CONSTITUTION & BY-LAWS OF THE BALDWIN COUNTY HISTORIC DEVELOPMENT COMMISSION



I. NAME

The name of this organization shall be the BALDWIN COUNTY HISTORIC DEVELOPMENT COMMISSION, hereinafter referred to as the "HISTORIC DEVELOPMENT COMMISSION" established and created by the Baldwin County Commission, the governing body of Baldwin County, Alabama, as authorized by Act No. 80-497 [Acts of Alabama, Regular Session 1980, Vol. II, p. 769] as amended by Act No. 89-960 [Acts of Alabama, Regular Session 1989, Vol. 2, p. 1897], further, approving and adopting this Constitution and these By-laws, during the November 6, 1984, regular meeting, as amended during the Ocotber 1, 2002, regular meeting.

II. NATURE

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The HISTORIC DEVELOPMENT COMMISSION shall constitute a non-profit governmental agency whose funds shall be used exclusively for public purposes. Such HISTORIC DEVELOPMENT COMMISSION shall have a tax exempt status, and the properties of the HISTORIC DEVELOPMENT COMMISSION and the income therefrom together with all leases, agreements and contracts made by it, shall be forever exempt from any and all taxation by the State of Alabama and any political subdivision thereof, including, but no limited to, income, admission, amusement, excise and ad valorem taxes.

HI. COMPOSITION OF HISTORIC DEVELOPMENT COMMISSION / MEMBERSHIP / TERM(S)

The HISTORIC DEVELOPMENT COMMISSION shall be composed of twelve (12) members, styled as Commissioners of the HISTORIC DEVELOPMENT COMMISSION, who shall be selected / appointed by the Baldwin County Commission in such a manner as to serve overlapping terms. All members shall be residents of Baldwin County, Alabama.

Except for the first members, the term of each member shall be for four (4) years. The terms of all members shall commence on the 3rd day of July, in the year in which the member was appointed. With respect to the initial membership of the HISTORIC DEVELOPMENT COMMISSION, the Executive Committee of the HISTORIC DEVELOPMENT COMMISSION in its sole discretion shall designate three (3) places on the HISTORIC DEVELOPMENT COMMISSION whose terms shall expire at the end of one (1) year from the date of the initial appointment, three (3) places whose term shall expire two (2) years from the date of initial appointment, three (3) places whose term shall expire three (3) years from the date of initial appointment, and the remaining places terms shall expire four (4) years after the date of initial appointment. The terms of all members appointed upon the expiration of the term of any place on the initial commission shall be for four (4) years. Nothing herein shall be construed to prevent a person from being appointed to succeeding terms.

Not less than one (1) month prior to the expiration of the term of any member, the Executive Committee of the HISTORIC DEVELOPMENT COMMISSION shall recommend to the Baldwin County Commission persons, who, in the opinion of the Executive Committee of the HISTORIC DEVELOPMENT COMMISSION, are qualified to serve on the HISTORIC DEVELOPMENT COMMISSION. Such recommendations shall be of an advisory nature only, and shall in no way be construed to be binding on the Baldwin County Commission.

IV. VACANCIES

If a member is absent without excuse from three (3) consecutive regular HISTORIC DEVELOPMENT COMMISSION meetings, such member shall be removed from office by the Executive Committee of the HISTORIC DEVELOPMENT COMMISSION.

All vacancies occurring on the HISTORIC DEVELOPMENT COMMISSION shall be filled by the Baldwin County Commission for the remainder of such respective member's term.

V. PURPOSES

The HISTORIC DEVELOPMENT COMMISSION shall have as its purposes:

A. The preservation and protection of buildings of historic and architectural value in the historic and preservation districts, and the maintenance of the distinctive character of these districts; and

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- B. The fostering and encouraging of the preservation, restoration and utilizing of buildings of historic and architectural value in the historic districts; and
- The development and promotion of historic districts as tourist attractions of historic and economic value; and
- D. Making recommendations to the Baldwin County Commission of the designation and creation of historic and preservation districts within Baldwin County.
- E. Notwithstanding any other provision of this Constitution & By-laws and / or these articles, these purposes are limited to those described in Section 501 (c) (3) of the Internal Revenue Code of 1954 or any other corresponding provisions of any future United States Internal Revenue Law.

