

**APPLICATION FOR DEMOLITION PERMIT**

Application is hereby made to the Town of Nashville Administration for a permit to demolish. The undersign requests permission to demolish the following:

Description of Work: \_\_\_\_\_

Job Address: \_\_\_\_\_

Permit # \_\_\_\_\_ Request Date: \_\_\_\_\_ Automatic Approval Date: \_\_\_\_\_

**NOTE:** A lot sketch and written documentation of the structure's age **must** be attached.

\_\_\_\_\_  
Town Administrations Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

The following regulations and requirements must be complied with:

- A. Gas and electric services disconnected prior to starting the demolition.
- B. Protection of public property by suitable barricades during the course of demolition.
- C. Removing of foundation and all debris from the premises.
- D. Filling of excavations to grade with clean fill.
- E. Terminating underground utilities and capping them a minimum of 12" below grade.
- F. Permission to block any portion of a public street or sidewalk must be secured from the Town Administration.
- G. The Town Administration may require other safeguards as conditions warrant during the course of demolition.
- H. Fences may be required to be erected parallel with property lines where elevation differences occur.
- I. Sewer shall be properly capped at property line and inspected by Town Administration before being covered up.

**Special Note:**

You are required to leave the premises free of debris, trash, or any other materials or obstructions, which may be a fire hazard, a health hazard, or a hazard to inquisitive minors.

**OWNER:** \_\_\_\_\_  
Signature Address Zip Phone Number

**CONTRACTOR:** \_\_\_\_\_  
Signature Address Zip Phone Number

**ASBESTOS NOTIFICATION**

\_\_\_\_\_ I hereby submit a copy of the written asbestos notification, which has been presented to the USEPA or a designated state agency as required by State Law.

\_\_\_\_\_ I am not subject to asbestos notification since the structure to be demolished does not have any asbestos materials.

Applicant: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

ORDINANCE NO. 2005 - 08

AN ORDINANCE ESTABLISHING A DEMOLITION PERMIT PROCESS FOR  
HISTORICAL BUILDINGS

WHEREAS, the Nashville Town Council is the town legislative body and is by Indiana law authorized to adopt ordinance and resolutions concerning the general public welfare of the residents of the Town of Nashville and;

WHEREAS, the Nashville Town Council believes it is important to create a mechanism within the town to notify the town and the public about the possible demolition of historical structures and;

WHEREAS, the Nashville Town Council believes that particular attention should be focused on demolition requests that may affect culturally, architecturally and aesthetically prominent buildings and structures and;

WHEREAS, the Nashville Town Council wants to insure that the public has sufficient notice regarding demolition requests by a property owner to afford citizens an opportunity to consider and determine alternatives to demolition of said structures.

Be it therefore ordained that any action that results in the removal of an historic building within the corporate limits of the town of Nashville shall be required to obtain a demolition permit in accordance with the requirements of this ordinance and any other applicable provisions of the Code of Ordinances of the town of Nashville, Indiana.

In furtherance thereof the Nashville Town Council hereby establishes the following procedures:

1. That in situations involving the demolition of an historic building, no improvement location permit shall be issued by the Brown County Area Plan Commission prior to the issuance of a demolition permit by the Nashville Administration.

2. That the fee for a demolition permit shall be \$25.00.

3. Any request for a demolition permit received by the town of Nashville for an historic building or structure shall be subject to review by the Town's Development Review Commission for a period of no more than forty-five (45) days. A permit shall be issued upon the issuance of a Certificate of Appropriateness (COA) by the DRC, or upon the expiration of this forty-five (45) day period, whichever is earlier.

4. Notice of the request for a demolition permit involving an historic building(s) within the corporate limits of the Town of Nashville shall be posted in a conspicuous place on the property sought to be demolished for a period of not less than fifteen (15) days. The notice shall be prepared and posted by the Development Review Commission.

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5. The Nashville Town Council may shorten the 45 day waiting period or waive it in the event the subject property is deemed hazardous to the public health, safety and welfare.

6. An historic building or historic structure is hereby defined for the purpose of this ordinance as a building constructed in all or part prior to December 7, 1941, or a building otherwise designated as an historic structure or building pursuant to the terms of this ordinance.

7. A property owner may petition the Development Review Commission to designate a structure not otherwise defined as an historic building or structure by filing a petition with the Town Council together with a fee of Twenty-Five Dollars (\$25.00). The Development Review Commission may in its discretion designate the building as an historic building or structure.

8. The criteria to be considered by the Development Review Commission in designating as an historic building or structure under the provisions of paragraph 7 above shall be the following:

A. The rating, if any, of the historical building in the 1995 Brown County Interim Report published as part of the Indiana Historic Sites and Structures Inventory.

B. The location of the building in location to the main thoroughfares of the Town (Main Street, Van Buren Street, State Road 46 and State Road 135).

C. The condition of the building.

D. Its architectural uniqueness or lack thereof.

E. The historical significance of the building's present or prior occupants.

9. Any person or party aggrieved by the issuance or non-issuance of a demolition permit shall be entitled to a judicial review thereof in accordance with I.C. 4-22-1.

10. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

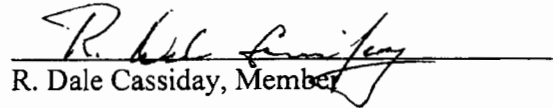
11. If any ordinance or parts of any ordinance are found to be in conflict with the provisions of this ordinance then the provisions of the more restrictive ordinance will prevail.

12. This ordinance may be enforced by the Town of Nashville, the Area Plan Commission or the Development Review Commission by suit in the Brown Circuit Court for injunction or for damages and fines. The maximum fine per violation shall be \$2,500.00. Each day of violation shall be considered a separate violation.

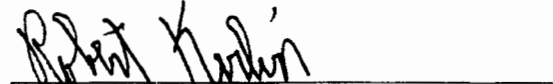
13. This ordinance is an amendment to the Town of Nashville land usage ordinance and should be codified as § 150.16 (c).

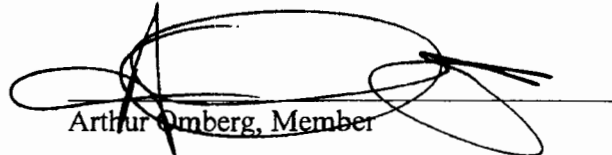
PASSED AND ADOPTED by the Nashville Town Council on this 16<sup>th</sup> day of MARCH, 2006.

  
Roger Kelso, President


  
R. Dale Cassidy, Member

\_\_\_\_\_  
Charles King, Member

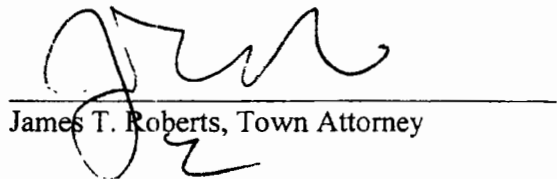
  
Robert Kirlin, Member

  
Arthur Omberg, Member

ATTEST:

  
Brenda Young, Clerk-Treasurer

APPROVED FOR FORM

  
James T. Roberts, Town Attorney

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## DEMOLITION

*One of the purposes of the Nashville Development Review Commission is to preserve distinctive examples of existing architecture that have contributed to the historic development of Nashville and its unique village character. Historic buildings, structures, sites, streetscapes and neighborhoods all contribute to that character. The loss of a historic building that contributes to the district will negatively impact the visual quality and cohesiveness of the entire area, much as a missing tooth affects a smile. Demolition is permanent and irreversible. Owners of historic properties should exhaust all other possible options prior to considering demolition.*

*Town of Nashville Ordinance 2005-08 established a procedure for issuance of demolition permits for historic buildings, considered for these purposes to be those constructed before 1941. No Improvement Location Permit (ILP) may be issued by the Brown County Area Plan Commission prior to the issuance of a demolition permit by the Nashville Administration. The request for demolition must be reviewed by the Development Review Commission, and notice of the proposed action must be posted on the building for a period of at least fifteen days. The process is designed to ensure that the public has sufficient notice regarding any proposed demolition and to allow time for alternatives to demolition to be explored.*

- De1** Work with the Development Review Commission to identify alternatives to demolition.
- De2** Document the historic resource and its setting prior to demolition, through photographs and drawings.
- De3** Identify architectural features and building materials that can be salvaged and reused.
- De4** Minimize the amount of ground-disturbing activity associated with demolition, to avoid damaging adjacent structures, archaeological resources, site features or landscape elements.
- De5** Leave the site cleaned, graded and seeded after demolition. Re-establish the street wall through the use of low walls, fences or vegetation.

## RELOCATION

*Moving an historic building should only be considered as a final alternative to demolition. Moving a building destroys its context, distorts the story of the town's architectural development, and can jeopardize a building's National Register status. Moving a building almost always results in damage to or loss of historic fabric. If a structure must be moved, every effort should be made to move it in one piece. If this is not technically or economically feasible, moving after partial disassembly is recommended. Total disassembly and re-erection on the new site is the least preferable option.*

*Prior to the move, careful planning should be undertaken to ensure that the new site is as similar as possible to the old. Relocation to a site within the immediate vicinity of the former lot is encouraged, as is keeping historic buildings within the village district. The Development Review Commission will use the 'New Construction' portion of the design guidelines to evaluate a relocation request within the village district.*

- Re1** Relocation should be considered only as a last resort, if a building would be lost if kept in its current location.
- Re2** Document the building on its original site prior to relocation, through photographs and drawings.
- Re3** Work only with movers experienced in relocating historic buildings.
- Re4** Secure the structure to minimize damage during the move and vandalism before or after.
- Re5** The building's new site should correspond proportionally to the size of the structure.
- Re6** The moved building should be sited in a new location where its shape, mass and scale are compatible with the existing structures in the vicinity.
- Re7** The structure should be positioned on its new lot in such a manner that its orientation to the street, setback and lot coverage is compatible with the existing structures around it.
- Re8** A building should be moved as a single unit whenever possible, to prevent loss of historic building materials. Partial or total disassembly is acceptable only when absolutely necessary.
- Re9** A relocated outbuilding should be sited to maintain the lot location, orientation, setback, and relationship to primary structures found in surrounding properties.
- Re10** Nothing included in these guidelines relieves the applicant of the responsibility of obtaining all relevant and necessary permits prior to moving a building.