

2 **AN ORDINANCE AMENDING CHAPTER 151: “HISTORIC**
3 **PRESERVATION AND PROTECTION DISTRICTS” OF THE FORT**
4 **WAYNE CODE OF ORDINANCES**

5
6 WHEREAS, in August 2022, the Fort Wayne Common Council passed a resolution
7 requesting consideration on a more equitable division of board and commission appointments
8 between the Mayor and the Common Council; and

9 WHEREAS, many of these boards are created by State Code, and would require state
10 approval to modify the appointment structure; and

11 WHEREAS, some of the boards and commissions which exist in the City have been created
12 through the legislative process and can therefore be modified in the same manner; and

13 WHEREAS, as it relates to the creation of an Historic Preservation Commission, Indiana
14 Code 36-7-11-4(a) states, “The voting members shall be appointed by the executive of the unit,
15 subject to the approval of the legislative body”; and

16
17 WHEREAS, it is imperative to good government that diverse voices are considered on all
18 matters.

19 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE**
20 **CITY OF FORT WAYNE, INDIANA:**


21 **SECTION 1.** Delete and Amend §151.020(B) only in its entirety and replace
22 with the following::

23

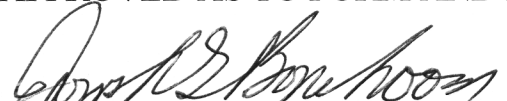
24

1 (B) *Composition.* The Commission shall consist of seven voting members. The
2 voting members shall be appointed by the Mayor and shall be subject to the
3 approval by Council before joining the Commission and shall be residents of the
4 city who are interested in the preservation and development of historic areas. The
5 members of the Commission should include professionals in the disciplines of
6 architectural history, planning, and other disciplines related
7 to historic preservation, to the extent that those professionals are available in the
8 community. The credentials of appointees brought before Council shall be outlined
9 as part of the approval process. Nonvoting, advisory member(s) may be appointed
10 to the Commission by the Mayor, and shall be approved by Council before any
11 activities may be completed. Commission members shall serve without
12 compensation, except for reasonable expenses incurred in the performance of their
13 duties.

14
15 **SECTION 2.** That this Ordinance shall be in full force and effect from
16 and after its passage and any and all necessary approval by the Mayor.

17
18
19 
20 _____
21 Russell Jehl, Council Member

22
23 APPROVED AS TO FORM AND LEGALITY

24 
25 _____
26 Joseph G. Bonahoom, City Council Attorney

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4 **AN ORDINANCE AMENDING CHAPTER 151: "HISTORIC**
5 **PRESERVATION AND PROTECTION DISTRICTS" OF THE FORT**
6 **WAYNE CODE OF ORDINANCES**
7

8 WHEREAS, in August 2022, the Fort Wayne Common Council passed a
9 resolution requesting consideration on a more equitable division of board and
10 commission appointments between the Mayor and the Common Council; and

11 WHEREAS, many of these boards are created by State Code, and would
12 require state approval to modify the appointment structure; and

13 WHEREAS, some of the boards and commissions which exist in the City have
14 been created through the legislative process and can therefore be modified in the
15 same manner; and

16 WHEREAS, as it relates to the creation of an Historic Preservation Commission,
17 Indiana Code 36-7-11-4(a) states, "The voting members shall be appointed by the
18 executive of the unit, subject to the approval of the legislative body"; and

19
20 WHEREAS, it is imperative to good government that diverse voices are
21 considered on all matters.

22 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON**
23 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**
24

25 **SECTION 1.** Amend §151.020 to read:

- 26 (A) *Creation.* There is hereby established the Historic Preservation Commission
27 of the City of Fort Wayne, Indiana (hereinafter referred to as the
28 "Commission") subject to and in accordance with the provisions of IC 36-7-
29 11-4.
30


1 (B) *Composition.* The Commission shall consist of seven voting members. The
2 voting members shall be appointed by the Mayor and shall be subject to the
3 approval by Council before joining the board and shall be residents of the city who
4 are interested in the preservation and development of historic areas. The members
5 of the Commission should include professionals in the disciplines of architectural
6 history, planning, and other disciplines related to historic preservation, to the
7 extent that those professionals are available in the community. The credentials of
8 appointees brought before Council shall be outlined as part of the approval process.
9 Nonvoting, advisory member(s) may be appointed to the Commission by the
10 Mayor, and shall be approved by Council before any activities may be completed.
11 Commission members shall serve without compensation, except for reasonable
12 expenses incurred in the performance of their duties.

