



Charter and Rules of Procedure

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Charter Version Control

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VII	1/19/2017	Tony Armento Chair, HPC	Change month of annual report presentation

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Introduction

The HPC is required to adopt a Charter (aka Rules of Procedure) necessary to conduct its affairs and as required by the provisions of the HPC Ordinance as well as spell out procedural details not covered in the HPC Ordinance. The Rules of Procedure at a minimum must include:

- a) The HPC's purpose;
- b) The HPC's jurisdiction and duties;
- c) The HPC's procedures for the following:
 - i) Appointment and terms of HPC members and officers;
 - ii) Time and place of regular meetings, and calling of special meetings;
 - iii) Keeping of minutes and HPC records;
 - iv) Criteria of voting;
 - v) Ethics policy and code of conduct;
 - vi) Attendance policy;
 - vii) Historic district standards;
 - viii) List of minor works for which Minor Works Committee may issue COA;
 - ix) List of works that do not require a COA;
 - x) COA procedures;
 - xi) Forms to be used in applying for Certificates of Appropriateness;
 - xii) Checklist of sufficient project information required to make sound determinations regarding applications for Certificates of Appropriateness;
 - xiii) Procedures for Approval of Certificate of Appropriateness to includes details regarding HPC Review Order of Business, required notifications, public hearings, HPC actions and consequence for inaction, delay in demolition, actions subsequent to decision, appeal of decision, submission of new application, modifications to applications, and review criteria; and
 - xiv) Compliance and remedies;

The Rules of Procedure may be amended by the HPC (via majority vote) as it deems necessary or appropriate, provided that all revisions and/or amendments are consistent with the intent of the HPC Ordinance.

1 PURPOSE

The purpose of the Historic Preservation Commission (HPC) is:

- 1) To safeguard the heritage of the City of Oxford by preserving districts and landmarks therein that embody important elements of its cultural, social, economic, political or architectural history and which possesses integrity of design, setting, materials, feelings and association;
- 2) Promote the use and conservation of such districts and landmarks for the education, pleasure and enrichment of the residents of Oxford and of the state as a whole.

In addition, preservation efforts should help

- Foster civic beauty;
- Stabilize property values
- Strengthen the local economy
- Encourage the restoration, preservation, rehabilitation, and conservation of historically, architecturally, and archaeologically significant areas, structures, buildings, sites or objects and their surroundings; and
- Protect such buildings, sites, or objects and their surroundings from potentially adverse influences that may cause the decline, decay or destruction of important historical, architectural, and archaeological features that are a part of the local heritage.

2 HPC Duties

- 1) The HPC does NOT have the authority to arbitrarily seek out and require property owners to make changes to their property. The HPC is authorized to require property owners to make improvements to properties subject to the application of the Demolition by Neglect Ordinance.
- 2) The HPC is hereby empowered to undertake the following actions as may be reasonably necessary to the discharge and conduct its duties and responsibilities as set forth in the HPC ordinance and N.C. Gen. Stat. §§160A-400.1 et seq. including, but not limited to:
 - a) Organizing itself and conducting its business;
 - b) Establishing and maintaining the standards and supporting documents needed to support this Ordinance to include:
 - i) Charter and Rules of Procedures;
 - ii) Design Guidelines;
 - iii) Forms; and (see Appendix 4)
 - iv) Code of Ethics; (see Appendix 5)
 - c) Receiving and spending funds appropriated by the City of Oxford for operating and performing its duties; the HPC may also accept contributions of any kind and from any source as legally allowed to enhance resources needed for its operations and activities;
 - d) Conducting and periodically updating an inventory of properties of historical, archaeological, architectural, and/or cultural interest;
 - e) Recommending to the Oxford Board of Commissioners that individual buildings, structures, sites, areas, or objects within Oxford's zoning jurisdiction be

- designated as “historic landmarks” and that areas within the City’s zoning jurisdiction be designated as “historic districts;”
- f) Recommending to the Oxford Board of Commissioners that designation of any area as a historic district, or part thereof, or of any building, structure, site, area, or object as a historic landmark, be revoked or removed for cause;
 - g) Reviewing and acting on proposals submitted *via* the COA application process for
 - i) Exterior alteration, relocation, or demolition of designated historic landmarks;
 - ii) Exterior alteration, relocation, demolition, or new construction of properties within designated historic districts;
 - h) Initiating and participating in negotiations with property owners who propose to demolish or relocate a designated landmark, or a building, structure, site, area, or object within a designated district, in an effort to find a means of preserving such properties, including consulting with private civic groups, interested private citizens, and other public boards or agencies;
 - i) Instituting action, through the Oxford Planning Department to prevent, restrain, correct, or otherwise abate violations of the HPC ordinance or other related ordinances designating historic landmarks or districts;
 - j) Entering, at reasonable times and with the consent of the owner or occupant, upon private lands to make examinations or conduct a survey of the exterior of the property;
 - k) Advising the Board of Commissioners, City Manager, and/or other city officials regarding the protection or preservation of historic properties;
 - l) Appointing advisory bodies or committees as appropriate;
 - m) Negotiating with property owners for the acquisition or protection of significant historic properties;
 - n) Acquiring by any lawful means, the purchase fee, or any lesser included interest, including options to purchase, properties designated as landmarks, properties located within designated districts, or land to which historic buildings or structures may be moved; holding, managing, preserving, and restoring such a property and improving the interest; and exchanging or disposing of the interest through public or private sale, lease, or other lawful means, provided the property shall be subject to covenants or other legally binding restrictions which shall secure appropriate rights of public access and the preservation of the property. All lands, buildings, structures, sites, areas, or objects acquired by independent funds shall be held in the name of the Oxford Historic Preservation Commission and all lands, buildings, structures, sites, areas, or objects acquired by funds appropriated by the City of Oxford shall be acquired in the name of the City of Oxford unless otherwise provided by the City;
 - o) Accepting grants or funds from private individuals or organizations for preservation purposes;
 - p) Conducting educational programs pertaining to historic landmarks, historic properties or historic districts within its jurisdiction;
 - q) Publishing or otherwise informing the public about any matter related to its purview, duties, responsibilities, organization, procedures, functions, or requirements;
 - r) Advising property owners about appropriate treatment(s) for characteristics of historic properties; (Note: The HPC cannot act as a design consultant for COA applicants.)
 - s) Cooperating with the State of North Carolina, the United States of America, local governments, public or private organizations, or their agencies in pursuing the purposes of the HPC ordinance, including entering into contracts, provided that such contracts are not inconsistent with state or federal law;

