

**BY-LAWS GOVERNING
SELMA HISTORIC PRESERVATION COMMISSION**

Sec. 2-36. - Historic Preservation Commission.

There is hereby established a Selma Historic Preservation Commission under the authority of G.S. 160D-303.

Sec. 2-37. – Historic Preservation Commission composition and membership.

- a) There shall be a Historic Preservation Commission consisting of five (5) members appointed by the Town Council shall reside within the town.
- b) The Historic Preservation Commission shall, by majority vote of its membership, elect one of its members to serve as Chairperson and preside over the board's meetings and one member to serve as Vice-Chairperson, at its first meeting in August of each
 - 1) A person so designated shall serve in either capacity for a term of one (1) year unless their term of appointment to the board expires sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership.
 - 2) Chairperson and Vice-Chairperson shall take part in all deliberations and vote on all issues.
 - 3) The Chairperson shall set, approve, and make changes to the agenda.
- c) All members appointed to the Historic Preservation Commission shall, before entering their duties, qualify by taking an oath of office as required by G.S. 160D-309.
- d) Applications for the Historic Preservation Commission will be reviewed by the Historic Preservation Commission and then a recommendation may be provided to the Selma Town Council for the final appointment decision. Final Appointment decision for all applicants is left to the discretion of the Selma Town Council as required by 160D-310.
- e) Commission members shall be appointed for a three (3)-year term, but a member may continue to serve until their successor has been appointed. Members may reapply for a seat on the Historic Preservation Commission at the expiration of a term.
- f) Historic Preservation Commission members serve at the pleasure of the Selma Town Council.
- g) The absence of any member from more than 25% of regular meetings in a calendar year without leave except when such absence is made necessary by sickness or other similar cause, ruled as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the Selma Town Council.

Sec. 2-38. - Meetings of the Historic Preservation Commission.

- a) Regular meetings of the Historic Preservation Commission shall be held at 6:00pm on the second Thursday of each month and shall be held in the Jernigan Building.
- b) The Historic Preservation Commission shall establish a meeting with the Selma Town Council in February and July of each year to discuss current and future goals, objectives, and projects.
- c) When the Historic Preservation Commission acts solely in its advisory capacity (for example, when it considers ordinance changes), it need not conduct its meetings (or portions of meetings) strictly in accordance with the quasi-judicial procedures set forth in Articles XIV and VI, Part 1 of this chapter. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.
- d) When the Historic Preservation Commission acts on quasi-judicial matters (for example, certificates of appropriateness) the presenters shall present sworn testimony and observe all the requirements of a quasi-judicial proceeding.
- e) Minutes shall be kept of all Board proceedings by the Selma Town Clerk or Selma Town Deputy Clerk.
- f) The Selma Planning and Economic Director shall attend all Historic Preservation Commission meetings as staff liaison to the board. The Selma Town Manager shall attend Historic Preservation Commission meetings in the absence of the Selma Planning and Economic Director.
- g) All Board meetings shall be open to the public, and the agenda for each Board meeting shall be made available in advance of the meeting.

Sec. 2-39. - Powers and duties of the Historic Preservation Commission

- a) Undertake an inventory of properties of historical, prehistorical, architectural, and/or cultural significance.
- b) Recommend to the Selma Town Council areas to be designated by ordinance as "Historic Districts" and individual structures, buildings, sites, areas, or objects to be designated by ordinance as "Landmarks."
- c) Acquire by any lawful means the fee or any lesser included interest, including options to purchase, to properties within established districts or to any such properties designated as landmarks to hold, manage, preserve, restore, and improve such properties, and to exchange or dispose of the property by public or private sale, lease or otherwise, subject to covenants or other legally binding restrictions that will secure appropriate rights of public access and promote the preservation of the property.
- d) Restore, preserve, and operate historic properties.

- e) Recommend to the Selma Town Council that designation of any area as a historic district or part thereof, or designation of any building, structure, site, area, or object as a landmark, be revoked or removed for cause.
- f) Conduct an educational program regarding historic properties and districts within its jurisdiction.
- g) Cooperate with the state, federal, and local governments in pursuance of the purposes of this part. The Selma Town Council or the commission, when authorized by the Selma Town Council, may contract with the state, or the United States of America, or any agency of either, or with any other organization provided the terms are not inconsistent with state or federal law.
- h) Prepare and recommend the official adoption of a preservation element as part of the local government's comprehensive plan.
- i) Review and act upon proposals for alterations, demolitions, or new construction within historic districts, or for the alteration or demolition of designated landmarks, pursuant to G.S. 160D, Article 9, Part 4.
- j) Negotiate at any time with the owner of a building, structure, site, area, or object for its acquisition or its preservation, when such action is reasonably necessary or appropriate

Sec. 2-40. – Historic Preservation Commission quorum and voting.

- a) A quorum for the Historic Preservation Commission shall consist of a majority of the board membership. A quorum is necessary for the board to take official action.
- b) All actions of the Historic Preservation Commission shall be taken by majority vote, a quorum being present.
- c) A roll call vote shall be taken upon the request of any member.
- d) Extraterritorial planning area members may vote on all matters considered by the board, regardless of whether the property affected lies within or without the Town.

(Ord. of 11-2022)