

**Exhibit "B"**

ORDINANCE NO. 4825

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 2.76, HISTORIC ADVISORY AND MUSEUM COMMISSION.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Albany Municipal Code Chapter 2.76, Historic Advisory and Museum Commission, is hereby amended to read as follows:

Chapter 2.76

HISTORIC-ADVISORY-AND-MUSEUM-LANDMARKS ADVISORY COMMISSION

Sections:

- 2.76.010 Created.
- 2.76.020 Members--Appointment.
- 2.76.030 Members--Terms.
- 2.76.040 Officers.
- 2.76.050 Authority.
- 2.76.060 --Duties-regarding-historic-advisory-and-museum-establishment--
- 2.76.070 --Duties-regarding-museum-operation--

2.76.010 Created. There is created the Albany Historic-Advisory-and-Museum Landmarks Advisory Commission.

(1) Purpose and Intent. It is declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people. The purpose of this section is to:

(A) Effect and accomplish the protection, enhancement, and perpetuation of such improvements, museums, and districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;

(B) Safeguard the city's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts and museums;

(C) Stabilize and improve property values;

(D) Foster civic pride in the beauty and noble accomplishments of the past;

(E) Protect and enhance the city's attraction to residents, tourists and visitors and serve as a support and stimulus to business and industry;

(F) Strengthen the economy of the city;

(G) Promote the use of historic districts, landmarks and museums for the education, pleasure and welfare of the people of the city;

(H) Work for the continuing education of the citizens of Albany concerning the historic heritage of this city and its landmarks, sites and objects.

2.76.020 Members--Appointment. The mayor of the city shall appoint a ~~Historic Advisory and Museum Landmarks~~ Advisory Commission which will consist of seven members chosen with reference to their fitness for the position. The members of the commission shall be who are residents of the city. Each member shall have demonstrable knowledge, interest, or competence in historic preservation and additionally in one of the following fields: architecture, landscape architecture, history, art history, education, construction, real estate, development, urban planning, archaeology, law, finance, cultural geography, cultural anthropology, local history, or related disciplines.

2.76.030 Members--Terms. Two of the first members of the ~~Historic Advisory and Museum Landmarks~~ Advisory Commission shall be appointed for one year, two members shall be appointed for two years and three members shall be appointed for three years. Except for the first members and appointments to fill vacancies, the terms of members of the ~~Historic Advisory and Museum Landmarks~~ Advisory Commission shall be three years and until their successors are appointed and qualified.

2.76.040 Officers. The commission members shall elect a chairman and a secretary until the next succeeding first Monday in January and until their successors are elected. The secretary shall be charged with keeping a permanent and complete record of the proceedings of the commission. The commission shall adopt rules governing the transaction of its business and shall prepare and submit an annual budget and an annual report to the city council.

2.76.050 Authority. The commission shall, acting through the city council, have the authority to do those things that are set forth in ORS 358.315, and, further, the ~~historic advisory Landmarks~~ Advisory Commission shall serve in an advisory capacity and make recommendations concerning historic districts, conservation districts, buildings, and sites and museums to the city council, and Albany Planning Commission, and through the City Council to other public or private agencies on matters relating to the preservation of such districts, buildings, and sites. and museums. Their authority shall be as follows:

(1) The commission may recommend for adoption such rules and regulations as it finds necessary or appropriate to carry out the intent of this article.

(2) The commission shall compile and maintain a current list of all historic buildings and sites and objects which have been so designated pursuant to this article with a brief description of such building or site and the special reasons for its inclusion on such list.

(3) The commission shall receive requests by any citizen, by owners of buildings or sites, or may on its own motion make recommendations concerning the designation of particular buildings and sites as historic buildings or historic sites.

(4) The commission shall recommend removal from any list of designated historic buildings and sites such property as it finds no longer worthy of such designation.

(5) Conduct an educational program on historic properties within its jurisdiction.

(6) The commission shall have authority to coordinate historical preservation programs of the city, county, state, and federal governments as they relate to property within the city.

(7) The commission may recommend to the city council or, if authorized by the city council, to the legislature of the state of Oregon any changes of law

which it finds appropriate or needed.

(8) The commission shall perform such other duties relating to historic landmarks and historical buildings, and sites and museums as the city council or the mayor may request.

2.76.060 - Duties regarding historic advisory and museum establishment.

~~The Historic Advisory and Museum Commission shall:-~~

~~(1) Determine the kind of class of museum to be established and submit such determination to the city council;-~~

~~(2) Investigate and determine the most suitable location for the museum and the adequacy of road or streets and parking areas therefor, and submit its proposals relating thereto to the city council;-~~

~~(3) Subject to the approval of the city council, arrange for the design of the museum and preparation of plans therefor;-~~

~~(4) Investigate and make determinations with regard to such other preliminary matters in connection with a public museum as are deemed necessary or desirable, and submit its proposals relating thereto to the city council:-~~

2.76.070 - Duties regarding museum operation. --The Historic Advisory and Museum Commission shall have those duties as are delineated and established under ORS-358.365 as the same relates to the operation of a museum.--

Passed by Council: September 14, 1988

Approved by Mayor: September 15, 1988

Effective Date: October 14, 1988

Tom Holman  
Mayor

ATTEST:

Carol Leiby  
City Recorder