

# Ordinance No. 00368

[Council meeting minutes of Dec 6 2004](#)

## ORDINANCE NO. 368

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 2.48 of the Lakewood Municipal Code, Section 2.48.030, relating to the Landmarks and Heritage Advisory Board.

WHEREAS, the Landmarks and Heritage Advisory Board ensures the protection, enhancement, perpetuation, and use of buildings, sites, districts, structures and objects of historical, cultural, architectural, engineering, geographic, ethnic and archaeological significance located in Lakewood in the interest of the prosperity, civic pride and general welfare of the people of Lakewood; and,

WHEREAS, the addition of an emeritus Board position to the Landmarks and Heritage Advisory Board would enhance the overall expertise of the Board and thus further the purpose of the Landmarks and Heritage Advisory Board.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That Chapter 2.48 of the Lakewood Municipal Code, Section 2.48.020, is hereby amended to read as follows:

### **02.48.030 - Landmarks and Heritage Advisory Board authorized.**

The City Council here identifies its authority, as an option to provide the purposes hereof, to create and empower a citizens' committee to act as the Agency for and on the City's behalf, which if so created shall be empowered to function and act as the Agency herein.

If such Advisory Board is created by separate Ordinance or Resolution, whether as a standing advisory board or an ad hoc committee, its organizational structure shall be governed by the following, unless specifically provided otherwise in the Ordinance or Resolution:

Membership and organization.

A. The Lakewood Landmarks and Heritage Advisory Board (Advisory Board), if created, shall consist of seven regular members selected as follows:

1. Of the seven regular members of the Advisory Board at least three shall be professionals who have experience in identification, evaluation, and protection of historic resources and have been selected from among the fields of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, landscape architecture, American studies, law or other historic preservation-related disciplines.

2. The seven regular members of the Advisory Board shall be appointed by the Lakewood Mayor, subject to confirmation by the council. All regular members shall have a demonstrated interest in historic preservation.
3. In addition to the seven regular members, the Mayor may, at his/her sole discretion, appoint one Landmarks and Heritage Board Member Emeritus. This individual shall be selected based on past Board experience and demonstrated proficiency in the history of the area. The Board Member Emeritus shall serve as a voting member of the Board for whatever term is deemed appropriate by the Mayor.

- B. Appointments of Advisory Board members shall be made for a three-year term. Each regular member shall serve until his or her successor is duly appointed and confirmed. Appointments shall be effective on January 1 of each year. In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term. Any members may be reappointed, but may not serve more than two consecutive three-year terms. A member shall be deemed to have served one full term if such member resigns at any time after appointment or if such member serves more than two years of an unexpired term. The members of the Advisory Board shall serve without compensation.
- C. The initial appointments made to the Advisory Board shall be three members appointed for a three-year term, two members appointed for a two-year term and two members appointed for a one-year term. For purposes of the limitation on consecutive terms set forth in paragraph B, an appointment for a one-or two-year term shall be deemed an appointment for an unexpired term.
- D. The chair shall be a member of the Advisory Board and shall be elected annually by the regular Advisory Board members. The Advisory Board shall adopt rules and regulations, including procedures consistent with this chapter. The Advisory Board shall not conduct any public hearing required under this chapter until rules and regulations have been filed with the City Clerk.
- E. A majority of the Advisory Board members (4) shall constitute a quorum for the transaction of business. All official actions of the Advisory Board shall require a majority vote of the members present and eligible to vote on the action voted upon. No member shall be eligible to vote upon any matter which requires a hearing unless that member has attended the hearing or familiarized him or herself with the record. Members must be present to vote; no absentee ballots are allowed.
- F. The Advisory Board may from time to time establish one or more committees to further the policies of the Advisory Board, each with such powers as may be lawfully delegated to it by the Advisory Board.
- G. The director of the City of Lakewood department with authority over landmarks and cultural resources, as designated by the City Manager, shall provide staff support to the Advisory Board, and shall serve as a ?historic preservation officer? for the City, or supervise a person functioning in that capacity, as authorized by the City Manager and approved by the City Council. The historic preservation officer shall further perform such tasks and provide such other services as are consistent with the City Manager?s direction, including as applies, use of employment resources, act as custodian of the Advisory Board?s records, and other duties as assigned.
- H. The Advisory Board shall meet at least once each quarter for the purpose of considering and holding public hearings on nominations for designation and applications for certificates of appropriateness. Where no business is scheduled to come before the Advisory Board seven days before the scheduled monthly meeting, the chair of the Advisory Board may cancel the meeting. All meetings of the Advisory Board shall be open to the public. The Advisory Board shall keep minutes of its proceedings, showing the action of the Advisory Board upon each question, and shall keep records of all official actions taken by it, all of which shall be filed in the office of the historic preservation officer and shall be public records.
- I. At all hearings before and meetings of the Advisory Board, all oral proceedings shall be electronically recorded. Such proceedings may also be recorded stenographically by a court reporter if any interested persons at his or her expense shall provide a court reporter for that purpose. A tape recorded copy of the electronic record of any hearing or part thereof shall be furnished to any person upon request and payment of the reasonable expense thereof.
- J. The Advisory Board is authorized, subject to the availability of funds budgeted for that purpose and approval of the expenditure by the City Council, to expend monies to compensate experts, in whole or in part, to provide technical assistance to property owners in connection with requests for certificates of

appropriateness upon a showing by the property owner that the need for such technical assistance imposes an unreasonable financial hardship on such property owner.

K. Advisory Board records, maps, or other information identifying the location or archaeological sites and potential sites shall be exempt from public access in order to avoid looting and depredation of such sites.

(Ord. 251 ? 1(part), 2000.)

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 6<sup>th</sup> day of December, 2004.

CITY OF LAKEWOOD

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Douglas G. Richardson, Mayor

Attest:

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Alice M. Bush, CMC, City Clerk

Approved as to Form:

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Heidi Ann Wachter, City Attorney

