

**THE BREWERY DISTRICT COMMISSION
BY-LAWS**

PREAMBLE

These by-laws establish the rules under which the Brewery District Commission, hereinafter referred to as the Commission, shall execute those duties and functions set forth in, and with the authority granted under Chapter 3321, C.C. "Brewery District Commission" established by Ordinance No. 504-93, passed April 29, 1993: Preserve, stabilize and improve the compact and unique district of the City known as the Brewery District. Promote the importance of historic preservation in the Brewery District. Strengthen the economy of the City through the creation of new jobs. Improve the City's tax base by encouraging reinvestment in historic buildings, and redevelopment of undeveloped land and parcels containing non-contributing structures. Protect the unique historic and architectural character of the Brewery District for enjoyment of City residents and visitors alike. Study the problems and determine the needs of the Brewery District in furthering preservation and compatible redevelopment.

**ARTICLE I
Members**

Section 1. The Commission shall consist of seven (7) members appointed by the Mayor. Members serve at the pleasure of the Mayor and without compensation.

Section 2. The term of membership shall be three (3) years (except for lesser initial terms as provided herein), however a member shall continue to serve until a successor is appointed. Terms shall commence on June 30, except that an appointment to fill a vacancy shall begin immediately. To provide future continuity of experienced service, initial terms shall be: two (2) members each for one (1) year term; two (2) members each for a two (2) year term; and three (3) members each for a three (3) year term.

Section 3. Upon a vacancy, the Commission shall immediately request the Mayor appoint a new member of similar representation. The Commission may make a recommendation of a new member for the mayor's consideration.

Section 4. Regular and timely attendance is expected of each member. The Commission shall request the Mayor to revoke the appointment of any member who is absent without excuse from three (3) consecutive regular meetings or from five (5) regular meetings in any twelve (12) month period.

**ARTICLE II
Officers**

Section 1. Each January the Commission shall elect from its members a Chairperson and Vice Chairperson to serve as officers and voting members of the Commission. Such officers shall serve for one year thereafter, or until a successor is elected, and shall be limited to two (2) consecutive terms in the same office.

Section 2. With just cause, the Commission may recall an officer.

Section 3. Should an office become vacant, the Commission shall elect a successor within the next two (2) regular meetings.

Section 4. The Chairperson shall preside at all meetings, serve as spokesperson for the Commission, and, in consultation with other members, appoint committees. The Chairperson shall ensure the Commission dispenses with business fairly and properly; and that meetings are conducted in an orderly and timely manner. The Chairperson shall determine existence of a quorum, who is absent and whether those absent are excused.

Section 5. The Vice Chairperson shall assume the duties of Chairperson in his/her absence.

Section 6. The Historic Preservation Officer shall oversee all record keeping procedures.

ARTICLE III Representing the Commission

Section 1. No member, except the Chairperson, shall represent the Commission, unless specifically authorized by the Commission. When such representation is made, only the proceedings and acts of the Commission shall be communicated, and such incident shall be reported to the Commission at its next regular meeting.

ARTICLE IV Duties

Section 1. The duties of the Brewery District Commission shall be as follows:

- A.** To preserve, protect and enhance the unique architectural and historical district of the City known as the Brewery District.
- B.** To consider applications pursuant to regulations and standards of Chapters 3116 and 3321, C.C., and the Commission's guidelines and issue Certificates therefore, if appropriate.
- C.** To study the problems and determine the needs of the City in furthering the purpose of preserving and redeveloping the Brewery District.
- D.** To determine what legislation or policy, if any, is necessary to preserve and redevelop the Brewery District and to recommend the same to the Mayor or Council, whichever is appropriate.
- E.** To prepare, adopt and publish guidelines consistent with the adopted Brewery District Plan and standards for the District pursuant to Chapter 3116, C.C., as applicable.
- F.** To work with other preservation and architectural review commissions, the Columbus Landmarks Foundation, the Ohio Historic Preservation Office, City departments, business organizations, neighborhood groups and other interested organizations to advance the preservation and redevelopment of the Brewery District and other historic resources in the City.
- G.** To advise the Mayor and make recommendations on the conservation of City-owned structures and sites in the Brewery District and on any alteration or demolition of a City-owned property, right-of-way or park in the Brewery District.
- H.** To assist the City in compliance with federal preservation regulations.
- I.** To receive for review, comment and recommendation from the Development Regulation Division, copies of applications and notices of all public hearings related to rezonings, special permits, variances, demolitions and zoning appeals regarding property located wholly or partially within the Brewery District.

J. To provide for regular and special meetings to accomplish the purposes of paragraphs (A) through (I) herein.

ARTICLE V Meetings

Section 1. A regular meeting shall be held on the first Thursday of each month unless otherwise provided by the Commission.

Section 2. An annual meeting shall be held at the regular meeting in January and shall include election of officers.

Section 3. A special meeting may be called by the Chairperson or by a majority of the Commission. Except in cases of emergency, at least fourteen (14) days notice of such meeting shall be given to each member.