- t) Preparing and recommending adoption of a preservation element, or elements, as part of the City Of Oxford's Comprehensive Plan;
 - u) Restoring, preserving and operating historic properties;
 - v) Proposing to the Oxford Board of Commissioners amendments to the HPC ordinance or to any other related ordinance, as well as proposing new ordinances or laws relating to historic landmarks and districts or to the protection of the historic resources of the City of Oxford and its environs;
 - w) Any and all actions taken by the HPC shall be in accordance with N.C. Gen. Stat §160A, Art. 19, Pt. 3C (N.C. Gen. Stat §160A-400.1 et seq.), the Oxford Historic Preservation Ordinance, the HPC's Rules of Procedure, the HPC's Code of Conduct/Ethics Policy and the Oxford Historic District Design Guidelines.
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3 Rules of Procedure

3.1 Appointment, Terms and Qualification of HPC Members

- a) The HPC shall consist of seven (7) members. The members shall be appointed by the Oxford Board of Commissioners. Initially members shall be appointed for staggered terms, with three (3) members being appointed for two years, and four (4) members being appointed for three years. Thereafter, all appointments shall be for a term of three years. HPC members shall serve until their successors are appointed.
- b) Members shall be eligible for reappointment, but after two consecutive terms, a member shall be ineligible for reappointment until at least one year has elapsed from the date of the termination of his/her last term.
- c) Vacancies occurring in the Historic Preservation Commission shall be filled by the Oxford Board of Commissioners to the end of the unexpired term.
- d) A majority of the members shall have demonstrated special interest, experience or education in history, architecture, archaeology or related subjects and all members shall be residents of the City of Oxford.
- e) The majority of the members of the HPC shall have demonstrated education, experience, special interest, or a combination thereof, in historic preservation, history, architecture, architectural history, archaeology, cultural anthropology, planning, or related fields. The HPC staff liaison must be able to document that a "good faith effort" was made to seek out professionals with the specified skills and experience to serve on the HPC.
- f) All HPC members shall reside within the territorial jurisdiction of the City of Oxford. Reasonable effort shall be made to appoint HPC members who own property in a historic district.
- g) All HPC members must be advocates for historic preservation efforts and have a discerning eye for congruous historic materials and historically compatible elements.
- h) HPC members must also be able to identify and analyze pertinent facts, conduct research and apply the rule of law to the matters before them without regard for personal ideologies.

- i) Every new member appointed to the HPC must complete the orientation process before he/she is allowed to vote on any matter. (see Appendix 1)
- j) Each HPC member should further their understanding of historic preservation through continued educational programs and readings. A record of education must be maintained by the secretary.

3.2 HPC Meetings

- 1) The HPC is required to meet a minimum of once per quarter, even if there are no pressing matters or COA's to review. The Chair can otherwise set a meeting schedule as deemed necessary to included called meetings.
 - a. Per majority vote, the current regular meeting schedule of the Historic Preservation Commission will be held at 6:00 PM on the third Thursday of the months of January – October in the training room of City Hall. If there is no pressing business, the chair may cancel one of the regularly scheduled meetings so long as the quarterly meeting requirement is met.
 - b. In regard to special meetings, the chair (and in his/her absence, the vice-chair or another designee) give at least forty-eight (48) hours notice to each HPC member as to the time and place of called meetings. This requirement may be waived by action of a majority of all the members, i.e., if a quorum of members is not available the meeting will be postponed to a later date that fulfills the quorum requirement.
- 2) All meetings shall be conducted in accordance with the North Carolina Open Meetings Law, G.S. Chapter 143, Article 33C (N.C. Gen. Stat §§143-318.9 to 318.18).
- 3) Faithful and prompt attendance to all meetings of the HPC and conscientious performance of the duties required of HPC members shall be a prerequisite to continuing membership on the HPC. Should a member fail to attend three (3) consecutive regular meetings of the HPC or miss four (4) meetings in a calendar year, and should there be no adequate excuse for such absences, the Chairman of the HPC, with the concurrence of a majority of the entire HPC, shall recommend to the Oxford Board of Commissioners that a vacancy be declared and that the vacated position be filled.
- 4) A record must be kept of all HPC meetings. Tape-recording of every business meeting is required. Each speaker should identify himself/herself prior to speaking. All tapes should be kept for a minimum of one (1) year. For ease of reference and to help ensure completeness and uniformity, the HPC should adopt a standard format for its minutes. The meeting minutes must include:
 - a. The time and place of the meeting;
 - b. The names of everyone in attendance, as well as the names of absent HPC members;
 - c. A summary of evidence presented to the HPC on each matter, indicating whether witnesses were sworn;
 - d. A summary of the discussion of each matter;
 - e. The verbatim wording of all findings of fact, every resolution and recommendation as well as the exact wordage used for controversial discussions; and
 - f. The reasons for each action taken by the HPC.
- 5) The HPC shall annually present to Oxford Board of Commissioners a report of its activities, budget, findings, recommendations, and actions, which shall be made available to the public. The annual report is to be presented to the Oxford Board of Commissioners Meeting every May.

