

## **ORDINANCE NO. 2019-07**

### **AN ORDINANCE AMENDING THE DEMOLITION PERMITTING PROCESS**

**WHEREFORE;** The Town of Nashville recognizes the value of its historic buildings.

**WHEREFORE;** The Town Council believes that the economic and cultural quality of the Town, both as a place of residence and as a tourist destination is intrinsically linked to the preservation of the Town's visual "character" and,

**WHEREFORE;** The Town of Nashville derives much of its visual character from buildings constructed between 1870 and 1990.

**WHEREFORE;** The current Ordinance (150.16 of the Town of Nashville Code of Ordinances) controlling the Improvement Permit and Demolition Permit process was last amended in 2006 and the Town has had recent practical experience with the administration of the process, it is therefore **ORDAINED** that section 150.16 of the Town of Nashville Code of Ordinances be **AMENDED** as follows:

Subsection (C) (2) (b) shall read:

"(b) The fee for a demolition permit shall be \$100."

Subsection (C) (2) (c) shall read:

"(c) Any request for a demolition permit for a historic building as defined herein received by Town Administration shall be the subject of review by the Town Council for a period not to exceed 180 days from the date of the first regular meeting of the Town Council after the filing of the application and payment of the fee. The Town Council may in its discretion shorten the period of review based on the location, condition, and historical significance of the building. During the period of review, the Town Council may hold at least one public hearing to weigh the significance, location and condition of the building, as well as the economic value of the building to its owner or owners and to the community, and to consider alternatives to demolition that would allow the building to be preserved. A demolition permit may be issued by the Town Council at any time during the review period, and shall be issued upon the expiration of the review period.

Subsection (C) (2) (f) shall read:

"(f) **A HISTORIC BUILDING** or **HISTORIC STRUCTURE** is hereby defined for the purpose of this Ordinance as a building or structure erected at least fifty (50) years prior to the passage of this Ordinance, or a building otherwise designated as a historic building under the provisions of this Ordinance."

Subsection (C) (2) (j) shall read:

"(j) This Ordinance may be enforced by the Town of Nashville, the Brown County Area Plan Commission by civil suit for injunction, for damages and/or for fines. The maximum fine per violation shall be \$2500. Each day of violation shall be considered a separate violation. In addition to the remedies set out above, no Improvement Location Permit shall be granted for the tract of real property where the violation occurred."

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**REPEALER;** All portions of Section 150.16 of the Town of Nashville Code of Ordinances in conflict with the terms of these amendments are hereby **REPEALED**.

This Ordinance shall become effective upon passage and publication as required by Law.

It is so **ORDAINED** this 23<sup>RD</sup> day of OCTOBER, 2019

Drafted by:  
James T. Roberts  
Town Attorney

ATTEST:

Brenda K. Young  
Clerk-Treasurer, Brenda K. Young

Jane Gore ☒ yea ☐ nay ☐ abstain  
Council President Jane Gore

Alisha Gredy ☒ yea ☐ nay ☐ abstain  
Council Vice-President Alisha Gredy

Nancy Crocker ☒ yea ☐ nay ☐ abstain  
Council Member Nancy Crocker

Anna Hofstetter ☒ yea ☐ nay ☐ abstain  
Council Member Anna Hofstetter

Dave Rudd ☒ yea ☐ nay ☐ abstain  
Council Member Dave Rudd