

ORDINANCE NO. 2016-16

AN ORDINANCE ADOPTING AMENDMENTS TO THE VILLAGE OF BRISTOL HISTORIC PRESERVATION ORDINANCE

The Village Board of the Village of Bristol, Wisconsin, do ordain as follows:

SECTION I. ADOPTION OF PROVISIONS.

Section 13-1-133(f)(1) of the Village of Bristol Code of Ordinances is amended and adopted to read as follows:

(f) Procedures.

(1) Designation of Historical Overlay Districts.

- a. The Advisory Historical Preservation Commission may, after notice and public hearing, recommend the establishment of a historic preservation designation and/or Historical Overlay Districts, or recommend the rescission of such designation, after application of the criteria set forth in this Section. At least ten (10) days prior to such hearing, the Commission shall direct Village staff to notify the property owners of record directly affected, as listed with the Village Assessor, and owners of property, who are in whole or in part, situated within five hundred (500) feet of the boundaries of the property affected. These owners shall have the right to confer with the Commission prior to final action by the Commission on the designation or recommendation.
- b. Notice of such hearing shall also be published as a Class 1 notice, per the Wisconsin Statutes. The Commission shall also notify the following:
 1. Village Board.
 2. Zoning Administrator.
 3. Plan Commission.
- c. The Commission shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses and shall have the power to subpoena such witnesses and records as it deems necessary.
- d. The Commission may conduct an independent investigation, with prior approval from the Village Board, into the proposed designation or rescission.

- e. Within ten (10) days after the close of the public hearing, the Commission may recommend designating the property as a historic site/property and as an HO Historical Overlay District, or recommend rescission of such designation. The property owner has the right, following Commission designation, to appeal this initial designation recommendation to the Village Board.

SECTION II. ADOPTION OF PROVISIONS.

Section 13-1-133(f)(5) of the Bristol Code of Ordinances is created and adopted to read as follows:

- (5) **Restrictive Covenants.** The owner of any historic site or structure may, at any time following such designation and/or rezoning, enter into a restrictive covenant on the subject property after negotiating such with the Advisory Historical Preservation Commission. The Commission may assist the property owner with the preparation of a restrictive covenant in the interest of preserving historic property or historic site. The Commission shall make a recommendation to the Village Board regarding the covenant. The Village Board shall make a final determination on the recommendation. If approved, the Village of Bristol shall hold and enforce this restrictive covenant. The property owner shall record such covenant in the Office of the County Register of Deeds and shall notify the Village Assessor of such restrictive covenant and the conditions thereof.

SECTION III. SEVERABILITY.

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION IV. EFFECTIVE DATE.

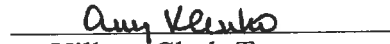
This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 12th day of September, 2016.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk-Treasurer

INTRODUCED: 9/12/16


ADOPTED: 9/12/16

PUBLISHED: _____

State of Wisconsin:
County of Kenosha:

I hereby certify that the foregoing ordinance is a true, correct, and complete copy of an ordinance duly and regularly enacted by the Bristol Village Board on the 12th day of September, 2016 and that said ordinance has not been repealed or amended and is now in full force and effect.

Dated this 12th day of September, 2016



Amy Klemko, Village Clerk-Treasurer