- 6) The following must take place at each January meeting (or first meeting each calendar year)
 - a. Elect Officers for the year. (see section 3.1)
 - b. Vote on goals (specific objectives to be accomplished during the year)
 - c. Read and renew pledge to adhere to Code of Ethics (See appendix 6)

- 7) The HPC order of proceedings for regular meetings is as follows:
 - a. Chair (or designee) calls meeting to order
 - b. Roll Call of HPC Members and others at the table, starting with the Chair
 - c. Chair Recognizes others present in the room
 - d. Approval of Minutes
 - e. Treasurer's Report
 - f. Review of COA Applications (one application at a time)
 - i. Chairman introduces COA Application
 - ii. Staff Liaison identifies location of property on map (if needed)
 - iii. HPC members declare Conflicts of Interests or associations
 - iv. Petitioner(s) sworn
 - v. Petitioner or designee makes presentation of project to HPC
 - vi. HPC Questions Petitioner and/or Staff Liaison
 - vii. Chairman queries public for comments
 - viii. Public sworn
 - ix. Public testimony/comments
 - x. Petitioner response to Public Comments
 - xi. Final Questions from Commission to Petitioner or Staff, or direction to Petitioner and Staff to provide additional Information.
 - xii. Petitioner rebuttal
 - xiii. Commission discussion
 - xiv. Commission deliberation
 - xv. Motion to approve, approve with conditions or deny the Petitioner's Request
 - xvi. Second
 - xvii. Commission vote
 - xviii. If approved, Chairman signs COA
 - xix. If denied, the Staff Liaison gives instructions to the Petitioner of their rights to appeal to the Board of Adjustments
 - g. Old Business - taken from prior month's unresolved matters
 - h. New Business
 - i. Motion to Adjourn

3.3 Quorum and Voting

- a) A quorum for the HPC shall consist of four (4) HPC members, or in the case of vacancies in membership, by a majority of members then in office. A quorum is necessary for the HPC to take official action.

- b) All actions of the HPC shall be taken by majority vote of those members present.

- c) A roll call vote shall be taken upon the request of any member.

3.4 **HPC Officers and Roles**

a) At its first regular meeting each year, typically January, the HPC shall, by majority vote of its membership (excluding vacant seats), elect one (1) of its members to serve as chairman and one (1) member to serve as vice chairman. The HPC members with terms that will expire later in the given year are not eligible to run for chair or vice-chair unless the members with a soon to expire term are eligible and plan to continue for a second three-year term. The persons so designated shall serve in these capacities for a term of one (1) year. Vacancies in the office of chairman and vice chairman may be filled for the unexpired terms only by majority vote of the HPC membership.

b) Duties of the officers and members

Title	Duties
Chair	<ul style="list-style-type: none"> ➤ Prepares meeting agenda, using HPC meeting template. Sends agenda via e-mail to all members and staff 48 hours prior to the meeting. ➤ Presides over all meetings. ➤ Decides all points of order during the meeting. ➤ Partners with the Oxford Planning Director (or assigns designee) to form the Minor Works Committee and make needed decisions in a timely manner as indicated in Section 3.6b.
Vice-chair	<ul style="list-style-type: none"> ➤ Serves as acting chairman in the absence of the chairman, and at such times, shall have the same powers and duties ➤ Coordinates all Orientation/Training for new members and at other times as needed ➤ Prepares and updates HPC Manual ➤ Other duties as assigned by the HPC or chairman
Secretary	<ul style="list-style-type: none"> ➤ Backs up the recording secretary as needed to include taking and documenting the minutes of HPC meetings. ➤ Supervises the clerical work of the HPC ➤ Swears in all witnesses during hearings and COA review proceedings ➤ Other duties as assigned by the HPC or chairman
Treasurer	<ul style="list-style-type: none"> ➤ Keeps track of financial expenditures ➤ Provides treasury report at each meeting ➤ Other duties as assigned by the HPC or chairman

c) The HPC can appoint a Recording Secretary from within or from outside its membership. The Recording Secretary attends all meetings and takes recordings and notes to later use to prepare the HPC minutes, using the approved minute’s template. A draft of the minutes shall be sent to the membership at least 7 days prior to the next scheduled meeting. Corrections will be made based on member edits and the approved final version of the minutes will be e-mailed to the Oxford Planning Department to be stored for the official public record and to the HPC webmaster to be posted on the HPC website.

d) The HPC shall have the authority to elect additional officers or designate project managers with titles and duties as it shall deem necessary or desirable. All officers who are elected from within the membership of the HPC may take part in all deliberations and may vote on all issues. Officers

or Project Managers elected from outside of the HPC membership may not take part in deliberations, nor vote. See Appendix 1 for List of Continuous Officers and Project Managers.

- e) The HPC shall have authority to appoint advisory bodies and committees as appropriate. See appendix 2 for current Committee list.

3.5 Historic District Standards and Criteria

Pursuant to Article 1203(E) of the City of Oxford Zoning Ordinance adopted October 14, 2003, historic districts shall function as “overlay” zoning districts that impose additional use or development requirements upon the underlying zoning and applies to all historic district properties subject to land use regulation by the city. To ensure the compatibility and appropriateness of exterior design within the historic districts the following are strictly prohibited:

- Manufactured home
- Modular home
- Multifamily conversion
- Multifamily townhome
- Multifamily apartment

To be designated as a historic district, an area shall be found by the HPC to possess special significance in terms of its history, prehistory, architecture, archaeology, and/or cultural importance, and therefore important to retain the integrity of a property’s design, setting, workmanship, materials, feeling, and/or association.