VI. DUTIES AND POWERS

The HISTORIC DEVELOPMENT COMMISSION shall have the duties, powers and authority as follows:

- A. All power, authority & privileges as set forth in Act No. 80-497 [Acts of Alabama, Regular Session 1980, Vol. II, p. 769] as amended by Act No. 89-960 [Acts of Alabama, Regular Session 1989, Vol. 2, p. 1897], and, further, all power, authority & privileges as conferred on it by the General Laws of the State of Alabama; and
- B. To purchase, sell, contract to purchase, contract to sell, own, encumber, lease, mortgage, and insure real and personal property of all kinds and descriptions; and
- C. To request, solicit and accept gifts, donations, pledges, fees, bequests, devises, loans or appropriations from any source whatsoever; and
- D. To set up at such lawful depository or depositories within Baldwin County, as it may select, a "Revolving Fund for Historic Development" which shall be composed of the monies which may come into its hands from any source whatsoever and which shall be used for the furtherance of the objectives and purposes of the HISTORIC DEVELOPMENT COMMISSION; and

- E. To employ such professional, office, technical and other personnel as may be necessary or desirable for the carrying out, in the most efficient manner, the purposes of the HISTORIC DEVELOPMENT COMMISSION.
- F. The HISTORIC DEVELOPMENT COMMISSION shall submit, annually, a written report to the Baldwin County Commission containing a review of the activities of the HISTORIC DEVELOPMENT COMMISSION for the previous year and the proposed activities for the coming year.
- G. To do and accomplish such things as may be necessary or advisable to carry out or effectuate the purposes of the HISTORIC DEVELOPMENT COMMISSION.

VII. RULES AND REGULATIONS

The HISTORIC DEVELOPMENT COMMISSION shall operate under this Constitution and By-laws as approved by the Baldwin County Commission. The HISTORIC DEVELOPMENT COMMISSION shall elect a Chairman from the members thereof. The term of the Chairman shall be one (1) year commencing on the 3rd day of July of each year, and the Chairman may succeed himself / herself. The HISTORIC DEVELOPMENT COMMISSION shall hold regular meetings as may be scheduled by the HISTORIC DEVELOPMENT COMMISSION, but not less than bi-monthly. The HISTORIC DEVELOPMENT COMMISSION shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations. The conduct of all meetings shall be governed by Roberts Rules of Order.

In addition to the Chairman, the HISTORIC DEVELOPMENT COMMISSION shall elect annually from its membership, a Vice Chairman, Secretary and Treasurer. These officers, plus the immediate past Chairman, shall constitute the Executive Committee of the HISTORIC DEVELOPMENT COMMISSION. The Executive Committee of the HISTORIC DEVELOPMENT COMMISSION shall have such powers as may be designated by the HISTORIC DEVELOPMENT COMMISSION or as may be otherwise herein provided. Additionally, the HISTORIC DEVELOPMENT COMMISSION may designate Standing or Interim Committees as may be deemed appropriate.

The Chairman shall preside at all meetings of the HISTORIC DEVELOPMENT COMMISSION or of the Executive Committee of the HISTORIC DEVELOPMENT COMMISSION, except that in the event of the absence of the Chairman, the Vice Chairman shall preside. All officers and members shall perform such duties and functions as may be assigned by the HISTORIC DEVELOPMENT COMMISSION.

VIII. MEETINGS

Regular meetings of the HISTORIC DEVELOPMENT COMMISSION shall be held on the 1st Wednesday of every month unless otherwise stated. Special meetings may be called by the Chairman, a majority of the members of the Executive Committee of the HISTORIC DEVELOPMENT COMMISSION, or any three (3) HISTORIC DEVELOPMENT COMMISSION members.

Fifty-one percent (51%) of HISTORIC DEVELOPMENT COMMISSION members shall constitute a quorum for any meeting of the HISTORIC DEVELOPMENT COMMISSION. Three (3) members in attendance at an executive meeting shall be required for a quorum and a majority of the members of any other committee shall constitute a quorum.

All decisions requiring a vote shall be by a majority vote of members voting. Each member shall have one (1) vote and no vote by proxy shall be recognized.

IX. DISSOLUTION

In the event of dissolution, the residual assets of the organization will be turned over to one or more organizations which themselves are exempt as organizations described in Sections 501 (c) (3) and 170 (c) (2) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law, or to the Federal, State or local government for exclusive public purpose.

