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7 Introduced March 28, 1989, by
8 Councilman Washington, seconded by
9 Councilman Salvaggio, by request

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11 Item No. 89-03-1345
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14 **ORDINANCE NO. 2253**
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16
17 An ordinance establishing standards for demolition of
18 buildings in the Slidell Olde Towne Preservation District; and
19 establishing the Slidell Olde Towne District Advisory Commission
20 charged with making non-binding recommendations on any alteration,
21 relocation or new construction in the Slidell Olde Towne
22 Preservation District.
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24 WHEREAS, the City Council is desirous of promoting the
25 educational, cultural, and economic welfare of the public of the
26 City by preserving and protecting historic structures and
27 neighborhoods which serve as visible reminders of the history
28 and cultural heritage of the city, region, state and nation, and
29 furthermore, it is the purpose of this Ordinance to strengthen
30 the economy of the City by stabilizing and improving property
31 values in historic areas.
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34 NOW THEREFORE BE IT ORDAINED by the Slidell City Council,
35 in legal session convened, as follows, to-wit:
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40 SECTION 1. DEFINITIONS
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42 A. Accessory Structure. An attached or detached
43 subordinate building located on the same building site
44 with the main building, the use of which is incidental
45 to that of the main building.
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47 B. Building. Any covered structure intended for
48 shelter, housing, enclosure or economic activities
49 related to persons, animals or chattels. The term
50 "building" shall be construed to include the term
51 "structure".
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53 C. Historic. A building will be classified as historic
54 when it is at least fifty years of age and is of obvious
55 significant local, regional, or national historic,
56 architectural, or cultural value. Any party or property
57 owner aggrieved by an action or inaction of the
58 Commission or by any provision of this Ordinance or
59 amendment thereto, who contends his property is not of
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13 architectural and/or historical value and/or is not a
14 historic building, and thereby should not be under this
15 ordinance or affected by it, shall have a right to
16 appeal directly to the City Council on the issue of
17 whether or not the property is in fact historic and
18 thereafter to the city, district and appellate courts of
19 this state on that issue. In such event the Commission
20 shall have the burden of proof that the structure in
21 question has obvious significant architectural and/or
22 historical value.
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27 D. Economic Return. The capacity of a building to
28 generate revenue, in the form of fair market rents.
29 When the fair market rents less expenses for a building
30 equal zero, the building shall be considered incapable
31 of generating any net economic return on its value.
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44 **SECTION 2: DEMOLITION OF HISTORIC BUILDINGS**

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46 Whenever a property owner shows that a building
47 classified as historic and located in the Slidell Olde
48 Towne Preservation District delineated in Section 3 is
49 incapable of earning any economic return on its value,
50 as appraised by a qualified real estate appraiser, or if
51 new construction can be demonstrated by a property owner
52 to be the highest and best use of the building site,
53 such building may be demolished, provided, however, that
54 before a demolition permit is issued, notice of proposed
55 demolition shall be given three (3) times during a
56 period of thirty (30) days to afford the City, interested
57 persons, historical societies, or organizations the
58 opportunity to acquire or to arrange for the preservation
59 of such buildings, though the owner has no obligation
60 whatsoever to the Commission after said thirty (30) day
61 period. The Commission shall publish said notices in the
62 newspaper and shall pay for same.
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13 SECTION 3: AREA OF SLIDELL OLDE TOWNE PRESERVATION DISTRICT
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15 The area of the Slidell Olde Towne Preservation
16 District is shown on Attachment A.
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19 SECTION 4: COMMISSION ESTABLISHED
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21 The Slidell Olde Towne Preservation District Advisory
22 Commission is hereby created.
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25 SECTION 5: PURPOSE
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27 The purpose of the Slidell Olde Towne Preservation
28 District Advisory Commission shall be to review and
29 make endorsements of all plans for demolition, relo-
30 cation, new construction and all plans for exterior
31 building improvements requiring building permits
32 within the boundaries of the Preservation District.
33 Commission recommendations shall not be binding.
34 However, the Commission shall make itself available
35 to assist owners of properties on which alterations,
36 relocation, or new construction is contemplated in
37 complying with recommendations. The Commission shall
38 also assist property owners interested in pursuing
39 investment tax credits for historic rehabilitation
40 to meet the requirements for that program.
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56 SECTION 6: RECOMMENDATION AND APPOINTMENT OF MEMBERS
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58 The Commission shall consist of five (5) members, all
59 of whom shall reside in the City or own immovable
60 property in the Slidell Olde Towne Preservation
61 District, and shall be appointed by and serve at the
62 pleasure of the Mayor.
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68 SECTION 7: TERM; VACANCIES
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70 Members shall be appointed as follows: Two (2) members
71 shall be appointed for a term of two (2) years. Three
72 (3) members shall be appointed for a term of three (3)
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13 years. All re-appointments shall be for four (4) years.
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15 Any vacancy shall be filled within sixty (60) days.
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17 The members may serve consecutive terms.
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19 **SECTION 8: BYLAWS**

