely filed or notice published, for the purpose of informing the Commission of the nature until public hearing, when required, is held upon a timely filed Certificate of Appropriateness and proper notice by publication, as hereinabove specified.
- Section 7. All interested persons are invited to attend public hearings of the Historic District Commission and to present to the Commission any proposals, plans, or suggestions concerning the development of the City and planning therefore.
- Section 8. The Historic District Commission shall keep a public record of all business resolutions, transactions, findings, and determinations.

ARTICLE IX. Special Provisions

- Section 1. Goals and Objectives of the Historic District Commission:
- A. The Historic District Commission shall establish its scope of work to be accomplished and the direction it will take in order to maintain the planning program through the yearly adoption of goals and objectives.
- B. At each July meeting the Historic District Commission shall adopt, or schedule for adoption at its next regular meeting, a new or modified set of goals and objectives for the new fiscal year based upon an annual review and evaluation of the goals and objectives of the past fiscal year.

PASSED AND APPROVED this 16th day of March 2006.