Notwithstanding any other provision of this Constitution & By-laws and / or these articles, this corporation will not carry on any other activities not permitted to be carried on by (a) a corporation exempt from Federal-income tax under Section 501 (c) (3) of the Internal Revenue Code of 1954 of the corresponding provisions of any future United States Internal Revenue Law or (b) a corporation, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue of 1954 or any other corresponding provisions of any future United States Internal Revenue Law.

X. AMENDMENTS

Amendments may be made to this Constitution and By-laws by a two-thirds (2/3) vote of the members voting. A minimum of thirty (30) days prior notice shall be given by mail to each member, which notice shall set forth in full the proposed amendment. All such amendments must be ratified and confirmed by the Baldwin County Commission.

Act No. 80-497

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AN ACT

Rotating to flaid with County, such country commission to protect the historic and preservation districts, excelling certain agencies to promote the money values of such districts which are located or are to be located in the designated historic districts, and adapting other provisions necessary to effect the purposes of this set

Be R Enacted by the Legislature of Alabama.

Section 1. The county commission of Baldwin County may adopt ordinances to protect the historic architectural character of the county in the manner hereinsfler prescribed.

Section 2. The county commission may designate as a instoric district any section of the county containing buildings designated by the Historic American Buildings Survey or any other recognized historic buildings survey, and having an overall atmosphere of architectural and historic distinction. In addition thereto, the county commission may also designate a second type of district to be known as a Preservation District to preceive the distinctive architectural character of the county by recognizing neighborhoods that continue to grow and levelop over the course of years and possess a unique character that merits recognition and protection.

Reaction 2.

Section 8. A historic development commission with the following membership, duties and powers may be created by the county-commission.

- (A) Said commission shall be composed of no less than sleven mambers who shall be selected by the county commission in such a manner as to serve overlapping terms. Except for the first members, their terms shall be four years,
- (B) The commission shall operate under a constitution as adopted by the commission and approved by the county commission.
- (C) The commission shall have as its purposes (1) the preservation and protection of buildings of historic and

architectural value in the historic districts, as defined in Section 2 of this set, and the maintenance of the districtive character of these districts, (2) the featering and encouraging of the preservation, restoration, and utilization of buildings of historic and architectural value in the historic districts, (3) the development and promotion of bistoric districts, as major tourist attractions of historic and economic value.

historic and economic value.

(D) Said commission shall have the power and authority in addition to all powers conferred on it by the general law, (1) to purchase, sell, contract to purchase, contract to sell, comencember, lease, mortgage, and moure real and personal property of all kinds and descriptions; (2) to request, solicit, and accept gifts, donations, piedges, fees, bequests, devises, leans or appropriations from any source whatsoever; (3) to set up at such lawful depository or depositories within Baldwin County, as it may select, a "Revelving Fund for Historic Development" which shall be composed of the monies which may come into its hands from any source whatsoever and which shall be used for the furtherance of the objectives and purposes of the commission, and (4) the commission may employ such professional, office, technical and other personnel as may he necessary or desirable for the carrying out in the goot efficient manner of the purposes of such commission.

(E) The commission shall constitute a nonprofit governmental agency whose funds shall be used exclusively for puble nurposes. Such commission shall have a tax exempt status, and the proporties of the commission and the income therefrom, together with all leaves, agreements and contracts made by it, shall be forever exempt from any and all taxation by the State of Alabama and any political aubdivision thereof, including, but not imitted to, income, admission, amusement, excise and ad valorom taxes.

(F) It shall be the duty of the commission to exercise such powers as the commission shall deam necessary and fitting to carry out the above stated purposes.

Section 4. An architectural review board and a preservation district review board with the following membership, duties and powers may be created by the county commission.

(A) Each board shall be composed of five members selected by the county commission to serve overlapping terms. Except for the first members, their terms shall be five years. (B) each board shall adopt roles for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. Meetings shall be held at

regular intervals, but at least monthly Each board may appoint such employees as it may deem nesessary for its work, whose appointment, promotion, demotion, and remaval shall be subject to the same provisions of law as govern other civil employees of the county. Each board may also contract with architects and other professional and technical consultants for such services as it may require. The expenditures of each board, exclusive of gifts or grants, shall be within the amounts appropriated for the purpose by the county commission, which may provide the funds, equipment and accommodations necessary for the work of each board. (C) it shall be the duty of the architectural review board and preservation districts respectively and landscaping for the same. The boards's authority shall extend only to the exterior of any building within the boundaries of such districts not for the purpose of the exterior of any building within the boundaries of such districts construction, renovation or style of any buildings within such districts.

