

Ordinance No. 559

AN ORDINANCE TO AMEND THE CITY OF NEW CASTLE MUNICIPAL CODE, CHAPTER 230 (ZONING CODE), REGARDING HISTORIC AREA COMMISSION MEMBERSHIP

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 Historic Area Commission provides valuable guidance and oversight to safeguard the heritage of the City; and

Whereas, the City of New Castle has within its boundaries sites, structures, and history so profound that two were included within a national historical park established in 2014; and

Whereas, the First State National Historical Park’s two sites within the City of New Castle – the Sheriff’s House Welcome Center and the New Castle Court House Museum – are an important part of the City’s history and architecture; and

Whereas, providing a standing opportunity for a representative from the First State National Historical Park to provide perspective, talent and resources to the Historic Area Commission would promote the preservation and protection of the City of New Castle’s important historic and architectural resources in perpetuity; and

Whereas, the City of New Castle has adopted into its 2020 Comprehensive Plan goals to strengthen and enhance relationships to positively impact historic preservation amongst stakeholders; and

Whereas, The City Council has determined that it is in the best interests of the City and its residents to amend the City Code to allow the First State National Historical Park Superintendent, or designee, to participate in Historic Area Commission discussions as a nonvoting member.

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 230, Zoning Code, Section 230-50(A), Creation of Historic Area Commission, is hereby amended as follows (with deleted text identified by bold, strikethrough and new language identified by bold, underlined text):

A. Creation.

(1) Historic Area Commission is hereby created. The Commission shall consist of the following **seven** ~~six~~ members:

(a) An architect licensed in the State of Delaware and having interest and knowledge in the protection, preservation and restoration of the historic character of the City, appointed by City Council. The architect shall be a nonvoting member who shall serve in an advisory capacity only.

(b) Two City residents having municipal voting privileges and appointed by City Council.

(c) Two City residents having municipal voting privileges, appointed by the Mayor, subject to confirmation by the City Council of New Castle.

(d) A Planning Commission member, appointed by City Council.

(e) **The Superintendent of the First State National**

Historical Park, or designee, is invited to participate as a nonvoting member in an advisory capacity only.

(2) At least three voting members shall be residents of and have legal or equitable title to property in the Historic District.

B. Terms. The terms of office for members shall be for three years. The five incumbent members of the Historic Area Commission at the time of the adoption of this section shall continue to serve the balance of their respective terms. The **architect** ~~sixth~~ member of the Historic Area Commission shall be appointed by City Council within 90 days of the adoption of this section. No member of the Historic Area Commission may serve more than two consecutive terms; provided, however, that no term limitation shall apply to the nonvoting architect **and First State National Historical Park** members. Members may, after a public hearing, be removed by City Council for inefficiency, neglect of duty, malfeasance in office or other good cause.

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 _____, 2025

_____, President of City Council

Attest: _____
_____, City Clerk

Approved: _____
_____, Mayor