

## Chapter 25 HISTORIC STRUCTURES, SITES AND PLACES

### Sec. 25-1. Purpose.

The Town Council finds that recognition and identification of structures, sites and places of historical significance in the Town is in the public interest and should be encouraged.

(Code 1969, § 25-1; Ord. of 11-7-1988)

### Sec. 25-2. Intent.

- (a) It is the intent of the Town Council that recognition and identification pursuant to this chapter shall not in and of itself constitute an "official designation" for the purposes and intent of chapter 18, article 26 and shall not constitute a "site" for the purposes of establishing an historic district thereunder, nor shall recognition and identification hereunder in any way preclude, hinder or restrict the prior or subsequent "official designation" of the same structure or site for the purposes and intent of chapter 18, article 26, should such structure or site otherwise fully satisfy the provisions of said chapter 18, article 26.
- (b) It is further intended that recognition and identification hereunder as opposed to "official designation" as contemplated by chapter 18, article 26, shall be of no legal effect or consequence and totally inapplicable in the application and enforcement of the zoning and subdivision laws otherwise applicable to any such structure or site. Listing of any historic structure, site, or place on the register as provided for in this chapter shall not constitute "official designation" as defined and used in chapter 18, article 26.

(Code 1969, § 25-2; Ord. of 11-7-1988)

### Sec. 25-3. Register.

The Town Manager is authorized and directed to compile a register of such structures, sites and places of historic significance (register) as are approved by the Town Council for inclusion in such register, to publish the same in pamphlet form with a brief description of each structure, site, and place included therein, and to revise and update the same not less frequently than once each two years.

(Code 1969, § 25-3; Ord. of 11-7-1988; Ord. No. 007-2022, § 1, 9-8-2022)

### Sec. 25-4. Historic marker.

The Town Manager is authorized to develop, with such assistance as may be required, an appropriate historic marker of durable, weather-resistant material, and to make the same available at cost to the owners of such structures, sites, and places as are approved by the Town Council for inclusion in the register. The marker shall display words indicating that the structure, site or place to which it is affixed is significant to the history of the Town, and such markers shall be sequentially numbered.

(Code 1969, § 25-4; Ord. of 11-7-1988; Ord. of 9-1990)

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### **Sec. 25-5. Application for registration.**

The owner of any structure, site or place deemed by said owner to be of historic significance to the Town may apply for listing on the register by filing with the Town Manager a letter setting forth the reasons for such inclusion. The letter of application should describe in such detail as the owner thinks necessary the type of structure, site or place which it is desired to list, its size and specific location, significant dates in the history of the subject structure, site or place, the identity of events or people of substantial historic interest with which the structure, site or place has been associated, and such other facts as the applicant deems appropriate.

(Code 1969, § 25-5; Ord. of 11-7-1988)

### **Sec. 25-6. Consideration of applications—Historic Vienna, Inc.**

- (a) The Town Manager, upon receiving any such letter of application requesting listing on the register, shall promptly transmit the same to the board of directors of Historic Vienna, Incorporated, with a request that said board furnish to the Town Manager a recommendation as to what action on the application is appropriate in the judgment of the board and the reasons therefor. The Town Manager may also consult with or solicit recommendations on the application from such other persons and organizations as the Town Manager deems appropriate.
- (b) Within 120 days after receiving any such letter application for listing on the register of any structure, site or place, the Town Manager shall transmit the same to the Town Council with a recommendation setting forth what action the Town Manager deems appropriate and the reasons therefor, together with the recommendations and comments of the board of Historic Vienna, Inc., if available, and the recommendations and comments of such other persons and organizations with which the Town Manager shall have consulted.

(Code 1969, § 25-6; Ord. of 11-7-1988)

### **Sec. 25-7. Same—Town Council.**

The Town Council shall act on each such application within 60 days after receiving the same from the Town Manager. The Town Council may, as it deems appropriate, approve, disapprove, or approve with conditions and qualifications, each application. Any structure, site or place so approved by the Town Council shall thereupon be added to the register and be entitled to display the marker provided for in section 25-4.

(Code 1969, § 25-7; Ord. of 11-7-1988)

### **Sec. 25-8. Presumptive qualification for registration.**

In considering applications for inclusion on the register, the Town Manager, the board of Historic Vienna, Inc., and the Town Council shall consider the following structures, sites and places as presumptively entitled to inclusion on the register:

- (a) Buildings and other structures erected at their present location that are at least 100 years and which retain all or a substantial portion of their original dimension and appearance.
- (b) Businesses continuously conducted in the Town for at least 100 years old under the same name or in the same location.

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- (c) Sites and places in the Town that have been used continuously for at least 100 years for the same purposes, or have remained essentially unchanged since the abandonment or discontinuation of such use.

(Code 1969, § 25-8; Ord. of 11-7-1988; Ord. No. 007-2022, § 1, 9-8-2022)

**Sec. 25-9. Non-presumptive qualification for registration.**

In developing recommendations and taking action on applications for inclusion on the register of structures, sites and places other than those described in section 25-8, the Town Manager, the board of Historic Vienna, Inc., and the Town Council shall consider:

- (a) Structures, sites and places that are more than 50 years old, and possess significance related to the founding or development of the Town or to persons who have achieved local, regional or national prominence;
- (b) Structures, sites or places which are over 50 years old and considered to be symbolic of the Town's history by reason of their architecture or in the way they have been used;
- (c) Structures, sites or places less than 50 years old which are considered so unusually or uniquely connected with the Town's historical development as to qualify for inclusion on the register notwithstanding their being less than 50 years old.

(Code 1969, § 25-9; Ord. of 11-7-1988; Ord. No. 007-2022, § 1, 9-8-2022)