

WASHINGTON COUNTY CODE

CHAPTER 20

LANDMARKS

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CHAPTER 20

LANDMARKS

20.01(AM 15-31) PURPOSE AND INTENT. It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of archeological sites, geological formations and structures of special character or special historical interest or value, is a public necessity and is required in the interest of the prosperity, safety and welfare of the people. Provided, however, it is not the intent of the County Board, nor shall it be the purpose of the Landmarks Commission to acquire title to any landmark sites without recommendation to and approval by the County Board; but that landmark sites shall remain in private or public owner and be maintained by such owners, and their successors in title. The purpose of this chapter is to:

(1) (AM 15-31) Effect and accomplish the protection, enhancement, and perpetuation of such sites, formations and structures which represent or reflect elements of the County's cultural, social, economic, political, architectural, archeological and geological history.

(2) (AM 15-31) Promote the use of archeological sites, geological formations and historical structures as landmarks for the education, pleasure and welfare of the people of the County.

(3) (AM 15-31) Identify and give public notice of landmarks and landmark sites by affixing thereto or erecting thereon the official historical marker of the Commission.

20.02(AM 15-31) DEFINITIONS. In this chapter, unless the context clearly requires otherwise:

(1) (AM 15-31) **Commission.** The Landmarks Commission created under this chapter.

(2) (AM 15-31) **Landmark.** Any building or structure which has a special historic, architectural or cultural interest, significance or value as part of the heritage, development, or cultural characteristics of the County, State or Nation and which has been designated as a landmark pursuant to the provisions of this chapter.

(3) (AM 15-31) **Landmark Site.** Any parcel of land of historic, geological or archeological significance due to its substantial value in tracing the history of aboriginal man, or upon which an historic event has occurred, and which has been designated as a landmark site under this chapter; or any parcel of land or part thereof, on which may be situated a landmark.

(4) (AM 15-31) **Historical Marker.** The plaque or marker adopted by the Commission to identify any landmark or landmark site.

20.03(AM 15-31) LANDMARKS COMMISSION, COMPOSITION AND TERMS. The Landmarks Commission shall be composed of 9 qualified persons, competent and informed in the historical, architectural and cultural traditions of the community, representative of the entire County, to be appointed by the County Board Chairperson for staggered 3-year terms. Vacancies shall be filled by appointment by the County Board Chairperson for the unexpired term. The members of the Commission shall receive no compensation except for necessary expenses incurred in carrying out their duties, as may be authorized by the County Board. The Commission shall hold an organizational annual meeting at the Courthouse at the call of the County Board Chairperson at which time the Commission shall elect the Chairperson, Vice Chairperson, and Secretary-Treasurer for the ensuing years.

20.04(AM 15-31) POWERS AND DUTIES. (1) (AM 15-31) **Landmarks and Landmark Site Criteria.** The Commission shall establish appropriate criteria for the designation of landmarks and landmark sites.

(2) (AM 15-31) **Designation.** The Commission, by a majority vote of members present shall have the power to designate landmarks and landmark sites within the County. Such designations shall be made based upon the criteria established under this section. Once designated by the Commission, such landmarks and landmark sites shall be subject to all the provisions of this chapter.

(3) (AM 15-31) **Preservation of Characteristics.** The Commission shall take all steps necessary to permanently record the origin, development, use and historical significance of each landmark, by taking and collection of photographs, drawings, descriptions, recorded interviews, written data, and documentation.

(4) (AM 15-31) **Acceptance of Gifts.** The Commission shall have the authority to recommend the acceptance of donations, gifts and grants for the purposes to be accomplished by this chapter which may be accepted in the name of Washington County upon approval of the County Board and delivered to the County Clerk.

(5) (AM 15-31) **Application for Public Grants.** If the Commission determines that there may be available Federal, State or other funds, any application therefor shall be made in conformity with sec. 4.27 of this Code.

(6) (AM 15-31) **Approval of Construction and Alteration.** (a) Any application for a permit from the Washington County Planning and Parks Department or any state or local unit of government involving a designated landmark or landmark site, and a copy of the building permit eventually issued, shall be filed with the Commission.