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districts.

Section 5. The county commission shall prescribe the procedure for the review of milding plans for any building to be eracted or removated which is located or to be located in the designated historic districts, including rules governing decisions of the architectural review board and the procedure for appeal from decisions of the architectural review board. The county commission shall prescribe the procedure for the review of building plans for any building to be eracted or removated which is located or its to be located which is located within the designated preservation districts, including rules governing decisions of the preservation district review board and the procedure for appeal from decisions of the preservation district review board.

Section 6. The county commission may adopt such other

Section 0. The county commission may adopt such other regulations as are necessary to effect the purposes of this act.

Section 7. All laws or parts of laws which conflict with this

Section 8. The provisions of this acture severable, if any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Spection 9. This act shall become affective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved May 19, 1980

Time: 5:00 P.M.

Act No. 89-860

S. 701—Sepator Hand

AN ACT

Relating to Balderin Crurity, amending Act N. 60-40*, H. 2059, 1980 Regular Bassini (Acts 1996, p. 269), authorizing the county commission to establish and designate historic charter's in the creatity to as to provide further for definitions, applicablesis and requirements for hastoric district; and preservation destruct designations, calexaging designated history; district, or preservations destruct designations of preservations destruct and preservations destructs for regularizations and applications and requirements for regularizations.

Be It Enacted by the Legislature of Alabama

Section 1. That Act No. 89-407, H. 1099, 1980 Regular Seasion (Acts 1980, p. 769) is hereby amended to contain additional provisions to read in fell as follows and renumber subarquent sections accordingly:

"Section 3. As used in this set, the following terms shall have the meanings or descriptions as provided herein unless the context clearly indicates otherwise:

"(1) 'Historic district' shall refer to any district designated as a historic district by the Baldwin County Commission pursuant to the

torms of this not. A historic district shall meet at least one of the Mollowing exitoria:

"s. The district is heted on the national and/or state registers;

"b. The district shall contain a significant number of buildings that are lifty (50) years or older; or

"c. The district shall contain buildings of distinct historical architectural character; or

"d. Is an area whore significant personalities or events existed a occurred.

"(2) Preservation district shall refer to any district designated as a preservation district by the Baldwin County Commission pursuant to this act. A preservation district shall meet at least one of the following criteria:

"5. The district is a geographically definable urban or rural area which contains structures in alter or a combination thereof which have a special character, feethalle interest or value, and represent one or more periodic) of styles of architecture typical of one or more errors) of the history of the area constituting a visibly perceptible section of the municipality or country or

"b. The district is an area with special character, design, or senthelic value.

"Saction 4. Applicants shall meet requirements Number One
(1) and one or more of the other following requirements in order to
be considered for blateric district designation:

(1) At least sixty (30) purcent of the district property owners, which shall also consist of at least 60% of the property, shall polition the Baldwin County Commission for a blateric district designation.

"(2) The buildings or district shall stready be on the state and/ or national register.

"(3) The historic district chall contain buildings or sites of district importance.

"(4) The historic district shall contain buildings or sites with distinctive skylistic spathetic or locational character which will likely be considered historical in the future.

"(5) The historic district shall contain buildings or sites exhibiting particular skilled examples of erahamanship and design which are or will likely be considered historical in nature.

"(6) The histone distinct may have recommendations for designation by any (ederal, state, or other recognized survey of historic attes or structures.

"Section 6. Applicants shall meet requirement Number One (1) and one or more of the other following requirements in order to be considered for preservation district designation:

"(1) At least sixty (80) percent of the district property owners, which shall also consist of at least 80% of the property, shall petition the Baldwin County Commission for a preservation district designation

"(2) is a geographically definable urban or rural area which contains structures or sites or a combination thereof which have a special character, aesthetic interest or value, and represent one or more periods) of styles of architecture typical of one or more eraid of the history of the area constituting a visibly perceptible section of the numicipality or county.

"(2) Recommondation for designation by any federal, state, or other recognized survey of bistoric sites or structures. Z

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"Section 6. Applicants submitted for historic district or preservation district designation need be of no particular form, but shall contain the following information.

"(1) The name, address, and telephone number of the applicant. If applicant is a group or organization, include the name of the person who is to be contacted with respect to the application.