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14 **SECTION 2.** That this Ordinance shall be in full force and effect from
15 and after its passage and any and all necessary approval by the Mayor.

16
17
18 

19 _____
20 Russell Jehl, Council Member

21
22 APPROVED AS TO FORM AND LEGALITY

23 
24 _____
25 Joseph G. Bonahoom, City Council Attorney

BILL NO. G-23-01-17

**REPORT OF COMMITTEE ON REGULATIONS
February 7, 2023**

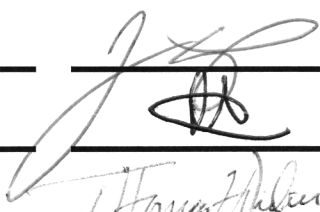
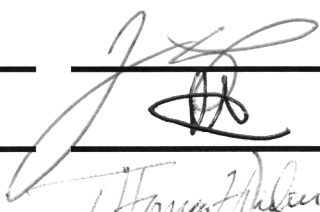
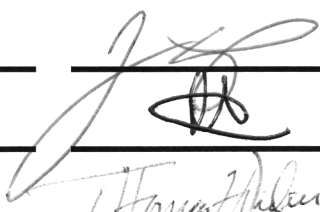
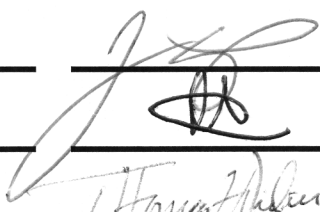
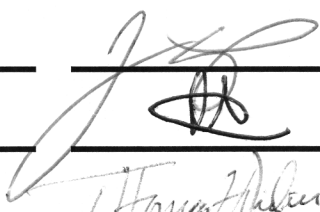
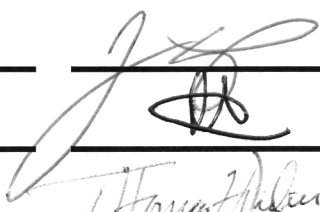
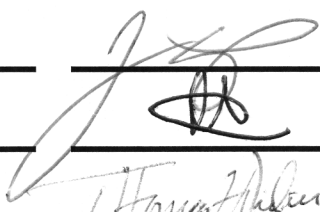
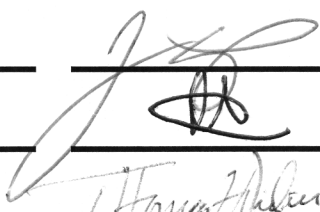
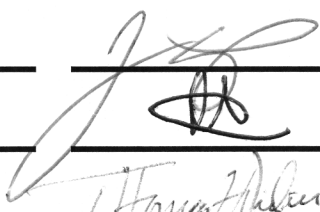
Tom Freistroffer Chair

Sharon Tucker Co-Chair

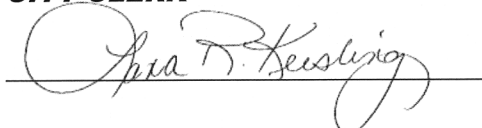
All Council Members

An Ordinance amending Chapter 151: "Historic Preservation and Protection Districts" of the Fort Wayne Code of Ordinances

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
<u>ARP</u>			
<u>CHAMBERS</u>			
<u>DIDIER</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HINES</u>			
<u>JEHL</u>			
<u>PADDOCK</u>			
<u>TUCKER</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Freistroffer.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Freistroffer, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: February 14, 2023




 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 General Ordinance No. G-23-01-17AA on the 14th day of February, 2023

ATTEST:



 LANA R. KEESLING
 CITY CLERK




 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th
 of February 2023, at the hour of 2:10 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 16TH day of FEBRUARY 2023, at the
 hour of 3:30 o'clock PM E.S.T.



 THOMAS C. HENRY, MAYOR