(b) Upon the filing of an application for a building permit with the Commission, the Commission shall determine whether, in the case of a landmark, the proposed work would change, destroy, or adversely affect any architectural feature of the improvement upon which said work is to be done, and shall file a copy of its determination with the involved building inspector and mail a copy to the applicant.

(c) If the Commission, in its sole discretion, determines that the proposed additions or alterations would destroy or adversely affect any architectural features of the landmark, the Commission may endeavor to persuade the owner to forego such improvements. Should the owner proceed with the improvements and ignore the recommendations of the Commission, or if the owner shall demolish in whole or in part any landmark, the Commission, in its sole discretion, shall have the right to revoke the landmark designation and enter upon the premises to remove the existing landmark marker.

(7) (AM 15-31) **Other Duties.** In addition to those duties specified in this chapter the Commission shall:

(a) Work closely with the State of Wisconsin Liaison Officers and the Governor's Liaison Committee for the National Register of Historic Places of the United States National Park Service in attempting to include Washington County landmarks and landmark sites as landmarks or landmark sites on the Federal Register.

(b) Work for the continuing education of the citizens of Washington County about the heritage of this County and of the landmarks and landmark sites designated under the provisions of this chapter.

(c) Adopt one or more types of official historical markers to identify the landmark and landmark sites.

(d) Adopt a standard certificate of identification of landmarks and landmark sites.

(e) Adopt a standard form of landmark restrictive covenant.

(f) Propose an annual budget request through the County Clerk for the ensuing year for presentation to the County Board.

20.05(AM 15-31) PROCEDURE. (1) (AM 15-31) **Designation of Landmarks and Landmark Sites.** After the designation of a landmark or landmark site as provided in sec. 20.04(2) above, the Commission shall seek the cooperation and consent of the property owner to attach or erect and maintain historical markers. When a landmark site is located on highways or on public property it shall be done only after receiving the approval of and assurances of the cooperation of the governing body involved. The Commission shall cause such designation to be recorded in the Washington County Register of Deeds office.

(2) (AM 15-31) **Voluntary Restrictive Covenants.** The owner of any landmark or landmark site may, at any time following such designation, enter into a restrictive covenant for the subject property after negotiation with the Commission. The Commission shall assist the owner in preparing such covenant in the interest of preserving the landmark or landmark site and of keeping and maintaining a landmark marker thereon, and shall record such covenant in the Washington County Register of Deeds office and also shall notify the Washington County Planning and Parks Department and the affected municipality.

20.06(AM 15-31) MAINTENANCE OF LANDMARKS, LANDMARK SITES AND HISTORICAL MARKERS (1) (AM 15-31) Landmarks. Every owner of a structure constituting a landmark shall keep in good repair all of the exterior portions of such structure and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such structure to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair. Should the structure deteriorate or fall into a state of disrepair, the Commission may, at its sole discretion, remove its designation of such site as a landmark and remove the historical marker.

(2) (AM 15-31) **Landmark Sites.** Every owner of land constituting a landmark site shall keep the same in good condition preserving the historical characteristics. Should the site deteriorate or be substantially altered, the Commission may, at its sole discretion, remove its designation of such property as a landmark site and remove the historical marker.

(3) (AM 15-31) **Notice of Removal of Historical Markers.** Whenever the Commission removes any historical marker under this section or under sec. 20.04 above, it shall record a copy of its action in the Washington County Register of Deeds office, mail a copy to the owner of the landmark or landmark site and file a copy with the affected municipality where the landmark is located.

20.07(AM 15-31) CONDITIONS DANGEROUS TO LIFE, HEALTH OR PROPERTY. Nothing contained in this chapter shall prohibit any necessary construction, reconstruction, alteration or demolition of any structure on a landmark site pursuant to order of any governmental agency or any court judgment, for the purpose of remedying conditions determined to be dangerous to life, health or property. In such case, no approval from the Commission shall be required.