APPENDIX B

HISTORIC PRESERVATION

1. Purpose: The purpose of this ordinance [Appendix] is to promote the educational, cultural, economic, and general welfare of the community by:

   (1) Providing a mechanism to identify and preserve the historic and architectural characteristics of Joplin which represent elements of the city's cultural, social, economic, political, and architectural history;

   (2) Fostering civic pride in the beauty and noble accomplishments of the past as represented in Joplin's landmarks and historic districts;

   (3) Conserving and improving the value of property designated as landmarks or within historic districts;

   (4) Protecting and enhancing the attractiveness of the city to home buyers, tourists, visitors, and shoppers, and thereby supporting and promoting business, commerce, industry, and providing economic benefit to the city;

   (5) Fostering and encouraging preservation, restoration, and rehabilitation of structures, areas, and neighborhoods and thereby preventing future urban blight.

2. Definitions: Unless specifically defined below, words or phrases in the ordinance [Appendix] shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance [Appendix] its most reasonable application.

   (A) *Alteration:* Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

   (B) *Area:* A specific geographic division of the City of Joplin.

   (C) *Certificate of appropriateness* A certificate issued by the Preservation Commission indicating its approval of plans for alteration, construction, removal, or demolition of a landmark or of a structure within a historic district.

   (D) Certificate of economic hardship: A certificate issued by the Preservation Commission authorizing an alteration, construction, removal, or demolition, even though a certificate of appropriateness has previously been denied.

   (E) Commissioners: Members of the Joplin Historic Preservation Commission.

(F) *Constructions:* The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.

(G) *Council:* The City Council of the City of Joplin.

(H) *Demolition:* Any act or process that destroys in part or in whole a landmark or a structure within a historic district.

(I) *Design guidelines:* A standard of appropriate activity that will preserve the historic and architectural character of a structure or area.

(J) *Exterior architectural appearance:* The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

(K) *Historic district:* An area designated as a "historic district" by ordinance of the City Council and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.

(L) *Landmark:* A property or structure designated as a "landmark" by ordinance of the City Council, pursuant to procedures, prescribed herein, that is worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City of Joplin.

(M) *Owner of record:* The person, corporation, or other legal entity listed as owner on the records of the County Recorder of Deeds.

(N) *Preservation commission:* The Joplin Historic Preservation Commission.

(O) *Removal:* Any relocation of a structure on its site or to another site.

(P) *Repair:* Any change that is not construction, removal, or alteration.

(Q) *Structure:* Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae, including supporting towers, and swimming pools. (Ord. No. 86-31, ' 1, 3-17-86)

3. Composition of Historic Preservation Commission: The Joplin Historic Preservation Commission shall consist of seven (7) members, residents of Joplin, all of whom shall be appointed and approved by the City Council of the City of Joplin. The city council shall make every reasonable effort to appoint persons with a demonstrated interest in the history of architecture of the City of Joplin. (Ord. No. 86-31, ' 1, 3-17-86; Ord. No. 90-106, ' 1, 6-18-90)

4. Terms: The term of office of the members of the preservation commission shall be for five (5) years, excepting that the membership of the first preservation commission appointed shall serve respectively for terms of two (2) for one year; two (2) for two (2) years; two (2) for three (3) years; two (2) for four (4) years; and one for five (5) years. A member may serve only two (2) consecutive terms. Two (2) alternate members shall be appointed to serve in the absence of or the disqualification of the regular members. Vacancies shall be filled for the unexpired term only. Members may be removed for cause by the mayor and city council upon written charges and after public hearing. (Ord. No. 86-31, ' 1, 3-17-86; Ord. No. 91-63, ' 1, 6-17-91)

5. Officers: Officers shall consist of a chairman, a vice-chairman, and a secretary elected by the Preservation Commission who shall each serve a term of one year and shall be eligible for reelection; but no member shall serve as chairman for more than two (2) consecutive years. The chairman shall preside over meetings. In the absence of the chairman, the vice-chairman shall perform the duties of the chairman. If both are absent, a temporary chairman shall be elected by those present. The secretary to the Preservation Commission shall have the following duties:

