

STATE OF ILLINOIS  
CITY OF COLUMBIA  
FILED FOR RECORD

JAN 03 2012

**ORDINANCE NO. 2922**

  
City Clerk

**AN ORDINANCE AMENDING CHAPTER 15.64 (HISTORIC SITE PRESERVATION) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO CLARIFY AND UPDATE GUIDELINES AND PROCEDURES FOR HISTORIC PRESERVATION WITHIN THE CITY OF COLUMBIA**

**Adopted by the  
City Council  
of the  
City of Columbia, Illinois  
this 3<sup>rd</sup> day of January, 2012**

**Published in pamphlet form by  
authority of the City Council  
of the City of Columbia,  
Illinois, this 3<sup>rd</sup> day of January, 2012**

**ORDINANCE NO. 2922****AN ORDINANCE AMENDING CHAPTER 15.64 (HISTORIC SITE PRESERVATION) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO CLARIFY AND UPDATE GUIDELINES AND PROCEDURES FOR HISTORIC PRESERVATION WITHIN THE CITY OF COLUMBIA**

WHEREAS, the Illinois Municipal Code delegates to municipalities in the State of Illinois the power to provide for official landmark designation by ordinance of areas, places, and buildings, structures, works of art and other objects having a special historic, community, or aesthetic interest or value and to provide special conditions, to impose regulations governing construction, alteration, demolition, and use, and to adopt other measures appropriate for their preservation, protection, enhancement, rehabilitation, reconstruction, perpetuation, or use as is more particularly described in said Act for the Preservation of Historic and Other Special Areas, of 1963, as amended (65 ILCS 5/11-48.2-2 [the "Act"]);

WHEREAS the requirement for certification is to enact a historic preservation ordinance, establish a preservation review commission, have an active local survey program to identify historic resources, and provide for public participation;

WHEREAS, Chapter 15.64 (HISTORIC SITE PRESERVATION) of the City of Columbia, Illinois (the "City") Municipal Code (the "Code") allows and provides that the Columbia Heritage and Preservation Commission (the "Commission"), shall identify historic sites and structures, establish guidelines for preservation of such sites and structures, and recommend appropriate action to the City Council:

WHEREAS the Commission has reviewed concerns expressed by local cemetery boards regarding the negative impacts of unregulated tree growth upon gravesites and, in turn, resolved at their December 12<sup>th</sup>, 2011 meeting to recommend changes to the City Council of the City of Columbia, Illinois.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** Section 15.64.150 (Certificate of appropriateness required) of the Code is hereby amended to add the following subsection:

(E) A COA is required for landscaping only if one of the following is true:

- a. Another City permit is required (such as landscaping required by zoning for parking lots); or
- b. A tree greater than 14 inches in diameter is to be cut down (trees of that size have existed long enough to be considered important elements of the overall environment of a landmark or historic district, and hence are worth protecting); excepting that
- c. Governing bodies of cemeteries in the City of Columbia are authorized to make decisions concerning the preservation and removal of any or all trees in their respective cemeteries without requiring a CoA (the primary historical assets of any cemetery are the grave markers that bear witness to our predecessors, and while trees, particularly Cedar trees, are part of the iconography of historic cemeteries they can become the implement of destruction to the primary assets of the cemetery).

**Section 3.** All resolutions or ordinances or parts of resolutions or ordinances in conflict herewith, to the extent of such conflict, are hereby changed and amended to be read and applied to be consistent with the provisions of this Ordinance and preempted thereby; and to the extent such conflict cannot be cured by amendment, to the extent of such conflict, are hereby repealed.

**Section 4.** This Ordinance shall be in full force and effect following its passage and publication in pamphlet form, as provided by law.

Alderman Agne moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Piazza and Reis.

NAYS: None.

ABSENT: Alderman Mathews.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 3<sup>rd</sup> day of January, 2012.

  
 KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
 J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF MONROE    )

**CERTIFICATE OF PUBLICATION**

I, J. Ronald Colyer, certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois.

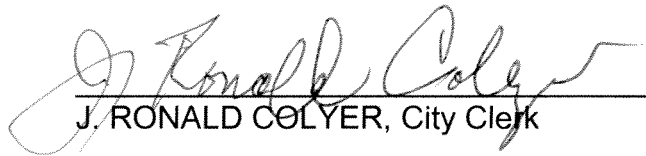
I further certify that on the 3<sup>rd</sup> day of January, 2012 the Corporate Authorities of the City of Columbia, Illinois, passed and approved Ordinance No. 2922 entitled:

**“AN ORDINANCE AMENDING CHAPTER 15.64 (HISTORIC SITE PRESERVATION) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO CLARIFY AND UPDATE GUIDELINES AND PROCEDURES FOR HISTORIC PRESERVATION WITHIN THE CITY OF COLUMBIA”**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2922, including the ordinance and a cover sheet thereof, was prepared, and a copy of such ordinance was posted in the Columbia City Hall, commencing on January 4, 2012 and continuing for at least ten (10) days thereafter. Copies of such ordinance were also made available for public inspection upon request in the office of the City Clerk.

DATED at Columbia, Illinois this 3rd day of January, 2012.

  
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J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF MONROE    )

**CERTIFICATE OF TRUE COPY**

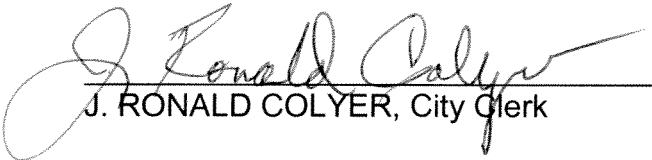
I, J. Ronald Colyer, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 2922, entitled:

**“AN ORDINANCE AMENDING CHAPTER 15.64 (HISTORIC SITE PRESERVATION) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO CLARIFY AND UPDATE GUIDELINES AND PROCEDURES FOR HISTORIC PRESERVATION WITHIN THE CITY OF COLUMBIA”**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois, City Council held on the 3<sup>rd</sup> day of January, 2012.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 3<sup>rd</sup> day of January, 2012.

  
\_\_\_\_\_  
J. RONALD COLYER, City Clerk

(SEAL)