Section 4. Brewery District Commission Business Meetings shall be held one week prior to the regular monthly commission meeting [and conducted] in accordance with the Open Meetings Act (R. C. 121.22). The Brewery District Commission Business Meetings shall be held at 109 North Front Street at 12:00 noon on the Thursday before the regular commission meeting unless otherwise announced by the Chairman or City Historic Preservation Office Staff and published at least one (1) week in advance of the Business Meeting.

Section 5. All meetings shall be open to the public and notice of any meeting, stating the date, time, location and purpose, shall be published in the City Bulletin prior to such meeting except in the case of an emergency.

Section 6. Four (4) members shall constitute a quorum. If a quorum is not met within fifteen minutes of the scheduled meeting time, roll shall be called and the meeting adjourned. When a quorum is lacking, no business can be transacted other than to recess or adjourn.

Section 7. An agenda shall be prepared and made available prior to each meeting. Applications for Certificates of Appropriateness shall be considered first in the order of business; however, the Chairperson may reasonably modify the order of business unless overruled by a majority of the members present. Minutes shall be taken and maintained, and, once approved, made available for public examination.

Section 8. The Chairperson may limit the number of persons who may speak regarding any agenda item and may limit the amount of time each may speak.

*[ARTICLE V, MEETINGS-REVISED AND
RENUMBERED AS OF 8/5/04]*

ARTICLE VI Certificate of Appropriateness

Section 1. Any permit application for construction of a building, exterior alteration of a building not involving replacement-in-kind, site improvements or applications requiring zoning clearance shall require a Certificate of Appropriateness. The Commission shall issue a Certificate of Appropriateness to the

applicant when the guidelines of the “Brewery District Commission” Chapter 3321 C.C. and subsequent adopted guidelines are met.

Section 2. The Commission may delegate its authority to issue Certificates of Approval to the Development Director or his designee for:

- A.** Projects which fully comply with the standards of the “Brewery District Commission” Chapter 3321 C.C., subsequent Commission guidelines; or
- B.** Historic Preservation Officer reviewed items.

Section 3. A Certificate of Appropriateness shall be in the form of either a certificate, indicating what was approved, or an official stamp of approval, indicating compliance with the approved action, and with each being validated by the signature of the Historic Preservation Officer or designee to certify conformance with the motion passed. A signed stamp of approval shall be placed on all documents that indicate the work to be done and are necessary for obtaining a permit.

Section 4. When an applicant is denied a Certificate of Appropriateness, the Commission shall convey to the applicant its reasons for doing so. A denied application can only be reheard if: significant, new information is presented; the proposal is significantly altered; the proposal is changed to satisfy the reasons for its denial; or the Commission consents to a rehearing at a future meeting.

ARTICLE VII Voting and Procedure

Section 1. No member shall vote upon any matter in which he/she may have or appear to have a conflicting interest. A member shall immediately inform the commission at such time a situation presents itself in which his/her interests conflict or would appear to conflict with the fair, impartial, and objective performance of his/her duties and responsibilities as a Commission member.

Section 2. Approval by the Commission shall require an affirmative vote of no less than four (4) members, unless otherwise stated herein. A recommendation by the Commission on items other than a Certificate of Appropriateness may be made by a majority of the members voting thereon. The failure of a question to receive the required affirmative vote shall constitute denial of the requested action. A member who abstains from voting shall not be considered in determining a vote.

Section 3. Motions, when at all possible, shall be made in a positive form.

Section 4. Applications with insufficient information shall not be considered or shall be denied, postponed, continued, or given a preliminary review receiving no formal action. Decisions of the Commission shall be supported by appropriate findings of fact, and where necessary, shall be accompanied by such conditions and/or recommendations as it may determine to be reasonable under the circumstances. The Commission may solicit or request the applicant furnish professional advice to aid them in making an informed decision.

Section 5. Appeal of findings and determinations of the Commission based on a claim of substantial economic hardship as defined in C.C. 3116.018, may be taken to the Board of Commission Appeals in accordance with provisions of Chapters 3116 and 3118, C.C., and the “Brewery District Commission” Chapter 3321, C.C. Appeal for any reason other than substantial economic hardship or unusual and compelling circumstances may be made to the courts.

ARTICLE VIII
Parliamentary Authority

Section 1. The current edition of *Roberts Rules of Order Newly Revised* shall govern the Commission in all cases to which they are applicable in which they are not inconsistent with Columbus City Codes, the Charter of the City of Columbus, or these bylaws and any special rules of order the Commission may adopt.

ARTICLE IX
Amendment of Bylaws

Section 1. These bylaws may be amended at any regular meeting of the Commission by the affirmative vote of at least five (5) members, provided that the amendment has been submitted in writing at the previous regular meeting.

Section 2. Any amendment proposed for adoption shall contain the entire bylaws as amended and shall repeal the existing bylaw.

ARTICLE X
Filing and Effective Date

Section 1. Immediately upon adoption of these bylaws, or any amended bylaws, a certified copy thereof shall be filed with the City Clerk for publication in the City Bulletin within twenty days thereafter. Such bylaws shall take effect the tenth day after such publication

Adopted by the Brewery District Commission on the 3rd day of February, 1994

Certified by: Diane Cole, Historic Preservation Officer