   (A) Take minutes of each Preservation Commission meeting;

   (B) Be responsible for publication and distribution of copies of the minutes, reports, and decisions of the Preservation Commission to the members of the Preservation Commission;

   (C) Give notices as provided herein or by law for all public hearings conducted by the Preservation Commission;

   (D) Advise the mayor of vacancies on the Preservation Commission and expiring terms of members; and

   (E) Prepare and submit to the City Council a complete record of the proceedings before the Preservation Commission on any matter requiring council consideration. (Ord. No. 86-31, ' 1, 3-17-86)

6. Meetings: A quorum shall consist of a majority of the members. All decisions or actions of the Preservation Commission shall be made by a majority vote of those members present and voting at any meeting where a quorum exists. Meetings shall be held at regularly scheduled times to be established by resolution of the Preservation Commission at the beginning of each calendar year or at any time upon the call of the chairman. No member of the Preservation Commission shall

vote on any matter that may materially or apparently affect the property, income, or business interest of that member. No action shall be taken by the commission that could in any manner deprive or restrict the owner of a property in its use, modification, maintenance, disposition, or demolition until such owner shall first have had the opportunity to be heard at public meeting of the Preservation Commission, as provided herein. The chairman, and in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Preservation Commission shall be open to the public. The Preservation Commission shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Preservation Commission and shall be a public record. (Ord. No. 86-31, ' 1, 3-17-86)

7. Powers and duties: The Preservation Commission shall have the following powers and duties:

(A) To adopt its own procedural regulations;

(B) To conduct an ongoing survey to identify historically and architecturally significant properties, structures, and areas that exemplify the cultural, social, economic, political, or architectural history of the nation, state, or city;

(C) To investigate and recommend to the Planning and Zoning Commission and to the City Council the adoption of ordinances designating properties or structures having special historic, community, or architectural value as "landmarks."

(D) To investigate and recommend to the Planning and Zoning Commission and to the City Council the adoption of ordinances designating areas as having special historic, community, or architectural value as "historic districts";

(E) To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each designation;

(F) To determine an appropriate system of markers and make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark or historic district to another;

(G) To advise and assist owners of landmarks and property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the National Register of Historic Places;

(H) To nominate landmarks and historic districts to the National Register of Historic Places, and to review and comment on any National Register nominations submitted to the Preservation Commission upon request of the Mayor or City Council;

(I) To inform and educate the citizens of Joplin, concerning the historic and architectural heritage of the city by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;

(J) To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting proposed or designated landmarks or structures within historic districts and issue or deny certificates of appropriateness for such actions. Applicants may be required to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions;

(K) To consider applications for certificates of economic hardship that would allow the performance of work for which a certificate of appropriateness has been denied;

(L) To develop specific design guidelines for the alteration, construction, or removal of landmarks or property and structures within historic districts.

(M) To review proposed zoning amendments, applications for special use permits, or applications for zoning variances that affect proposed or designated landmarks and historic districts. The City Planner shall send applications for special use or zoning variations to the Preservation Commission for comment prior to the date of the hearing by the Planning and Zoning Commission or Board of Adjustment;

(N) To administer on behalf of the City of Joplin any property or full or partial interest in real property, including easements, that the City of Joplin may have or accept as a gift or otherwise, upon authorization and approval by the City Council;

(O) To accept and administer on behalf of the City of Joplin such gifts, grants, and money as may be appropriate for the purposes of this ordinance [Appendix]. Such money may be expended for publishing maps and brochures or for hiring staff persons or consultants or performing other appropriate functions for the purpose of carrying out the duties and powers of the Preservation Commission and the purposes of this ordinance [Appendix];

(P) To call upon available city staff members as well as other experts for technical advice;

(Q) To retain such specialists or consultants or to appoint such citizen advisory committees as may be required from time to time;

(R) To testify before all boards and commissions, including the Planning and Zoning Commission and the Board of Adjustments, on any matter affecting historically and architecturally significant property, structures, and areas;

