

**RULES OF PROCEDURE  
FOR THE  
HISTORIC AND ARCHITECTURAL PRESERVATION COMMISSION**

**APPROVED OCTOBER 11, 2023**

**Article I – Membership**

The Historic and Architectural Preservation Commission is established by Ordinance No. 1544 by the Council of the City of Oxford, Butler County, State of Ohio.

All members shall have, to the greatest extent practicable, interest and proficiency in historic and architectural preservation and adaptive reuse. The HAPC shall consist of seven voting members. Membership shall be composed of:

- (1) One City of Oxford Council member.
- (2) One City of Oxford Planning Commission member, who is not also a member of Council.
- (3) One owner of real property in one of Oxford's Historic Districts.
- (4) Four members selected, based on the following guidelines:
  - A. Two with professional training or employed in professions related to historic preservation, such as architecture, architectural history, history, archaeology, planning, real estate, building construction, or law related to any of these.
  - B. Other members who own real property in Oxford and either:
    1. are proprietors of businesses in a historic district or
    2. are residents in the historic districts, or
    3. have demonstrated a special interest in historic preservation and related matters.

(b) The City Manager shall serve as an ex-officio member as authorized by Section 8.12 of the Oxford Charter.

(c) Members of the HAPC shall be appointed by a majority of Council. HAPC members shall serve for a period of four years and without compensation. Vacancies on the HAPC shall be filled within 60 days.

- (1) Terms shall be staggered so that one or two members' terms expire each year.

**ARTICLE II – Jurisdiction and Function**

In accordance with Ordinance No. 2734 of the Code of the City of Oxford, the Commission shall have the following jurisdiction, powers, and duties:

1. The Commission shall be empowered to conduct or coordinate a survey or surveys of all areas, places, structures, works of art, or objects in the City of Oxford which the Commission has reason to believe are or will be eligible for designation as historic sites or historic districts.
2. It shall be the duty of the Commission to recommend the designation of historic districts or sites and to review all plans for the construction, alteration, repair, moving or demolition of historic sites and structures in a historic district and it shall have sole power to issue a Certificate of Appropriateness. (See Chapter 1152 for further specification)

**ARTICLE III – Offices and Duties of Members and Staff**

**Section 1.** At the first meeting of each calendar year, the Commission shall elect one of its members as Chair and one as Vice-Chair, except that the member of the Planning Commission or Council shall not stand eligible for any of the aforementioned offices.

**Section 2.** The Chair shall preside at all meetings of the Commission, shall call special meetings, and shall be responsible for the preparation of the agenda of each business meetings. The Chair shall also represent the Commission in matters and areas of concern to the Commission when so directed by a majority of its members and/or by City Council. The Chair shall advise and keep the members apprised of Commission related matters; and, shall perform such other duties commonly prescribed to such office and those duties that

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are deemed appropriate and necessary by other members of the Commission and/or City Council.

**Section 3.** The Vice-Chair shall perform the same duties as the Chair in his/her absence; shall be responsible with the aid of the Historic Preservation Administrator and the Law Director for the orientation of and the dissemination of all pertinent Commission materials for all newly appointed members.

**Section 4.** In the event that the Chair and the Vice-Chair are both absent from a meeting, the remaining members shall select a Chair Pro-Tem who shall perform the same duties as the Chair for the balance of the meeting.

**Section 5.** The Recording Secretary shall record, either in manuscript or by mechanical tape recording, the proceedings of all business meetings, hearings, and public meetings, and shall prepare the minutes therefrom. All such recorded proceedings (manuscript or tapes) shall be preserved for a period of six months. A record shall be made by the Recording Secretary and be placed in the minutes of each business meeting indicating the vote of each member by name relative to each agenda item. Said minutes shall be placed in the Public Record and shall be maintained in the office of the Historic Preservation Administrator.

**Section 6.** The Law Director serves as the legal counselor to the Commission in accordance with Section 5.04 of the Oxford Charter and Section 125.02 of the Oxford Administrative Code and shall be responsible for advice, interpretation, and recommendation in all matters relating to Commission business.

**Section 7.** The Historic Preservation Administrator with the concurrence of the City Manager (see Section 121.02 of the Oxford Administrative Code) shall report on agenda items; shall be responsible for the compiling and maintaining of all documents and communications received by the Commission; shall notify in writing petitioners and/or affected parties and the news media of meetings, hearings and the like; shall request and assemble all pertinent documents and information relative to agenda items; shall keep the Public Record of Commission matters on file in his/her office in the Municipal Building; and, shall make available to petitioners, affected parties and/or the public the rules and regulations relative to Commission procedures.