3.5.1 Procedure for Designation

- a) The HPC shall make, or cause to be made, an investigation and designation report which includes the following:
- 1) An assessment of the significance of the buildings, sites, structures, features, objects, or environs to be included in a proposed district and a description of its boundaries; and
 - 2) A map clearly indicating the boundaries of the district and the properties, showing their Granville County tax map parcel numbers, contained therein.
- b) A district designation report shall be
- 1) Referred to the local planning agency for review and comment according to procedures set forth in the Zoning Ordinance of the City of Oxford.
 - 2) Submitted to the North Carolina Department of Cultural Resources, Division of Archives and History, or its successor agency, which, acting through the State Historic Preservation Officer, shall review it and provide written comments and recommendations to the Oxford Board of Commissioners regarding the substance and effect of the proposed designation. Failure of the Department to respond within thirty (30) days following its receipt of the report shall constitute approval of the report by the Department and relieve the Oxford Board of Commissioners of all responsibility to consider the Department’s comments or recommendations concerning the report.

- c) At the expiration of the thirty (30) day review period, the HPC shall consider the report and any comments or recommendations from the State Historic Preservation Officer, and shall accept, amend, reject, or defer a decision on the report until completion of a period of further study, not to exceed sixty (60) days. The HPC shall forward to the Oxford Board of Commissioners a copy of the report, copies of written comments received from the Department of Cultural Resources, and a recommendation either to approve or disapprove designation of the district, stating in its recommendation the extent to which the proposed area meets the criteria for designation as set forth in the HPC ordinance. A recommendation for approval shall be accompanied by a proposed ordinance of designation. A recommendation for disapproval shall not necessarily prevent any future consideration of an area for designation as a historic district.
- d) Upon receipt of a recommendation and designation report from the HPC, Oxford Board of Commissioners shall proceed in the same manner as would otherwise be required for the adoption or amendment of any other appropriate zoning provision.

3.5.2 Revisions to Districts

- a) Changes in the boundaries of an adopted district subsequent to its initial establishment shall be effected as allowed by Sections 7.1 and 7.2 of the HPC ordinance and as prescribed in Section 7.3 of the ordinance.
- b) Great care shall be taken to avoid removing currently designated historic properties from a historic district. It is incongruous with the very concept of establishing a historic district if certain properties are granted permission to become exempt, or in effect, be spot-zoned out of the district. To maintain the contiguous look and feel of a historic district, all properties in the district must be subject to review so as to prevent unwanted changes to the district as a whole.

3.6 Certificate of Appropriateness

- a) All property owners within the historic district who plan to erect, alter, restore, move or demolish the exterior of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), or above-ground utility structure or any type of outdoor advertising sign shall NOT execute said plans until an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the HPC. Except as provided in (d) below, the HPC shall have no jurisdiction over interior modifications and shall take no action under this section except to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or other significant exterior features in the district which would be incongruous with the special character of the district.

The City of Oxford shall require a COA to be issued by the HPC prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving, or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of the HPC ordinance. A COA shall be required whether or not a building or other permit is required.

Exterior Features: Shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the color, kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, "exterior features" shall be construed to mean the style, material, size, and location of all such signs. Such "exterior features" shall include historic signs.

b) Minor Works: An application for a COA, when determined to involve a minor work, may be reviewed and approved by the minor works committee. The minor works committee shall consist of the Chairman of the HPC and the Oxford Planning Director (or his/her designee). No application may be denied without formal action by the HPC. If the COA is deemed to not classify as a minor works, the COA must be sent through the regular process and reviewed by the HPC.

The minor works committee shall use the following criteria in determining whether a proposed action is a Minor Work:

- 1) Renewal of an expired COA where no change in circumstances under which the Certificate was approved originally.
- 2) Street, sidewalk and underground utility work which does not substantially change the appearance of the streetscape, such a replacement of water and sewer lines, street resurfacing and installation or replacement of sidewalk and curbing.
- 3) Replacement of missing or deteriorated siding, porch floors or roof shingles in excess of twenty (20) square feet; trim, ceiling, columns and balustrades or architectural details with new materials that are identical to the original. (Note: Material replacements of <20 feet with identical materials is considered ordinary maintenance. Projects of any size where there is a change in materials or color requires full COA review.)
- 4) Removal of asbestos, asphalt or other artificial siding when the original siding is to be repaired and repainted.
- 5) Installation of metal foundation vents on side and rear only, soffit and roof vents, gable end vents and replacement of wood access doors. Installation of foundation access doors which cannot easily be seen from the street.
- 6) Installation of mechanical equipment such as satellite receiving dishes, heating and air-conditioning units, etc., which cannot be seen easily from the street or are screened from view with shrubbery or appropriate fencing.
- 7) A small project where there is no change in color, materials or appearance of the structure and where the visual character of the structure is not changed; i.e., replacement of a deteriorated front porch floor with new material that matches the original.
- 8) Repair or replacement of masonry foundation where the original foundation material is retained or where replacement or new material matches the original.
- 9) Small identification signs or historic markers previously approved by the HPC.