(S) To confer recognition upon the owners of landmarks or property or structures within historic districts by means by certificates, plaques, or markers;

(T) To develop a preservation component in the general plan of the City of Joplin and to recommend it to the Planning and Zoning Commission and to the City Council;

(U) To periodically review the Joplin Zoning Ordinance and to recommend to the Planning and Zoning Commission and the City Council any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts; and

(V) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to implementation of the purpose of this ordinance [Appendix]. (Ord. No. 86-31, ' 1, 3-17-86)

8. Surveys and research: The Preservation Commission shall undertake an ongoing survey and research effort in the City of Joplin to identify neighborhoods, areas, sites, structures, and objects that have historic, community, architectural, or aesthetic importance, interest, or value. As part of the survey, the Preservation Commission shall review and evaluate any prior surveys and studies by any unit of government or private organization and compile appropriate descriptions, facts, and photographs. Before the Preservation Commission shall, on its own initiative, nominate any landmark for designation, it shall first develop a plan and schedule for completion of a survey of the City of Joplin to identify potential landmarks. The Preservation Commission shall then systematically identify potential landmarks and adopt procedures to nominate them in groups based upon the following criteria:

(A) The potential landmarks in one identifiable neighborhood or distinct geographical area of the City of Joplin;

(B) The potential landmarks associated with a particular person, event, or historical period;

(C) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman;

(D) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the City of Joplin. (Ord. No. 86-31, ' 1, 3-17-86)

9. Nomination of Landmarks and Historic Districts: Nominations shall be made to the Preservation Commission on a form prepared by it and may be submitted by a member of the Preservation Commission, owner of record of the nominated property or structure, the City Council, or any other person or organization. (Ord. No. 86-31, ' 1, 3-17-86)

10. Criteria for consideration of nomination: The Preservation Commission shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structures, or area meets one or more of the following criteria:

(A) Its character, interest, or value as part of the development, heritage, or cultural characteristics of the community, county, state, or country;

(B) Its location as a site of a significant local, county, state, or national event;

(C) Its identification with a person or persons who significantly contributed to the development of the community, county, state, or country;

(D) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

(E) Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community, county, state, or country;

(F) Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

(G) Its embodiment of design elements that make it structurally or architecturally innovative;

(H) Its unique location or singular physical characteristics that make it an established or familiar visual feature;

(I) Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or

(J) Its suitability for preservation or restoration.

Any structure, property, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. (Ord. No. 86-31, ' 1, 3-17-86)

11. Report and recommendation of Preservation Commission: The Preservation Commission shall, within forty-five (45) days from receipt of a completed nomination in proper form, adopt by resolution a recommendation that the nominated landmark or historic district does or does not meet the criteria for designation in section 10 of this Appendix. The resolution shall be accompanied by a report to the Planning and Zoning Commission containing the following information:

(A) Explanation of the significant or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;

(B) Explanation of the integrity or lack of integrity of the nominated landmark or historic district;

(C) In the case of a nominated landmark found to meet the criteria for designation:

(1) The significant exterior architectural features of the nominated landmark that should be protected;
(2) The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit, that should be reviewed for appropriateness pursuant to the provisions of sections 16 through 27 of this Appendix.

(D) In the case of a nominated historic district found to meet the criteria for designation:

(1) The types of significant exterior architectural features of the structures within the nominated historic district that should be protected;

(2) The types of alterations and demolitions that should be reviewed for appropriateness pursuant to the provisions of sections 16 through 27 of this Appendix.

(E) Proposed design guidelines for applying the criteria for review of certificates of appropriateness to the nominated landmark or historic district.

(F) The relationship of the nominated landmark or historic district to the ongoing effort of the Preservation Commission to identify and nominate all potential areas and structures that meet the criteria for designation.

(G) Recommendations as to appropriate permitted uses, special uses, height and area regulations, minimum dwelling size, floor area, sign regulations, and parking regulations necessary or appropriate to the preservation of the nominated landmark or historic district.

(H) A map showing the location of the nominated landmark and the boundaries of the nominated historic district.