**ARTICLE IV – Meetings**

**Section 1.** A regular meeting shall be held at a day, a time, and a location as determined by the Chair, and as published on the City's website. A meeting may be canceled if there are no business items. Additional business meetings may be called by the Chair or by any two (2) members when deemed necessary and appropriate, or when mandated by requirements of Section 1152 of the Oxford Code. All Commission meetings are open to the public for attendance and participation and shall be announced at least two days in advance of the meetings.

**Section 2.** The Chair or any two (2) members may call a work session. Work sessions are for the purpose of studying appropriate matters pertinent to the duties of the Commission. The public is invited to attend the entire work session but may not participate. Notice of the call for special meetings or a work session shall be announced at least two days in advance of said meetings.

**Section 3.** All meetings, including Executive Sessions, shall be held and conducted in conformance with the Ohio Sunshine Law (Ohio Revised Code, Section 121.22).

**Section 4.** Quorum for all meetings and work sessions shall consist of four members present at the meeting.

**Section 5.** All questions concerning the governance of the Commission business meetings and the transaction of such business shall be decided in accordance with parliamentary rules as contained in the latest Revised Edition of Robert's Rules of Order.

**ARTICLE V – Voting**

**Section 1.** All Commission members are voting members.

**Section 2.** A majority vote of those members present shall be necessary to pass any item of business that is brought before the Commission. Where only a quorum is present at any business meeting an affirmative vote of three (3) members is necessary to validate the passage of any motion or recommendation.

**Section 3.** No Commission member shall participate in the discussion or vote on any matter in which a personal interest exists. Members having such a personal interest shall recuse themselves from the Commission during that portion of the meeting in which said matter is being deliberated and voted upon.

**ARTICLE VI – Public Hearings**

**Section 1.** Public hearings pertinent to Commission matters initiated and conducted by the City Council should be attended by Commission members for the purpose of gathering relevant information which may be presented at the hearing. At the Commission's next regular monthly business meeting or at a specially called business meeting (if so required by deadlines specified by ordinance), the Commission shall consider the matter, may solicit a written opinion from the Planning Commission and make its recommendation to City Council.

**Section 2.** All Commission members shall be notified by the Clerk of City Council of public hearings established by the Council on subjects pertaining to Commission matters.

**Section 3.** When a public hearing has been requested by a petitioner under the purview and authority of Chapter 1152 of the City Code, the Commission shall set forth the time and place of the hearing and shall give written notice to the petitioner of the time, date and place of said hearing and the Commission shall make public notice of the same. Such hearing shall be held not more than thirty days after the written request for the hearing or may be held within such a time as is mutually agreed upon by the Commission and the petitioner. The Historic Preservation Administrator shall transmit in writing its findings and final determination to the petitioner not later than thirty (30) days following the date of the hearing.

**ARTICLE VII – Business Procedures**

**Section 1.** Agenda items of business must be received at the Community Development Department's Office in the Municipal Building no later than 5:00 p.m., nineteen (19) days preceding the regular monthly business meeting. Business items that are submitted after this time shall be considered at the next business meeting or at a special meeting as required to satisfy time requirements mandated by Section 1152.

**Section 2.** Each agenda item of business that is submitted for the Commission's consideration must be complete, that is, it must contain all pertinent information such as: plans for new construction, renovation, rehabilitation or for alteration, repair or demolition of any area, place, structure, work of art, or object which falls under the designation of historic site or historic district. Such complete information shall be required when necessary and applicable in accordance with the requirements stipulated by the appropriate sections of Chapter 1152 of the City Code (or other pertinent ordinances) under which the agenda item is being considered.

**Section 4.** In order for the Commission to fulfill its responsibilities and duties in rendering proper consideration to any petition submitted by an individual or individuals, said individual or individuals or agent or legal representative shall be present at the business meeting and shall fully inform themselves of the ordinance, rules, and regulations relative to the

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business item involved. It shall be the duty of the Historic Preservation Administrator to inform said party or parties in writing of the time, date, place, and purpose of the meeting. The Commission shall reserve the right to dismiss or postpone any petition if the petitioner, his agent, or legal representative is not present at the meeting or has not requested in writing a reasonable extension of time for a proper presentation of said petition.

- Section 5.** The Commission renders its decision on all petitions in accordance with Chapter 1152. Between the time of the receipt of a petition and the deadline for Commission approval, disapproval, or report, the Commission may:
- a) conduct surveys;
  - b) hold special meetings (prior to or in addition to the advertised public hearing required by the various ordinances) for the purpose of eliciting pertinent information from interested parties;
  - c) conduct such investigations as it deems necessary and desirable.

**Section 6.** The Recording Secretary shall prepare an annual report.