"(2) A written description of the proposed district, including present land use and general location, and of the structures and alles within the district, their condition, eppearance, etc.

"(3) A map or other graphic description of the proposed district.

"(4) The legal description of the proposed district.

"(5) The historic, architectural, or other significance of the pro-

"(d) A one-page pelation for each property owner within the proposed district, whether the property owner signed in support or opposition or was nearesponsive to the petitioned cause.

"a. For the purpose of this set, each parcel of land is considered to have a single owner whether the parcel is sweed by an individual, a foint arrangement, a family unit, a partnership, a cotporation, a seligious or fraternal organization, or a government body.

"b. Each petition shall identify the property owner by name and shall list all property thusly owned by that property owner within

the district by map and percel number as maintained by the Baldwin County Tax Assessor.

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(7) A list of all land parcels within the district by map and parcel number, property owner name and address, and indication of support or opposition for the petitioned cause.

"(8) A survey of significant sites and structures within the

"(9) A list of national and/or state register designees.

"(10) A proposed plan of development, if any.

"Section 7. The county commission may vote to enlarge a designated historic district or preservation district if it determines that the best interest of the district and county would be served by such action and where the county commission has tractived an appropriate application, Applicants requesting enlargement of a district shall must the requirements and follow the procedures are forth in this act for designation of the applicable type district. The geographical area of enlargement shall be contiguous to the existing district.

"Section 8. The county commission may vote to reached the designation of a historic district or preservation district if it determines that compelling and substantial supportive reacons exist and that the best interest of the county and district would be served by such action. In striving at a decision, the county commission shall consider information received with the application for received minimum and information received from both the public and Baldwin County Historia Development Commission. If the county commission denies the application for reactions of a district designation, that district the interest of the county commission denies the application for reaction of a district designation, that district shall resumt as designated and no application for receivales will be permitted within the following period of four (4) years. A decision to received the district designation will aboult that district in total, not in part. not in part.

"Section 9. Applicants shall meet the following requirements in order for the county commission to consider rescission of a district designation;

"(1) Notification of the county commission and the Beldwin County Historic Development Commission by registered mail or by personal presentation to the county commission are negligible. We declive county commission meeting of the intent to submit an application for reastssion of a district designation. Notification shall precode solicitation of the signatures on patitions which request rescission of the district designation.

"(2) A percentage of district property owners not less than seventy (70) percent chall petition the Baldwin County Commitsion for resussion of the designation.

"(3) Copies of the application containing the information as required in this act must be received by the county commission and Baldwin County Historic Development Commission within the six (6) month period following rereint of the required molification from the applicant.

"(4) If the completed application is not received by the county commission and Baldwin County Historic Development Commission within the prescribed six (6) mouth period, the issue will be considered dead and no application for resclesion will be permitted within the following period of four (4) years.

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"Section 10. Applications submitted for rescission of a historic district or preservation district designation need be of no particular form, but shall contain the following information:

"(1) The name, address, and telephone number of the applicant. If applicant is a group or organization, include the name of the person who is to be contacted with respect to the application.

"(2) A written description of the district, including present land use and general location.

"(8) A writton and detailed description of the reasons to be oldered for reactasion of the district designation.

"(4) A map or other graphic description of the district.

"(5) The legal description of the district,

"(6) A one-page petition for each property owner within the district, whether the property owner aigned in support or opposition or was nonresponsive to the petitioned cause.

"A. For the purpose of this act, each parcel of land is considered to have a single owner whether the percel is owned by: an individual, a joint arrangement, a family unit, a partnership, a corporation, a splingous or fraternal organization, or a government loody.

"b. Each petition shall identify the property owner by name and shall list all property ibusly owned by that property owner within the district by nisp and parcel number as maintained by the Raidwin County Tax Assessor. Each petition shall be Jated on the date of signing.

"(7) A list of all land parcels within the district by map and parcel number, property owner name and address, and indication of support or opposition for the petitioned cause.

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"Section 11. A historic development commission with the following membership, duties and powers may be created by the county commission.

"(a) Said commission shall be composed of no less than eleven members who shall be selected by the county commission in such a manner as to acree overlapping terms. Except for the first members, their terms shall be four years.

"(b) The commission shall operate under a constitution as adopted by the commission and approved by the county commission.