The recommendations and report of the Preservation Commission shall be sent to the Planning and Zoning Commission within seven (7) days following the vote on the resolution and shall be available to the public in the offices of the Preservation Commission. (Ord. No. 86-31, ' 1, 3-17-86)

12. Design Guidelines: Design guidelines for applying the criteria for review of certificate of appropriateness shall, at a minimum, consider the following architectural criteria:

(A) *Height:* The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.

(B) *Proportions of windows and* doors: The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.

(C) *Relationship of building masses and spaces:* The relationship of a structure within a historic district to the open space between it and adjoining structures should be compatible.

(D) *Roof shape*: The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures in a historic district.

(E) *Landscaping*: Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.

(F) *Scale*: The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.

(G) *Directional expression*: Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a landmark after alteration, construction, or partial demolition should be compatible with its original architectural style and character.

(H) *Architectural details:* Architectural details including materials, colors, and textures should be treated so as to make a landmark compatible with its original architectural style and character and to preserve and enhance the architectural style or character of a landmark or historic district. (Ord. No. 86-31, ' 1, 3-17-86)

13. Notification of Nomination: The Planning and Zoning Commission shall schedule a public hearing on the nomination within thirty (30) days following receipt of a report and recommendation from the Preservation Commission that a nominated landmark or historic district does or does not meet the criteria for designation. Notice of the date, time, place, and purpose of the public hearing and a copy of the completed nomination form shall be sent by regular mail to the owner(s) of record and to the nominators, as well as to property owners adjoining the nominated landmark or historic district at least fifteen (15) days prior to the date of the hearing. Notice shall also be published in a newspaper having general circulation in the City of Joplin. The notice shall state the street address and legal description of a nominated landmark and the boundaries of a nominated historic district. (Ord. No. 86-31, ' 1, 3-17-86)

14. Public Hearing: Oral or written testimony concerning the significance of the nominated landmark or historic district shall be taken at the public hearing from any person concerning the nomination. The Preservation Commission may present expert testimony or present its own evidence regarding the compliance of the nominated landmark or historic district with the criteria for consideration of a nomination set forth in section 10 of this appendix. The owner of any nominated landmark or of any property within a nominated preservation district shall be allowed reasonable opportunity to present evidence regarding significance and shall be afforded the right of representation by counsel and reasonable opportunity to cross-examine expert witnesses. The hearing shall be closed upon completion of testimony. (Ord. No. 86-31, ' 1, 3-17-86)

15. Determination by Planning and Zoning Commission: Within thirty (30) days following close of the public hearing, the Planning and Zoning Commission shall make a determination upon the evidence whether the nominated landmark or historic district does or does not meet the criteria for designation. Such a determination shall be passed by resolution of the Planning and Zoning Commission and shall be accompanied by a report stating the findings of the Planning and Zoning Commission concerning the relationship between the criteria for designation in section 10 of this appendix and the nominated landmark or historic district and all other information required by section 11 of this appendix. (Ord. No. 86-31, ' 1, 3-17-86)

16. Notification of Determination: Notice of the determination of the Planning and Zoning Commission, including a copy of the report, shall be sent by regular mail to the owner of record of a nominated landmark and of all property within a nominated historic district and the nominator within seven (7) days following adoption of the resolution. Within seven (7) days following a determination by the Planning and Zoning Commission that the nominated landmark or historic district does meet the criteria for designation, a copy of the resolution and report accompanied by a recommendation that the nominated landmark or historic district be designated shall be sent to the City Council. (Ord. No. 86-31, ' 1, 3-17-86)

17. Appeal: A determination by the Planning and Zoning Commission that the nominated landmark or historic district does not meet the criteria for designation shall be a final administrative decision reviewable under the Missouri Administrative Procedure Act provided, however, that the

nominator or any owner of the nominated landmark or of property within the nominated historic district may within thirty (30) days after the postmarked date of the notice of the determination file with the City Clerk a written appeal to the City Council. (Ord. No. 86-31, ' 1, 3-17-86)

