

ORDINANCE #0-02-21

AN ORDINANCE AMENDING, REVISING AND MODIFYING APPEALS RELATIVE TO ISSUANCE OR DENIAL OF CERTIFICATE OF APPROPRIATENESS BY HISTORIC PRESERVATION COMMISSION IN SEC 5-155 (N)

BE IT ORDAINED BY THE CITY OF NASHVILLE CITY COUNCIL.

Sec. 5-155 (n) is hereby deleted in its entirety and Sec 5-155 (n) as set forth hereafter is adopted and substituted in replacement thereof.

(n) Appeals.

Any person with standing who is adversely affected by any determination made by the commission relative to the issuance or denial of a certificate of appropriateness may appeal such determination to the Nashville City Council. Any such appeal must be filed with the Nashville City Council within one hundred eighty (180) days after the issuance of the determination pursuant to subsection 155(h)(1) of this article, or in the case of a failure of the commission to act, within one-hundred eighty (180) days of the expiration of the forty-five (45) day period allowed for the commission to act, subsection 5-155(h)(2) of this article. Appeals for properties within the City of Nashville shall be made to the City of Nashville Council. The Nashville City Council may approve, modify, or reject the determination made by the commission, if the governing body finds that the commission abused its discretion in reaching its decision. Appeals from decisions of the City of Nashville Council may be taken to the Superior Court of Berrien County in the manner provided by law for appeals from conviction for the City of Nashville ordinance violations.

Effective Date

This Ordinance shall become effective on the ____ day of _____, 2021.

THEREFORE BE IT RESOLVED, that the City of Nashville City Council does hereby ordain, resolve and enact foregoing Historic Preservation Commission Ordinance for the City of Nashville.

Adopted this 25th day of JAN, 2021.

Date of Implementation: ____ day of _____, 2021.

First Reading: 11-09-2020

Second Reading: 01-11-2021

APPROVED:

THE CITY OF NASHVILLE



Mayor Taylor Scarborough



Alderman Scott Stalaker




Alderman John Clayton


Alderman Billy Retterbush



Alderman Antonio Carter



Alderman Eric Gaither



Alderman Walt Steward

Attest:



City Clerk Jackie Jordan