"(c) The commission shall have as its purposest (1) the preservation and protection of buildings of historic and architectural value in the historic districts, as defined in Section 2 of this est and the mulnitenance of the districtly character of these districts (2) the fostering and encouraging of the preservation, restoration, and utilization of buildings of historic and architectural value in the historic part affects and (3) the development and promotion of historic districts, as major tourist attractions of historic and economic value.

districts, as major towrist attractions of historio and economic value.

"(d) Said commission shall have the power and authority in addition to all powers conferred on it by the general law; (!) to purchase, sell, contract to purchase, contract to sell, own, oncumber, lease, mortgage and insure real and personnel property of all kinds and descriptions; (2) to request, sellest and accept glüs, donations, piedese, foes, bequeets, devises, loans ur appropriations from any source whatesever; (3) to set up at such lawful depusitary or depositories within the Baidwin County, as it may select, a "Rayolving Fund for Historic Development" which shall be composed of the monites which may come into its hands from any course whatesever and which shall be used for the furtherance of the objectives and purposes of the commission; and (4) the commission may employ such professionel, office, technical and other personnel as may be necessary or desirable for the carrying out in the most efficient "industr of the purposes of such commission."

"(c) The commission shall constitute a nonprofit governmental agency whose funds shall be used exclusively for public purposes. Such commission shall have a tax exempt status, and the properties of the commission and the income thereform, together with all leases, agreements and contracts made by it shall be forever exampt from any and all taxation by the State of Abdysma and any political subdivision thouseful though the properties of the subdivision thouseful the subdivision thereof, including that for limited to, income, admission, amusement, exercise and advanced that the subdivision thereof.

"(f) It shall be the duty of the commission to exercise such powers as the commission shall deem necessary and fitting to entry out the above stated purposes.

"Section 12. An architectural review board and a preservation district review board with the following membership, duties and powers may be created by the county commission.

"(a) Each board shall be composed of five members selected by the county commission to sarve overlapping terms. Except for the first members, thair terms shall be five years.

first memora, thair terms shall be nive years.

"(b) Each board shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. Meetings shall be held at regular intervals, but at least menthly. Each board may appoint out: employees as it may deem mocessary for its work, whose appointment, promotion, demotion, and ranoval shall be subject to the same provisions of law as govern other civil employees of the county. Each board may also confused with architects and other professional and technical consultants for such services as it may require. The expenditures of such board, exclusive of siths or grants, shall be within the amounts appropriated for the purpose by the county commission, which may provide the funds, equipment and accommodations necessary for the work of each board.

"(c) It shall be the duty of the architectural review board and preservation district review board to approve or disapprove plans for buildings to be erected or removated which are located or are to be located within the historic and preservation districts respectively and landscaping for the some. The boards' putherly shall extend only to the exterior of any building within the boundaries of such districts and the board shall have no authority to review the interior construction, removation or style of any buildings within such districts.

"Section Is. The county commission shall prescribe the procedure for the review of building plans for any building to be exceted or renovated which is located or to be located in the designated historic districts, including rules governing feedstons of the architectural review board and the pracedure for appeal from decisions of the architectural review board. The county commission shall prescribe the procedure for the review of building plans for my building to be ercosted or renovated which is located or is to be located within the designated preservation district, including rules governing decisions of the preservation district, including rules governing decisions of the preservation district review board and the procedure for appeal from decisions of the preservation district review board.

"Section 14. The county commission may adopt such other regulations as are necessary to effect the purposes of his soi; provided however that nothing in this sot shall be construed to authorize the county commission or any architectural seview board, preservation district review board or historic development commission or any

other antity created under this act to prevent or requiste the construction or placement of utility poles, whes or equipment in any historic district or preservation district.

"Section 16. All laws or parts of laws which conflict with this act are hereby repealed.

"Section 16. The provisions of this act are severable. If any part of this set is declared lawslife or unconstitutional, such declaration shall not affect the part which remains.

"Section 17. This act shall become affective immediately upon its passegs and approval by the Governor, or upon its otherwise becoming a law."

Section 2. This not shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved May 19, 1989 Time: 6:15 P.M.

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HALDWIN COUNTY HISTORY POVILORMENT COMMISSION

As amended and adopted anglet 6, 1986)

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a. Hendershier, Denn

MENDERSHIP. DERM:

. The Historic Development commission Shall be composed of not less than commission in mich a manual new selected by the County Commission in mich a manual se to serve overlepping Leans, all members shall be residents of Baldein County, Alsberg.