18. Action by City Council: the City Council shall, within sixty (60) days after receiving the recommendation that the nominated landmark or historic district be designated or receiving a written appeal, either reject the recommendation or written appeal by formal resolution or designate the landmark or historic district by an ordinance. The City Council may hold a public hearing before enacting the resolution or ordinance and provide notice and take testimony in the same manner as provided in sections 13 and 14 of this appendix. Any resolution or ordinance shall be accompanied by a written statement explaining the reasons for the action of the City Council. The City Clerk shall provide written notification of the action of the City Council by regular mail to the nominator, the appellant, and the owner(s) of record of the nominated landmark or of all property within a nominated historic district. The notice shall include a copy of the designation ordinance or resolution passed by the City Council and shall be sent within seven (7) days of the City Council action. A copy of each designation ordinance shall be sent to the Preservation Commission and Zoning Commission, and the Building Department. (Ord. No. 86-31, ' 1, 3-17-86)

19. The Designation Ordinance: Upon designation, the landmark or historic district shall be classified as a "District H-Historic District," and the designating ordinance shall prescribe the significant exterior architectural features; the types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit that should be reviewed for appropriateness; the design guidelines for applying the criteria for review of appropriateness; permitted uses; special uses; height and area regulations; minimum dwelling size; floor area; sign regulation; and parking regulations. The official zoning map of the City of Joplin shall be amended to show the location of the "District H-Historic District." (Ord. No. 86-31, ' 1, 3-17-86)

20. Interim Control: No building permit shall be issued by the Building Department for alteration, construction, demolition, or removal of a nominated landmark or of any property or structure within a nominated historic district from the date of the meeting of the Preservation Commission at which a nomination form is first presented until the final disposition of the nomination by the City Council unless such alteration, removal, or demolition is authorized by formal resolution of the City Council as necessary for public health, welfare, or safety. In no event shall the delay be for more than one hundred eighty (180) days. (Ord. No. 86-31, ' 1, 3-17-86)

21. Amendment and Rescission of Designation: Designation may be amended or rescinded upon petition to the Preservation Commission and compliance with the same procedure and according to the same criteria set forth herein for designation. (Ord. No. 86-31, ' 1, 3-17-86)

22. Certificate of Appropriateness: A certificate of appropriateness shall be required before the following actions affecting the exterior architectural appearance of any landmark or property within a historic district may be undertaken:

(A) Any construction, alteration, or removal requiring a building permit from the City of Joplin;

(B) Any demolition in whole or in part requiring a permit from the City of Joplin.

(C) Any construction, alteration, demolition, or removal affecting a significant exterior architectural feature as specified in the ordinance designating the landmark or historic district. (Ord. No. 86-31, ' 1, 3-17-86)

23. Applications for Certificates of Appropriateness: Every application for a demolition permit or a building permit, including the accompanying plans and specifications, affecting the exterior architectural appearance of a designated landmark or of a property within a designated historic district shall be forwarded by the Building Department to the Preservation Commission within seven (7) days following receipt of the application by the Building Department. The Building Department shall not issue the building or demolition permit until a certificate of appropriateness has been issued by the Preservation Commission. Any applicant may request a meeting with the Preservation Commission before the application is sent by the Building Department to the Preservation Commission or during the review of the application. Application for review of construction, alteration, demolition, or removal not requiring a building permit for which a certificate of appropriateness is required shall be made on a form prepared by the Preservation Commission and available at the office of the Preservation Commission. The Preservation Commission shall consider the completed application at its next regular meeting. The Preservation Commission may establish a subcommittee of five (5) of its members to review routine applications for a certificate of appropriateness when delay to the next regular meeting would create an unnecessary inconvenience to the applicant. A certificate of appropriateness may be issued prior to the next regular meeting upon the signatures of four (4) of the members of the subcommittee. (Ord. No. 86-31, ' 1, 3-17-86)

24. Determination by Preservation Commission. The Preservation Commission shall review the application for a building or demolition permit or for a certificate of appropriateness and issue or deny the certificate of appropriateness within forty-five (45) days of receipt- of the application. Written notice of the approval or denial of the application for a certificate of appropriateness shall be provided the applicant and the Building Department within seven (7) days following the determination and shall be accompanied by a certificate of appropriateness in the case of an approval. (Ord. No. 86-31, ' 1, 3-17-86)

