

**Chapter 2.40 HISTORIC PRESERVATION PROGRAM**

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**2.40.010 Title for citation.**

This chapter shall be called the historic preservation ordinance of the city of Casper, Wyoming, and shall hereinafter be referred to as the same. (Ord. 66-87 § 1, 1987)

**2.40.020 Purpose of provisions.**

A. The state of Wyoming and the city of Casper have a wide range of cultural resources that include prehistoric and historic sites, which are invaluable relics that remain to illustrate our state's past. The city council finds that the state and the city are noteworthy for their historic sites and natural beauty, including locations important to the settlement of the state and the West, and sites which are important in the founding and development of the city. In recent years many significant structures and historic and archeological sites have been destroyed without adequate consideration of either the values represented therein or the possibility of preserving the properties for use in economically productive ways. The citizens of the city share the belief that the state's natural resources enhance the quality of life for all and promote a general welfare. It is declared to be a matter of public policy to protect, enhance and perpetuate relics within the city which are of significant historical, archeological and architectural value, the same being found to be in the interest of the health, prosperity, safety and welfare of the people.

B. The purpose of this chapter is to:

1. Effect and accomplish the protection, enhancement and perpetuation of improvements

and historic districts which represent or reflect elements of the city's cultural, social, economic, political, engineering and architectural history;

2. Safeguard the city's historic, architectural and cultural heritage as embodied and reflected in such historic structures, sites and districts as may be identified;
3. Stabilize and improve property values;
4. Foster civic pride in the beauty and noble accomplishments of the past;
5. Protect and enhance the city's attractions to residents, tourists and visitors, and serve as a support and stimulus to industry and business to strengthen the economy in the city; and
6. Promote the use of historic structures, sites and districts for the education, pleasure and welfare of the residents of the city. (Ord. 66-87 § 2.1, 1987)

#### **2.40.030 Definitions.**

For the purpose of clarity, the following definitions will apply throughout this chapter:

- A. 1. "Cultural resource" means those fragile and nonrenewable remains of human activity, occupations or endeavors which are reflected in districts, sites, structures, buildings, objects, artifacts, ruins, works of art, architecture and natural features that were of importance in human events. These resources consist of:
  - a. Physical remains;
  - b. Areas where significant human events occurred, even though evidence of the event no longer remains; and
  - c. The environment immediately surrounding the actual resource.
2. Cultural resources, including both prehistoric and historic remains, represent a part of the continuum of events from the earliest evidence of man to the present day.
- B. "Historic district" means an area designated under this chapter as conveying a sense of time and place due to the historic and architectural merits of the area, inclusive of architectural and landscape features.
- C. "Historic preservation commission" means the historic preservation commission of the city, established by the city council.
- D. "Local government" means the city of Casper.
- E. "National Register of Historic Places" means the federal government's official list of properties judged to be worthy of preservation. The National Register Program in Wyoming is administered by the State Historic Preservation Officer located in Cheyenne, Wyoming.
- F. "Significant" means having architectural and historical characteristics that make the building, structure, feature or area worthy of preservation.
- G. "State Historic Preservation Officer" or "SHPO" means the individual appointed by the Governor of the state to administer the Wyoming Historic Preservation Program. (Ord. 66-87 § 3, 1987)

#### **2.40.040 Council endorsement and participation.**

The city council endorses the local-state-federal partnership engendered by the Wyoming Certified Local Government Program and agrees to participate in this historic preservation project pursuant to its authority for intergovernmental cooperation under Section 16-1-101 et seq., Wyoming Statutes. (Ord. 66-87 § 2.2, 1987)

#### **2.40.050 Historic preservation commission--Created--Membership.**

There is created the city historic preservation commission, which shall consist of seven members. Members shall be selected by a majority vote of the city council. In selecting the commission members, an attempt shall be made to draw on a wide range of backgrounds

and interests to represent the city's diverse heritage. (Ord. 34-00 § 1, 2000: Ord. 66-87 § 4.1, 1987)

#### **2.40.060 Historic preservation commission--Composition.**

At least two members of the commission shall be professional in the fields of history, archeology, historical architecture, cultural geography, American civilization or planning. All of the members, however, should have a demonstrated interest, knowledge or experience in the fields related to historic preservation as stated above. (Ord. 66-87 § 4.4, 1987)