- 10) Repainting and other masonry repairs when the color and composition of the mortar matches the original and new brick or stone matches the original.
- 11) Installation of storm windows with painted or baked enamel finish which complement or match the structure.
- 12) Installation of storm doors so long as they are of "full view" type with a baked enamel finish that highlights the features of the main door and frame, complementing the structure.

c) Ordinary Maintenance or Repair/Emergency: Nothing shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in an historic district which does not involve a change in color, design, material or appearance thereof; nor to prevent the construction, reconstruction, alteration, restoration, moving or demolition of any such feature which the building inspector or similar official shall certify is required by public safety because of an unsafe or dangerous condition. Nothing shall prevent a property owner from making any use of his property that is not prohibited by other law. Nothing shall prevent a) the maintenance, or b) in the event of an emergency the immediate restoration, of any existing above-ground utility structure without approval by the HPC. Ordinary maintenance or repair (where no COA is needed) shall include, but is not limited to, the following:

- a) Painting of structures in colors identical to those existing on the structure, when said painting is not connected with alteration or new construction.
- b) Interior work which does not result in any exterior changes.
- c) Planting of yard vegetables, shrubbery, trees, etc.
- d) Replacement of window glass with a pane of equal dimension and transparency.
- e) Caulking and weather-stripping.
- f) Installation on the rear or side of the house, window air-conditioner(s), satellite dishes, and other temporary mechanical equipment.
- g) Repairs to walks, patios, fences and driveways, so long as the replacement materials match the original.
- h) Replacement of small amounts of missing or deteriorated siding, roof shingles, porch flooring, steps or railing, so long as the replacement materials are identical to the original. (< 20 square feet shall be considered normal maintenance. >20 sq feet shall be considered minor works, a change of materials or color of any size is subject to the full COA review.)

On the basis of preliminary sketches or drawings and other supporting data, the HPC may exempt from requirements for a COA projects involving the ordinary maintenance or repair of any exterior architectural feature that does not involve a change in color, design, material or outer appearance thereof.

- d) Interior Spaces: Notwithstanding subsection (a) of this section, jurisdiction of the HPC over interior spaces shall be limited to specific interior features of architectural, artistic or historical significance for which consent for interior review has been given by the owner; and properties governed by Article 700, Section 710 of the City of Oxford Zoning Ordinance adopted on October 14, 2003. Said consent of an owner for interior review

shall bind future owners and/or successors in title, provided such consent has been filed in the office of the register of deeds of the county in which the property is located and indexed according to the name of the owner of the property in the grantee and grantor indices.

3.7 Procedures for Approval of Certificates of Appropriateness:

- a) An application for a COA can be obtained from the Oxford Planning Department or downloaded *via* the HPC's webpage. Applications shall be completed in form and in content and filed with the Oxford Planning Department at least seven (7) business days prior to the next regularly scheduled HPC meeting. Late applications shall be deferred until the following regularly scheduled meeting.
- b) Incomplete applications shall not be accepted.
- c) Before considering an application for a major works COA, the Staff liaison shall notify by mail the owners of any adjacent property. Such notices are a courtesy to adjacent property owners and occupants when it is anticipated that activities at the applicant's property may impose upon or negatively affect the neighboring properties. No defect or omission of notice shall impair the validity of issuing a COA or of any subsequent action.
- d) When considering an application for a COA, the HPC shall give the applicant and owners of any property likely to be materially affected by the application an opportunity to be heard. In cases where deemed necessary, the HPC may hold a public hearing concerning the application in accordance with the North Carolina Open Meeting Law, Chapter 143, Article 33C of the North Carolina General Statutes. (N.C. Gen. Stat §§143-318.9 to 318.18)
- e) The HPC shall have forty-five (45) calendar days following submittal of a complete application within which to act. Failure by the HPC to take final action within such period shall constitute approval of the application as submitted. This period may be extended by mutual agreement between the HPC and the applicant.
- f) When reviewing the COA application, the HPC shall consider the following elements:
 1. Height of the proposed structure – in that, the totality of the height of the building is harmonious with existing, adjacent and surrounding buildings and that the architectural scale is harmonious with the lot size and that any proposed additions are harmonious with the height of the existing structure;
 2. Setback and Placement of the proposed structure – in that, the setback and placement of the proposed structure is harmonious with surrounding buildings. This also includes the width and space between structures and neighboring properties;
 3. Exterior Construction Materials – in that, all exterior construction materials are historically appropriate for the style of the building and congruent with the historic architecture of the building as well as the Historic District. Substitute materials are only allowed when they meet specified criteria, as specified in the Design Guidelines;
 4. Exterior Color(s) – in that, the proposed exterior color or colors for the planned project are historically appropriate for the style of the building and harmonious with neighboring homes and the Historic District;
 5. Architectural Details (i.e., columns, masonry elements, shutters, trim work, etc.) – in that, architectural details of the building are maintained or restored and new construction projects feature details that are congruent with the style and architectural integrity of the building;
 6. Roof (shape, form and materials) – in that, the roof shape, form and materials are maintained and/or restored so as to retain the architectural integrity of the building. New construction plans depict a roof that is congruent with the original structure and/or a new structure and compatible to the Historic District in general;