25. Denial of a Certificate of Appropriateness: A denial of a certificate of appropriateness shall be accompanied by a statement of the reasons for the denial. The Preservation Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that

would cause the Preservation Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the differences between the owner and the Preservation Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Preservation Commission. (Ord. No. 86-31, ' 1, 3-17-86)

26. Procedure for Appeal: A determination by the Preservation Commission that a certificate of appropriateness be denied after the reconsideration of the application as stated in section 25 above, may be appealed to the City Council of the City of Joplin. The applicant may within thirty (30) days after the postmarked date of the denial file with the City Clerk a written appeal to the City Council. The council shall then set a hearing date not less than thirty (30) days after receipt of a request for a hearing. A determination by the City Council that an application for a certificate of appropriateness be denied shall be the final administrative decision reviewable under the Missouri Administrative Procedure and Review Act, and any appeal from a denial shall be to the circuit court as provided therein. (Ord. No. 86-31, ' 1, 3-17-86)

27. Standards for Review: In considering an application for a building or demolition permit or for a certificate of appropriateness, the Preservation Commission shall be guided by the following general standards in addition to any design guidelines in the ordinance designating the landmark or historic district.

(A) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

(B) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.

(C) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.

(D) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

(E) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.

(F) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

(G) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

(H) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

(I) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment. (Ord. No. 86-31, ' 1, 3-17-86)

28. Certificate of Economic Hardship: Application for a certificate of economic hardship shall be made on a form prepared by the Preservation Commission. The Preservation Commission shall schedule a public hearing concerning the application and provide notice in the same manner as in section 13 of this appendix, and any person may testify at the hearing concerning economic hardship in the same manner as provided by section 14 of this appendix.

The Preservation Commission may solicit expert testimony or require that the applicant for a certificate of economic hardship make submissions concerning any or all of the following information before it makes a determination on the application:

(A) Estimate of the cost of the proposed construction, alteration, demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a certificate of appropriateness;

(B) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

(C) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and in the case of a proposed demolition, after renovation of the existing property for continued use.

(D) In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.

(E) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;

(F) If the property is income-producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;

(G) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;

(H) All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing, or ownership of the property;

(I) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years;

(J) Assessed value of the property according to the two (2) most recent assessments;

(K) Real estate taxes for the previous two (2) years;

(L) Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other.

(M) Any other information, including the income tax bracket of the owner, applicant, or principal investors in the property considered necessary by the Preservation Commission to a determination as to whether the property does yield or may yield a reasonable return to the owners. (Ord. No. 86-31, ' 1, 3-17-86)

29. Determination of Economic Hardship: The Preservation Commission shall review all the evidence and information required of an applicant for a certificate of economic hardship and make a determination within forty-five (45) days of receipt of the application whether the denial of a certificate of appropriateness has deprived, or will deprive, the owner of the property of reasonable use of, or economic return on, the property. Written notice of the determination shall be provided in the same manner as required by section 24 of this appendix. (Ord. No. 86-31, ' 1, 3-17-86)

30. Appeals: A determination by the Preservation Commission that an application for a certificate of economic hardship be denied shall be a final administrative decision reviewable under the Missouri Administrative Procedure and Review Act, and any appeal from a denial shall be to the circuit court as provided therein. (Ord. No. 86-31, ' 1, 3-17-86)

31. Fees and Penalties: The Preservation Commission may establish an appropriate system of processing fees for the review of nominations, certificates of appropriateness, and certificates of economic hardship. Any person who undertakes or causes an alteration, construction, demolition, or removal of any nominated or designated landmark or property within a nominated or designated historic district without a certificate of appropriateness or a certificate of economic hardship shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00). Every day each such violation shall continue to exist shall constitute a separate violation. The Preservation Commission may institute any appropriate action or proceeding in the name of the City of Joplin to enjoin, correct, or abate any violation of this ordinance [Appendix].