#### **2.40.070 Historic preservation commission--Term--Removal.**

The term of members of the historic preservation commission shall be three years, except that three members of the first commission appointed shall serve for a term of three years; two members shall serve for a term of two years; and two members shall serve for a term of one year. Members may be reappointed. All members shall hold office until their successors are appointed. Any member of the historic preservation commission may be removed a majority vote of the city council. (Ord. 34-00 § 2, 2000: Ord. 66-87 § 4.2, 1987)

#### **2.40.080 Historic preservation commission--Compensation.**

Members of the commission shall serve without compensation, but may be reimbursed for actual expenses incurred in the performance of their duties; providing a budget for the same has been established and approved by the council. (Ord. 66-87 § 4.3, 1987)

#### **2.40.090 Historic preservation commission--Power and duties.**

A. The historic preservation commission has the power to:

1. Conduct cultural resource inventories of structures and areas for the purpose of determining architectural, historical, cultural, and/or archeological significance, to maintain and revise detailed listings of significant structures and/or districts;
2. Recommend to the council criteria for the evaluation and designation of historic districts, historic overlay zoning districts, buildings, structures, sites or other significant features within the city's jurisdiction. The criteria should be compatible with the criteria of the Department of Interior's criteria for evaluation of potential entries to the National Register of Historic Places using the following criteria:
  - a. That the quality of significance in American history, architecture, archeology and culture is present in districts, sites, buildings, structures and other significant features that possess integrity of location, design, setting, materials, workmanship, feeling and association,
  - b. That they are associated with events that have made a significant contribution to the broad pattern of our history,
  - c. That they are associated with the lives of persons significant in our past,
  - d. That they embody the distinctive characteristics of a type, period or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction, and
  - e. That they have yielded, or may be likely to yield, information important in prehistory or history;
3. Propose historic districts, historic overlay zoning districts, sites, buildings, structures and facilities which meet criteria because they are significant in American history, architecture, archeology and culture. This recognition of local historic districts, historic overlay zoning districts, sites, buildings, structures and facilities shall be entitled locally as specified in Section 2.40.100. Proposed designations by the historic preservation commission shall be

- submitted to the city council for their consideration of adoption;
4. Act as advisors on historic preservation issues to appropriate local government agencies located within the city as well as the city council;
  5. Act as advisors to residents and property holders on matters of historic preservation;
  6. Promote historic preservation awareness through a wide range of activities such as walking tours, education seminars and published materials;
  7. Upon approval of the city council, retain consultants to carry out the duties as listed in this section;
  8. Request appropriate information, cooperation, assistance or studies from any government departments, boards, agencies or commissions; and
  9. Perform such inventories as required.

B. Designation of Local Cultural Resources. Based upon the result of a cultural resource inventory, the commission shall complete a list of districts, buildings, structures, sites or other significant features that meet the criteria for eligibility as specified in subsection D of this section, the Department of the Interior Criteria for the National Register of Historic Places. The commission shall compile a list of locally significant cultural resources, which shall be titled The Proposed Locally Recognized Historic and Archeological Sites of the City of Casper, Wyoming.

C. The historic preservation commission, with the assistance from local officials and the State Historic Preservation Officer, shall conduct a cultural resource inventory of neighborhoods within the corporate limits of the city for the purpose of evaluating each area's potential for local designation.

D. Local inventory:

1. Shall be accessible to the public; provided that access to archeological or historic information, which is compiled in conjunction with the inventory and which is fragile or delicate, be restricted for protective purposes;
2. May be updated periodically to reflect current information;
3. Shall incorporate information about buildings, sites, structures, and/or districts, or objects enrolled in, or eligible for, listing in the National Register of Historic Places; and
4. Shall be supplied to the State Historic Preservation Officer through the use of duplicate inventory forms for use in the State Historic Preservation Officer's files.

E. Current historic preservation methodology, as established by the Department of the Interior and the State Historic Preservation Officer, will serve as a guideline for the cultural resource inventory. (Ord. 66-87 § 5, 1987)

#### **2.40.100 Local cultural resources designated.**

Based upon the cultural resource inventory, the commission shall complete a proposed list of districts, buildings, structures or sites that meet the criteria for eligibility as specified herein and the Department of the Interior's criteria for the National Register of Historic Places. The commission shall propose a list of proposed designations of sites which have locally significant cultural resources, and submit the same to the city council, who will consider the list for adoption. (Ord. 66-87 § 6, 1987)

#### **2.40.110 Rules and regulations--Council authority.**

The city council, by resolution, will adopt and may, from time to time, amend the rules and regulations governing the implementation of the city's historic preservation program. (Ord. 66-87 § 7, 1987)