7. Original Proportions, shapes, positioning and location, pattern and size of any elements of fenestrations (i.e., windows and doors) – in that, all original windows and doors are maintained and/or restored. New construction projects and additions exhibit fenestrations that are congruent with the architecture of the building and the Historic District. If an original fenestration is beyond repair, replacement products shall meet the specifications defined in the Design Guidelines;
 8. General form and proportion of buildings and structures (e.g., porches) -- - in that, the general form and proportion of the building and any original structures featured on the building are maintained/restored;
 9. Appurtenant fixtures (exterior light fixtures, signage, fences, walls, etc.) – in that, the appurtenant fixtures are maintained/restored. Replacement fixtures and fixtures on new construction or additions are congruent with the architectural integrity of the building;
 10. Structural Conditions – in that, the project is addressing any structural issues. The goal is to preserve, rehabilitate and restore original structures. When structural salvage is impractical, the goal is to rebuild the structure to be congruent with the size, scale and architectural integrity of the original structure and/or the Historic District. Demolition and/or removal of buildings/structures in disrepair are to be avoided;
 11. Improvements to the structure or landscape do not involve the removal of mature trees.
- g) In review of a COA application, the HPC shall apply the Design Guidelines and shall document *via* the COA Review Worksheet as to whether the proposed changes for each of the above elements are congruous, not congruous or not affected.
- h) The HPC shall render a decision as follows:
1. Any and all rulings by the HPC shall be in accordance with Chapter 160A, Art. 19, Pt. 3C of the North Carolina General Statutes (N.C. Gen. Stat. §160A-400.1 et. seq.), the Oxford Historic Preservation Ordinance, the HPC's Rules of Procedure, the HPC's Code of Conduct/Ethics Policy and the Oxford Historic District Design Guidelines;
 2. Vote to approve, approve with conditions or deny the COA request;
 3. The HPC can also vote to continue the matter to the next scheduled meeting, not to exceed thirty-one(31) days, to allow time for HPC members to conduct further research, view the premises and/or seek advice from the State Historic Preservation Office or other expert opinion;
 4. In regard to a request to demolish a building or structure, the HPC can vote to delay the request as specified in Section 3.8.
 5. In approving, approving with conditions, denying, or deferring an application, the HPC must verbalize and document findings of fact, indicating the extent to which the application is or is not in compliance with review criteria, and shall cause these findings of facts to be entered into the minutes of its meetings. The minutes shall also contain a summary of any citation to evidence, testimony, studies, or other authority upon which the HPC based its decision; A COA shall be valid for one hundred and eight (180) calendar days from date of issuance, or, in the case of a COA for demolition, from the effective date. If the authorized work has not commenced within that period, or has been discontinued for more than one hundred and eighty (180) calendar days from the date of issuance, such COA shall immediately expire and the applicant shall be required to reapply;
 6. *Actions subsequent to decision:* The HPC shall notify the applicant of the Commission's decision in writing, and shall file a copy of it with the City's

Planning and Zoning Department. If the applicant is denied, the notice shall include the reasons for such action.

7. *Modifications to applications:* An approved or pending application for a COA may be modified by a written request from the applicant to the HPC. Such requests shall include a description of the proposed change and shall be accompanied by façade elevations, plans or sketches, where necessary. If the HPC finds that the modification constitutes a substantial change which might affect surrounding property owners, it shall request the applicant to notify affected property owners following the procedures set out hereinabove before taking action on the modification. The HPC shall thereupon treat the request in the same manner as any other application as outlined hereinabove.
8. In considering an application for a COA, if the HPC shall find that the number of off-street parking spaces required by this ordinance for a building or structure for which a Building Permit is requested would render the building and/or parking area incongruous with the historic aspects of the district, it shall recommend to the Oxford Planning and Zoning Department a waiver, in part or in whole, of the off-street parking requirements. The Oxford Planning and Zoning Department may authorize a lesser number of off-street parking spaces, provided:
 - i. The board finds that the lesser number of off-street parking spaces will not create problems due to increased on-street parking; and
 - ii. Will not constitute a threat to the public safety.
9. Where it is found by the HPC that an application for a Building Permit covers activity constituting an authentic restoration or reconstruction in the same location as the original location and in the original configuration of a structure of historic and/or architectural significance to the Historic District, such activity may be approved by the Oxford Planning and Zoning Department, following approval by the Historic Preservation Commission. This allows the waiver of zoning requirements which would otherwise prevent the authentic restoration or reconstruction of a structure so long as said improvement shall meet the requirements of the HPC.

The Oxford Planning and Zoning Department shall not be authorized, in action undertaken by this section, to approve a use of property which is not a use permitted by right or as a conditional use within the district in which the property is located.

In addition to any other conditions the Oxford Planning and Zoning Department may make regarding such authorization, any items restored, reconstructed or maintained on, over or within a public sidewalk, public alley area or other such public way shall be the responsibility of the owner, his heirs and assigns. The owner's restoration, reconstruction or maintenance of any such item within such area shall constitute the owner's agreement to protect and hold the City of Oxford harmless against any and all liability, cost, damage or expense suffered by the City of Oxford as a result of or growing out of the restoration, reconstruction or maintenance thereof. Such items, so approved, may be lawfully restored, reconstructed or maintained. Any such item projecting over the right-of-way of a street or alley shall be, at its lowest point, twelve (12) feet above the travel way.

- i) If the HPC denies a COA, a new application affecting the same property may be submitted, provided a substantial change is proposed in the plans that would put the project in compliance with the Design Guidelines;
- j) An appeal of a final action by the HPC may be made to the Oxford Board of Adjustments. Written notice of intent to appeal must be sent to the HPC, postmarked within twenty (20) calendar days following the HPC's decision. Appeals must be filed with the Oxford Board of Adjustment within sixty (60) calendar days following the HPC's decision and shall be in the nature of certiorari. The Oxford Board of Adjustment is to review ONLY the written record of the HPC's decision. The Board of Adjustment bases its decision entirely on review of the record, making its own independent determination of whether the HPC acted properly (i.e., the HPC followed its established procedures to derive its decision based on findings of fact). The Board of Adjustment may not reopen or rehear the case. Any decision of the Oxford Board of Adjustment may be appealed to the Superior Court of Granville County.
- k) A COA shall be required for designated landmarks or buildings, structures, sites, areas, or objects within designated districts which are owned by the State of North Carolina or any of its agencies, political subdivisions, or instrumentalities, subject to the regulations of this ordinance and in accordance with N.C. Gen. Stat. §160A-400.9(f).