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21 The Commission shall make such bylaws as it may deem
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23 necessary for the conduct of its affair not inconsistent
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25 with the laws of the City and State, subject to the
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27 approval of the City Council. Any change of bylaws
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29 shall be approved by the City Council. Presence of
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31 three members of the Commission at a meeting shall
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33 constitute a quorum. The Commission shall meet
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35 quarterly. The Commission shall meet within ten (10)
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37 working days of the receipt of a building permit for
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39 demolition, relocation, alteration or construction of
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41 any building in the Preservation District to review
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43 and make recommendations on each request. The
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45 Commission shall make a report on its recommendations
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47 and activities to the Mayor and City Council after
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49 every meeting. Upon written request, any immovable
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51 property owner shall be furnished with a copy of the
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53 minutes of any particular meeting, containing the
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55 supporting or pivotal factors or considerations. The
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57 minutes shall be dated and shall contain the
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59 individual vote of each member supporting same, the
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61 date of the meeting and the total members present.
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63 **SECTION 9: STAFFING**

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65 The Slidell Planning Department shall serve as staff
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67 for the Commission and such members of the Mayor's
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69 staff as he shall recommend with approval of the City
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71 Council.
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73 **SECTION 10: PROCEDURES**

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75 When application for a demolition permit or regular
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77 building permit for any alteration, relocation or new
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13 construction in the Slidell Olde Towne Preservation
14 District is made, the Building Inspector shall notify
15 the Slidell Olde Towne Preservation District Advisory
16 Commission and make available to it a copy of all
17 required application materials submitted. No extra
18 copies shall be required of any applicant for this
19 purpose. The Commission shall meet with the applicant
20 within ten (10) days of receiving copies of the
21 applicants plans to review and make recommendations
22 on the plans. If such meeting cannot be scheduled for
23 any reason, the Commission can alternatively send a
24 written, non-binding proposal or recommendation to
25 applicant. The major focus of any recommendations
26 for change or endorsement of plans as presented shall
27 be to help property owners to avoid any action which
28 might tend to impede present or future federal tax
29 benefits arising from location in the Preservation
30 District. No special building permit or any other
31 permit or application to the Preservation Commission
32 shall be required for any reason, and no regular
33 building permit shall be denied or refused after said
34 ten (10) day period because of any action or inaction
35 of the Slidell Preservation District Advisory Commission.

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59 **SECTION 11: CRITERIA TO BE USED BY THE COMMISSION IN MAKING**
60 **RECOMMENDATIONS**

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62 The criteria to be used by the Commission in making
63 recommendations are as follows:

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66 A. To the extent feasible with economic realities,
67 efforts should be encouraged to provide compatible
68 uses for buildings requiring minimal building,
69 building site and environmental alteration.
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72 B. Removal, destruction or alteration of original
73 characteristics or unique architectural features
74 of buildings should be discouraged.
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13 C. Surface cleaning of structures by the gentlest
14 means possible should be encouraged.
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17 D. In a rehabilitation project, use of materials
18 matching or compatible with those already used
19 in the building as to composition, design, color,
20 texture and other visual qualities should be
21 encouraged.
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25 E. Contemporary design and alterations and additions
26 to existing buildings should not be discouraged
27 when such alterations and additions do not destroy
28 significant historical, architectural or cultural
29 material and such design is compatible in size,
30 scale, material and character to the property,
31 neighborhood and environment.
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35 F. In the case of new construction compatibility
36 with surrounding buildings in scale, size, and
37 materials should be encouraged.
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47 **SECTION 12: LIMITATIONS OF COMMISSION**
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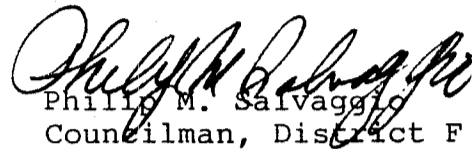
49 A. This Ordinance shall be binding on the 25th day of
50 April, 1989, and shall come into effect after
51 publication in accordance with law.
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55 B. If any section or any phrase or clause of this
56 Ordinance is found to be unconstitutional in any
57 manner by final judgment of Court, the invalidity
58 shall be limited to that particular section or part
59 of section or phrase or clause, and shall not affect
60 the remaining portions of the Ordinance which shall
61 remain enforceable; it being the intention of the
62 City Council that said section, or part of section,
63 or clause, or phrase thereof, shall be deemed
64 severable and shall not affect the remaining
65 provisions of this Ordinance.
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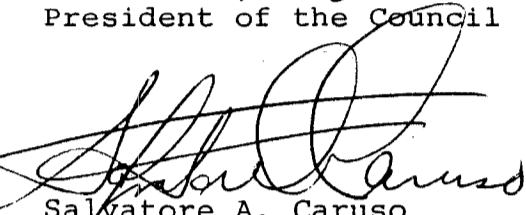
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ADOPTED this 25th day of April, 1989.


Philip M. Salvaggio
Councilman, District F
President of the Council

DELIVERED
4/27/89 10:45 a.m.
to the Mayor

RECEIVED
5/2/89 12:30 P.M.
from the Mayor


Salvatore A. Caruso
Mayor


Davis Dautreuil
Council Administrator/Clerk of the Council