

**FILE OF THE CITY CLERK**

**ADMINISTRATION ORDINANCE NO. 2 – 2009**

**ADMINISTRATION BILL NO. 2 – 2009**

**INTRODUCED - FEBRUARY 10, 2009**

**ADOPTED BY COUNCIL - FEBRUARY 24 , 2009**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF LANCASTER AMENDING CHAPTER 155, ARTICLE 1, OF THE CODE OF THE CITY OF LANCASTER (ORDINANCE NO. 9 – 2001, KNOWN AS THE HISTORIC DISTRICT ORDINANCE), BY DELETING 40 AND 42 NORTH PLUM STREET FROM THE HISTORIC DISTRICT.**

**WHEREAS**, the Council of the City of Lancaster has heretofore adopted an ordinance establishing a Historic District and regulating exterior work on buildings and structures therein visible from a public right-of-way or public alley, said ordinance being known as the Historic District Ordinance, Ordinance No. 9 – 2001, as amended, and codified as Chapter 155, Article 1 of the Code of the City of Lancaster; and

**WHEREAS**, Ordinance No. 9 – 2001, Section 6. e. Additions to or Deletions from Historic District, provides that requests for inclusion in or exclusion of an area from the Historic District must have the concurrence of the property owners representing at least seventy percent (70%) of the properties located within the boundaries of the proposed area; and

**WHEREAS**, Ordinance No. 9 – 2001, Section 5. Definitions, defines “area” as follows: a geographically definable area comprised of one block face, or one side of a public right-of-way located between the intersection of public rights-of-way and/or alleys which possesses a significant concentration, linkage or continuity of buildings or structures united by past events or aesthetically by plan or physical development which may also comprise individual elements separated geographically but thematically linked by association or history; and

**WHEREAS**, on January 5, 2009, the Historical Architectural Review Board (HARB) reviewed a petition from owners of 40 and 42 North Plum Street requesting deletion of their properties from the Historic District; and

**WHEREAS**, the original Historic District, designated by City Council in 1967, only encompassed these two properties in the 000 block of North Plum Street; and

**WHEREAS**, City Council has received the petition signed by owners of 40 and 42 North Plum Street, representing 100 percent of the properties within that portion of the 000 block of North Plum Street included within the Historic District; and

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Lancaster that the Historic District Ordinance shall be amended as follows:

Section 1. The following area is hereby deleted from the Historic District and so noted in Exhibit A of Ordinance No. 9 – 2001, referenced in Section 6.b., and deleted from the Historic District Map:

A. All those certain properties and structures located on the west side of the 000 block of North Plum Street, between the property known and numbered as 356 East Orange Street and an 8-foot wide common alley, and known and numbered as 40 and 42 North Plum Street.

Section 2. All other parts, sections and subsections and provisions of the Historic District Ordinance shall remain in effect as heretofore enacted.

Section 3. In the event any provision, section, sentence, clause or part of this ordinance shall be held to be invalid, illegal or unconstitutional, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that such remainder shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. This Ordinance shall become effective within the time provided by law.

Approved this 24th day of February, 2009

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J. Richard Gray, Mayor

Attest:

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Janet E. Spleen, City Clerk