3.8 Delay in Demolition:

- a) An application for a COA authorizing the relocation, demolition or destruction of a building, structure or site within the district may not be denied except as provided in Section 3.6-a. However, the effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the HPC where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period the HPC shall negotiate with the owner and with any other parties in an effort to find a means of preserving the building or site. If the preservation HPC finds that a building or site within a district has no special significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition, or removal. If the HPC or planning agency has voted to recommend designation of an area as an historic district, and final designation has not been made by the Board of Commissioners, the demolition or destruction of any building, site, or structure located in the proposed district may be delayed by the HPC or planning agency for a period of up to 180 days or until the Board of Commissioners takes final action on the designation, whichever occurs first.
- b) The Board of Commissioners may enact an ordinance to prevent the demolition by neglect of any building or structure within an established historic district. Such ordinance shall provide appropriate safeguards to protect property owners from undue economic hardship.
- c) An application for a COA authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the HPC finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial. In every case, the record of the Commission's action shall include the reasons for its action.

4 Compliance and Remedies

- a) Compliance - Compliance with the terms of the COA (COA) shall be enforced by the Oxford Planning and Zoning Department. Failure to comply with the COA shall be in violation of the zoning ordinance and is punishable according to established procedures and penalties for such violations. A COA shall be valid for a period of six (6) months from the date of issuance for the purpose of obtaining a building permit or other permit for constructing or altering structures. A COA shall expire six (6) months after the date of issuance if the work authorized by the certificate has not been commenced. If, after commencement, the work is discontinued for a period of six (6) months, the permit therefore shall immediately expire.
 - b) Remedies - In case any building, structure, site, area or object within a historic district is about to be demolished, whether as a result of deliberate neglect or otherwise, materially altered, remodeled, removed or destroyed except in compliance with this ordinance, the Oxford Board of Commissioners, this HPC, or other party aggrieved by such action, may institute any appropriate action or proceeding to prevent such demolition, destruction, material alteration, remodeling or removal, to restrain, correct or abate such violation, or to prevent any act or conduct with respect to such building or structure.
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Appendix 1

Orientation Checklist for New HPC Members

✓	Item
	Provide Oxford HPC Manual
	Present Introduction to Historic Preservation
	Review of NC Enabling Legislation
	Review of Oxford HPC Ordinance
	Review of HPC Charter and Rules of Procedure
	Review of Oxford HPC Code of Ethics
	Review of Oxford Demolition by Neglect Policy
	Review Top 10 List of Incongruous Behaviors
	Review "Letters to George"
	Review HPC Design Guidelines
	Review National Register of Historic Places property roster in Oxford Historic Districts
	Review Tax Credit incentives
	Review U.S. Dept of Interior Standards for Rehabilitation
	Review Oxford Historic Districts map
	Review COA Application process and related forms
	Review Oxford HPC website
	Review of HPC resource list

Appendix 2 Continuous Project Manager Roles

Title	Duties
<i>Webmaster</i>	Maintains HPC website Adds new features as needed Updates as warranted or directed
<i>Project Manager HPC Photo Contest</i>	Supervises annual HPC Photo Contest
<i>Project Manager HPC Stewardship Award</i>	Supervises process to select and award annual winner for HPC Stewardship Award
<i>Project Manager Plaque Program</i>	Supervises Plaque Program in collaboration with National Register of Historic Places
<i>Project Manager Welcome Center</i>	Supervises the development, implementation and management of the Welcome Center

Appendix 3 Committees and Project Managers

Committee	Duties
<i>CLG Designation</i>	Research and development and oversight of the process to earn CLG designation and related grants
<i>Landmark</i>	Exploration and research of the process to nominate local historic landmarks as well as potential candidate buildings, sites and objects that are suited for the designation [Delete now defunct]
<i>Design Guidelines</i>	Research and propose updates to the Design Guidelines. Provide oversight to the development and execution of the Design Guidelines Manual revisions.
<i>Education</i>	Research and propose training sessions for HPC members as well as research, propose and plan community educational events.

Appendix 4 List of HPC Forms

1. COA Application
2. COA Checklist
3. COA Review Worksheet
4. Meeting Minutes Template

Appendix 5 Code of Ethics



Code of Ethics for Commissioners and Staff

Preamble

It is the policy of the Historic Preservation Commission (HPC) to comply with all governmental laws, rules and regulations in the ethical performance and judicious execution of duties and responsibilities applicable to its purpose. More specifically, any and all actions taken by the HPC shall be in accordance with N.C. Gen. Stat §160A, Art. 19, Pt. 3C (N.C. Gen. Stat §160A-400.1 et seq.), the Oxford Historic Preservation Ordinance, the HPC's Rules of Procedure and the Oxford Historic District Design Guidelines. To foster this objective, the Oxford HPC has aligned its Code of Ethics with the Code of Ethics recommended by the National Alliance of Preservation Commissions (NAPC). The NAPC developed its Code of Ethics to promote and maintain the highest standards of honesty, integrity and professionalism among the commissioners and staff who serve their communities through preservation commissions. These principles are derived from general societal values and recognized principles of professional responsibility. The ethical commissioner or staff member must carefully balance various public and private interests based on the facts and context of each situation guided by the commitment to serve the public interest. This policy shall include abiding by any ethics policy which may be adopted by the City of Oxford applicable to its officials in all branches of City government. If overlapping policies apply the HPC will adhere to the higher standards.

Individual commissioners should be knowledgeable, accurate, truthful, respectful and forthright in their dealings with other commissioners, local elected officials and staff, applicants and the general public. Although not elected by the public, preservation commissioners are accountable for their actions. All decisions made by the members or officers of HPC shall be in the interest of the HPC and the Oxford Historic Districts and public as a whole.

This Code of Ethics comprises guidelines for ethical conduct organized under three main categories:

Responsibility to the Community

*Responsibility to the Profession
Standards of Professional Conduct*

These principles are to serve as a guide for the commissioners and staff in choosing ethical courses of action for heritage preservation for the City of Oxford. Each suggested standard applies to an individual commissioner and/or a staff member as well as the Commission as a whole.