Bridgin Tourty, Alsberg.

Elege for the first members, the templet each member shell perfor four (4) Years The terms of all members shell perfor four (4) Years The terms of all members shell commissed the for day of the terms of all members shell commissed the first lat membership of the tree shell of the first lat membership of the tree of outside the pommission of the tree shell designate (brose of 1) places on the pommission the shell designate (brose of 1) places on the pommission discussions that the shell expire a the lens of one (1) year from the date of the including appointment, three (4) places whose terms shell expire to the date of the including appointment of the date of including appointment of the date of the labership to the term that the remainder backs terms shell expire four (4) years after the date of the labership shell expire four (4) years after the date of the labership shell expire four (4) years for the labership shell be short four (4) years (5) the labership shell perfor the term of any places or the labership shell perfor the term of any places or the labership shell perfor the term of any place or the labership shell perfor to the sapiration of the term of the form of the torus of any members the excitative committee shell reported to the securities of the term of the committee of the term of the committee of the c

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recommendations shall be of an advisory nature only, and shall lid no vey be construed to be binding on the county complesson.

4. vacancies:

If a member is attent without excuse from throw (3) consecutive regular Historic unvertopering commission meetings; such member shall be fonoved from strike by the excutive commission of the commission other than by expiration of the term shall be fitted by the county commission for the remainder of such terms.

The commission for the remainder of such terms.

- The Commides on Shell have as its purposes:

 A The preservation and protection of buildings of makeonic and architection, and the historic and architection, and the historic and architection, and the heintenance of the distinctive character of these districts.

 B The fostering and endousoung of the preservation, respons to any official and such feedings of historic and such feedings walled a the historic districts.

 C The development and promotion of historic districts.

 C The development and promotion of historic districts as towards at attractions of historic and economic value and.

 B Resolmentalishing the County Commission of the

- D. Reigningendring in the County Commission of the designation and preservation districts and preservation districts of Missission County.
- Attempts within boldwin councy

 E. Notwithstending any ciner provision of these articles, these purposes wit limited to those described the section 50% fet. 3) of the internet Revenue Code of 1934 or any other polisasponding provisions of any future United States Internet Revenue Law.

 6. Duties And Powers.

 7 pp. ALSTONIC TEMPLOSMENT COMMISSION shall have the duties; powers and authorities as interes.

nowars and author thes as tollogs:

- and personal property of all kinds and descriptions;

 a The commission shall have all power and anthonity and may exercise the same of Mapama;

 B No problem, soll, contract to purchase, contract to sell, don, encumber, case; mornable, and francistat to sell, don, encumber, case; mornable, and francist real sell, don, encumber, case; mornable, and descriptions;

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10. 10 Sequent A subject to the country to the a country was proposed to the country to

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8. meetings:

Regulations of the According Development commission chair be held by the last wednesday of every month indess, otherwise states, especial mestings may be called by the chairmant a majority of the members of the exceptive committees or mixibiae (3) commission members shall conditioners grown to any commission members shall conditioners grown to any endoring of the commission times (3) members of any other committee at an executive mesting shall be required for a guarum and analytic of the members of any other committee shall constitute a discreti.

All Sections equiring a vice enail be by a majority total of members vability than members of the requirement.

All sections equiring a vice enail be by a majority total of members vability than member enail have one (1) work of members vability than members enail have one (1) work

Dissolution

In the twint of dissolution, the issidual assets of the origination will be strine over to one or note of cantitation will be strine over to one or note of cantitation will be strine over to one or note of cantitations which themesives are except as presentations distribed in Sections 50: (2) 30 and 10 (0) 10 of the internal sevence code of 1994 or corresponding sections of any problem of the rederal State or local government for exceptingly appeared by the rederal State or local distributions from exceptingly any other provision of these activities of the corporation will not party of any other activities not permitted the carries of or a large acceptance of the factor for the provisions are not provisions of any future britished states internal sevence deductible ander section 170 (c) (2) of the literal sevence deductible ander section 170 (c) (2) of the literal sevence of 1854 of shy other sorresponding provisions of any future United Spaces probabilish sevence line.

Apundment timey of made to this constitution and by daws by electrical formal by daws by electrical formal of the members yeting. A minimum of thirty 30 Mays prior belies shall be given by pail to each member, which sittes shall set forth in full the proposed energhest. All such amendments quet be retified by the saidwart counts commission.