

**Ordinance No. 2024-549**

**AN ORDINANCE TO AMEND THE CITY OF NEW CASTLE MUNICIPAL CODE, CHAPTER 1 (GENERAL PROVISIONS), GENERAL ADMINISTRATION, REGARDING DISCLOSURE OF LOCATION WITHIN AN HISTORIC DISTRICT**

**Whereas**, the Council of the City of New Castle (“City Council”) possesses the authority to adopt, amend, modify, or repeal the City of New Castle Municipal Code (“City Code”); and

**Whereas**, the City of New Castle historic district is an integral part of the character of the City; and

**Whereas**, the City Council believes that preserving and protecting the character of the City’s historic district is of utmost importance; and

**Whereas**, preserving and protecting the character of the City’s historic district begins with knowledge of the applicable regulations and requirements affecting property within the City’s historic district; and

**Whereas**, the City Council finds that adopting a requirement that buyers of property within the City’s historic district acknowledge awareness of the property’s location within the City’s historic district would promote compliance with the City’s historic district regulations and requirements; and

**Whereas**, the City Council has determined that it is in the best interest of the City and its residents to amend the City of New Castle Municipal Code to incorporate a requirement that buyers of property within the City’s historic district acknowledge awareness of the property’s location within an historic district.

**NOW, THEREFORE**, making the express finding that the provisions of this Ordinance enhance and promote the health, safety, and welfare of the City of New Castle, be it ordained by the Council of the City of New Castle Council as follows:

**SECTION 1:** City Code Chapter 1, General Provisions, Article III, General Administration is hereby amended by adding a new Section 1-13 titled “Disclosure of Location within an Historic District” as follows (with new language identified in bold, underlined text):

**§ 1-13 Disclosure of Location within an Historic District**

- (a) **Every purchaser who acquires title to land located within an Historic Residence (HR) or Historic Commerce (HC) zoning district within the City of New Castle shall sign an affidavit acknowledging that the property is subject to additional requirements and regulations due to the property’s location within an historic zoning district and submit said affidavit to the City.**
- (b) **No document concerning the purchase of property within an Historic Residence (HR) or Historic Commerce (HC) zoning district within the City of New Castle shall be recorded in the office of the recorder of deeds unless prior thereto it shall have been presented to the City for the purpose of determining that the affidavit required herein has been submitted to the City.**

**SECTION 2:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3:** In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

**SECTION 4:** This Ordinance shall become effective immediately upon its adoption by City Council.

First Reading

Second Reading

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_

\_\_\_\_\_, President of City Council

Attest: \_\_\_\_\_, City Clerk

Approved: \_\_\_\_\_, Mayor

**DRAFT**