Responsibility to the

The most effective historic

locally, and all preservation commissioners and staff should remember that it is their duty, as public servants, to advance the greater good of the community.

NATIONAL ALLIANCE of
PRESERVATION COMMISSIONS
education + advocacy + training

Community

preservation efforts take place

1. Commissioners and Staff should be advocates for the community's heritage resources, striving to protect their integrity while recognizing the rights of citizens, individually and collectively, to their beneficial use and enjoyment.
2. Commissioners and Staff should promote public awareness, appreciation, access and support for the preservation of heritage resources.
3. Commissioners and Staff should develop standards and guidelines that are appropriate for the resources and protect the community's unique character, environment and quality of life.
4. Commissioners and Staff should respect the diversity of heritage resources that may hold different meanings for various groups and communities.
5. Commissioners and Staff should respect the public's right to know by providing full, clear and accurate information and observing both the letter and spirit of open meetings and open records laws.
6. Commissioners and Staff should provide opportunities for meaningful public participation in the work of the commission.
7. Commissioners and Staff should make timely, fair, informed and impartial decisions that guarantee citizens' rights to due process and equal protection under the law.
8. Commissioners and Staff should be sensitive to the interrelatedness of their decisions and the long-term implications for the resources and the community.
9. Commissioners and Staff should seek compromises or search for alternatives where necessary to achieve overall preservation goals and provide substantial justice for citizens.

10. Commissioners and Staff should recognize that the historic built environment changes over time and encourage new development that respects the historic character and fabric that preceded it.
11. Commissioners and Staff should continually evaluate and update their plans, ordinances, standards, guidelines and procedures to ensure they meet the community's current and future needs.
12. Commissioners and Staff should always strive to make decisions that are in the best interest of the community.

Responsibility to the Profession

Preservation commissioners and staff are drawn from many disciplines and backgrounds. The common thread that joins them is their interest and commitment to preserve heritage resources in their communities. A multi-disciplinary profession has developed over the years from the historic preservation movement, and commissioners and staff have an obligation to advance the best interests of this profession in the context of their commission work.

1. Commissioners and Staff should be mindful that they are representatives of the greater local, state, and national preservation community and conduct themselves in a way that brings credit to their commission and the profession.
2. Commissioners and Staff should share their knowledge and experience and contribute to the development of other colleagues, particularly newly appointed commissioners, students, and interns.
3. Commissioners and Staff should actively promote heritage preservation and strive to increase the involvement of underrepresented groups.
4. Commissioners and Staff should support through their memberships and other contributions organizations that promote heritage preservation.
5. Commissioners and Staff should work collaboratively with related professionals and professional organizations whose actions also affect heritage conservation including, but not limited to, planners, code officials, architects, landscape architects, archaeologists, attorneys, realtors, and developers.
6. Commissioners and Staff should treat fairly and comment responsibly on the professional views of colleagues and members of other professions.
7. Commissioners and Staff should render all practicable assistance to other colleagues and organizations in an emergency when heritage resources are at risk.
8. Commissioners and Staff should acquire a depth of knowledge that will enable them to explain to others the role of heritage preservation in a complex, modern world.

9. Commissioners and Staff should recognize that the field of heritage preservation is constantly evolving and actively pursue continuing educational opportunities in order to maintain, refine and enhance their capabilities as practitioners.

Standards of Professional Conduct

As public servants, commissioners and staff are expected to conduct themselves in accordance with the law. These standards set forth both a baseline for such legal conduct as well as aspirational goals for ethical behavior that may require a conscientious effort to attain.

1. Commissioners and Staff should thoroughly understand the legal framework of heritage preservation and consistently operate within the bounds of their authority and responsibility under the law.
2. Commissioners and Staff should treat all citizens fairly, impartially and with respect, and refrain from discrimination or harassment of any kind.
3. Commissioners and Staff should not accept gifts or favors under any circumstances where it might appear that acceptance could influence their judgment.
4. Commissioners and Staff should disclose all personal or financial advantages that might accrue to them, their business interests or family members either directly or indirectly from a recommendation or decision.
5. Preservation Commissioners and Staff who have an actual or apparent conflict of interest in a matter coming before them should recuse themselves entirely from deliberations and decisions.
6. Commissioners and Staff are obligated to utilize their knowledge and experience to make decisions and therefore should abstain from participating and voting only in cases of a *bona fide* conflict of interest.
7. Commissioners and Staff should not disclose confidential information obtained in the course of their duties, except as required by the law, or use confidential information to further a personal interest.
8. Commissioners and Staff should not abuse their office by advancing an agenda that is not in the best interest of the community or heritage preservation.
9. Commissioners and Staff should seek the advice of colleagues or other professionals on matters that fall outside their expert knowledge or competence.
10. Commissioners and staff should be consistent in their actions and recommendations, treating similarly situated properties similarly and providing clear explanations when different treatment is required.

11. Commissioners and Staff should reveal illegal conduct on the part of other commissioners, staff, officials, applicants or their representatives to an appropriate higher authority.
12. Commissioners and Staff should not participate in deliberations or decisions without adequate preparation and knowledge of the matter before them.
13. Commissioners and Staff should avoid dishonesty, never misrepresenting facts or distorting in-formation to achieve a desired outcome.
14. Commissioners and Staff should recognize the uniqueness of heritage properties, applying preservation theories, methods, and standards appropriate to each particular case.
15. Commissioners and Staff should be sensitive to ethical issues and ensure they are raised, critically analyzed, and addressed by the commission and other appropriate authorities.
16. Commissioners and Staff should keep all HPC funds safe, making wise expenditures that foster the HPC's purpose.