

07/29/2009

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO ADD SECTION 118-170 TO CHAPTER 118, HISTORICAL PRESERVATION, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO AUTHORIZE THE CITY COUNCIL TO MAKE THE FINAL DECISION ON APPLICATIONS PROPOSING WORK ON OR AFFECTING PUBLICLY-OWNED RESOURCES, AFTER REVIEW AND RECOMMENDATION FOR DECISION BY THE HISTORIC DISTRICTS COMMISSION; REPEAL CONFLICTING ORDINANCES; AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 118-170 shall be added to Chapter 118 of the Code of Ordinances as follows:

**Sec. 118-170. Decisions regarding publicly-owned resources.**

Regarding applications proposing work on or affecting a publicly-owned resource, the City Council shall make the final decision on the application after review of the application and recommendation for decision by the Historic Districts Commission in accordance with this Division.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of not more than \$500.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on \_\_\_\_\_, following its publication in the \_\_\_\_\_ on \_\_\_\_\_, 2009.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on \_\_\_\_\_, 2009.

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Bryan K. Barnett, Mayor  
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON \_\_\_\_\_, 2009.

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Jane Leslie, Clerk  
City of Rochester Hills