

**CHARTER
OF
FAYETTEVILLE HISTORIC RESOURCES COMMISSION**

WHEREAS, the City Council of Fayetteville, hereinafter referred to as the "City", has appointed a Commission to aid in the historic preservation of the City of Fayetteville.

WHEREFORE, pursuant to N.C.G.S., Chapter 160D-303, said Commission is hereby organized and constituted as follows:

I

NAME

The name of the Commission is Fayetteville Historic Resources Commission.

II

PURPOSE

The purpose of this Commission shall be to safeguard the heritage of the City of Fayetteville by preserving in accordance with law any property therein that embodies important elements of its cultural, social, economic, political or architectural history; and to promote the use and conservation of such property for the education, pleasure, and enrichment of the residents of the City, Council, and the State as a whole.

III

MEMBERS

The Commission shall consist of seven (7) regular members appointed by the City Council whose tenure shall be a term of two (2) years. No member shall be permitted to serve more than two (2) successive terms. All members shall reside within the City of Fayetteville and serve without compensation.

Each of the members of such Commission shall have demonstrated special interests, experience, or education in history or architecture. Further, the following categories of members shall be represented:

- (a) A licensed/registered Architect;
- (b) A Historic Preservationist, or Cultural or Social Historian;

- (c) A Realtor, Developer, or General Contractor;
- (d) A building designer or land use design professional; and
- (e) A Historic District property owner.

The City Manager or a designee of the Manager shall be an ex officio, nonvoting member of the Commission.

IV

OFFICERS

The membership of the Commission shall annually elect a chairman and vice-chairman whose duties shall be as follows:

Chairman: The chairman shall conduct all meetings of the Commission and shall make all committee appointments necessary to carry out the functions of the Commission.

Vice-Chairman: The vice-chairman shall serve in the place of the chairman if the chairman is absent or otherwise unable to fulfill the duties of chairman.

The Commission secretary shall be the City Manager or his designee.

V

DUTIES, RESPONSIBILITIES, AND POWERS

It shall be the duty and responsibility of the Commission to carry out the functions of a historic preservation commission as specified in N.C.G.S., Chapter 160D-942, except as further defined, limited, or regulated herein or in Section 2-41 of the City Code of Ordinances.

Similarly, the Commission shall have all the powers specified in N.C.G.S., Chapter 160D-942, except when in conflict with Section 2-41 of the City Code of Ordinances or as follows:

- (1) Acquire in the name of the City of Fayetteville, with the prior approval of the Fayetteville City Council, the fee or any lesser included interest, including options to purchase, to any such historic properties; to hold, manage, preserve, restore and improve the same, with the prior permission of the Fayetteville City Council; and to exchange, dispose of the property by public sale, lease or otherwise, with the prior approval of the Fayetteville City Council and subject to any covenants or other legally binding restrictions which will secure appropriate rights of public access and to promote the preservation of the property. [Note: This paragraph replaces N.C.G.S., Section 160A-400.8(3).]
- (2) The Commission shall have no eminent domain authority; however it may

recommend that any historic property be acquired pursuant to the City's eminent domain authority.

Additionally, it shall be the duty and responsibility of the Commission to carry out other functions duly assigned to it by the City Council in furtherance of preservation of historic properties within the City.

VI

MEETINGS

The Commission shall meet at least once a month; the time, place, and date to be determined by the members at their first meeting. The first meeting of the Commission shall be within thirty (30) days of the completion of appointments to the Commission by City Council. The Mayor shall act as temporary chairman at the first meeting until a chairman is duly elected. The chairman or a majority of regular members may call other meetings upon giving proper notice to all members in accordance with law.

VII

FINANCING AND STAFF SERVICES

The Commission shall annually submit a proposed administrative budget to the City Manager for its necessary operations for the next fiscal year. All budget appropriations approved by the Council shall be accounted for in accordance with the Local Government Budget and Fiscal Control Act.

The Planning Services Manager or his/her designee shall serve as staff to the Commission. The Planning Services Manager shall make staff assignments as necessary to carry out the approved work program of the Commission and within the approved budget by City Council.

VIII

BYLAWS AND RULES OF PROCEDURE

The Commission is hereby authorized to adopt bylaws and/or rules of procedure governing the operation of the Commission insofar as such bylaws and/or rules do not conflict with this Charter, the ordinance establishing the Commission, applicable general statutes, or the State or Federal Constitution.

IX

AMENDMENT

This Charter may be amended from time to time upon the recommendation of a majority of the Commission to the City and the approval of said amendment(s) shall be by the City Council.

Approved this the _____ day of _____, 2025.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

Jennifer Ayre, City Clerk