

**TOWN OF COVENTRY  
ORDINANCE  
OF THE  
TOWN COUNCIL**

NO. 04-13-288

The Town Council of the Town of Coventry hereby ordains as follows:

**ARTICLE 19 - HISTORICAL AREA ZONING**

**§ 19-1 AUTHORITY:**

This Chapter is adopted in accordance with R.I.G.L. § 45-24-51 et seq. and R.I.G.L. § 45-24.1-1 et seq., as amended.

**§ 19-2 PURPOSE:**

The purpose of this Ordinance is to safeguard the heritage of the Town by preserving a district or districts in the Town which reflect or reflects elements of its cultural, social, economic, political and architectural history; stabilize and improve property values in that district; foster civic beauty; strengthen the local economy; promote the use of the district for the education, pleasure & welfare of the citizens; and, where feasible promote low and moderate housing opportunities.

**§ 19-3 DEFINITIONS:**

The following terms shall have the following respective meanings:

(a) Alteration: An act that changes one (1) or more of the exterior architectural features or its appurtenances, including but not limited to the erection, construction, reconstruction, or removal of any structure or appurtenance.

(b) Appurtenances: Features other than primary or secondary structures which contribute to the exterior historic appearance of a property, including but not limited to paving, doors, windows, signs, materials, decorative accessories, fences, and historic landscape features.

(c) Certificates of Appropriateness: A certificate issued by the Town of Coventry Historic District Commission established under this Chapter indicating approval of plans for alteration,

(b) Membership and Appointment.

(1) The Commission shall consist of five qualified members, who are residents of the Town of Coventry, to be appointed by the Town Council. Members shall be appointed for three (3) year terms, except that the initial appointments of some of the members shall be for less than three years so that the initial appointments are staggered and so that subsequent appointments do not reoccur at the same time. Members shall be eligible for reappointment.

(2) Members of the Commission shall have a demonstrated interest in historic preservation and shall serve without compensation.

(3) The Town Council shall have the right to name an auxiliary member to the Commission in addition to the regular members, which auxiliary member shall sit as an active member, upon the request of the Chairperson of the Commission when and if a regular member of the Commission is unable to serve at any meeting of the Commission.

(c) Organization of the Commission.

(1) The Commission shall organize annually and, by election, shall select from its membership a Chairperson, Vice-Chairperson and a Secretary.

(2) The Commission shall:

(a) adopt and publish rules and regulations necessary to carry out its functions under the provisions of this Chapter;

(b) adopt and publish standards of review which should be in harmony with the Secretary of the Interior's *Standards and Guidelines for Rehabilitating Historic Buildings*, 36 CFR 67, or similar standards of the Rhode Island Historic Preservation and Heritage Commission, as may be amended, within twelve (12) months following the adoption of this Chapter to inform historic district residents, property owners, and the general public of those criteria by which the Commission shall determine whether to issue a Certificate of Appropriateness. The Commission may from time to time amend these standards as reasonably necessary, and it shall publish all such amendments.

(c) Such rules, procedures and standards and any additions and amendments thereto shall be submitted to the Council for its approval and shall, thereon, become part of this Chapter.

(4) Conduct of Business

(a) Applications for Certificates of Appropriateness shall be filed with the Commission at the Office of the Planning Department, who shall determine if such application is complete and who shall forward complete applications, together with all maps, plans, and other data to the Commission. Incomplete applications shall be returned to the applicant within thirty-five (35) working days of receipt of the Planning Department.

(b) The Commission shall require the owner to submit information which is reasonably necessary to evaluate the proposed construction, alteration, repair, removal or demolition including but not limited to site plans, elevation drawings, photographs or other information deemed appropriate by the Commission and set forth in the Commission's rules and regulations adopted pursuant to this Chapter.

(c) In reviewing the applications and plans, the Commission shall give consideration to:

(1) the historic and architectural significance of the structure and its appurtenances;

(2) the contribution of the structure and its appurtenances to the historical and architectural significance of the District;

(3) the appropriateness of the general design, arrangement, texture and material proposed in the plans; and

(4) the Commission shall pass only on exterior features of a structure and its appurtenances and shall not consider interior arrangements.

(d) All decisions of the Commission shall be in writing.

(e) The following are special considerations regarding valuable historic resources and demolition:

(1) In the case of an application for construction, repair, or alteration, removal, or demolition affecting the exterior appearance of a structure or its appurtenances which the Commission deems so valuable to the Town of Coventry, State or Nation that the loss thereof will be a great loss to the Town of Coventry, State or Nation, the Commission shall endeavor to resolve with the owner an economically feasible plan for the preservation of such structure.

(2) Unless the Commission is satisfied that the retention of such structure constitutes a hazard to public safety, which hazard cannot be eliminated by economic means available to the owner, including the sale of the structure

Code, R.I.G.L. § 23-27.3-100.0 et seq., which cannot be eliminated by any economic means available to the owner. If the Commission remains unconvinced that retention is a hazard, the Commission shall forward its rejection of the application for demolition to the Building Official.

(c) If any of the following conditions apply, the Commission may approve the application for a certificate for demolition, relocation, removal or alteration of a structure:

(1) Preservation of such structure is a deterrent to a major improvement program which will significantly benefit the Town.

(2) Preservation of such structure would cause undue or unreasonable financial hardship to the owner, taking into account the financial resources available to the owner, including the sale of the structure to any purchaser willing and able to preserve such structure.

(3) Preservation of such structure would not be in the best interest of the community as a whole.

(d) Alternatives to demolition and removal.

(1) When considering an application to demolish or remove a structure of historic, cultural, architectural or archaeological value, the Commission shall assist the owner in identifying and evaluating alternatives to demolition.

(2) In addition to any other criteria, the Commission shall also consider whether there is a likelihood that some person or group of persons other than the current owner is willing to purchase, move and preserve such structure or accessory and whether the owner has made continuing, bona fide and reasonable efforts to sell the structure to any such purchaser.

#### **§ 19-7 FAILURE OF THE COMMISSION TO ACT:**

The failure of the Commission to act within forty five (45) days from the date an application is deemed complete by the Planning Department shall be deemed to constitute approval, unless an extension is agreed upon mutually by the applicant and the Commission. In the event, however, that the Commission shall make a finding of fact that the circumstances of a particular application require further time for additional study and information than can be obtained within the aforesaid period of forty five (45) days, then and in said event, the Commission shall have a period of up to ninety (90) days within which to act upon such application.

#### **§ 19-8 EXCEPTIONS:**

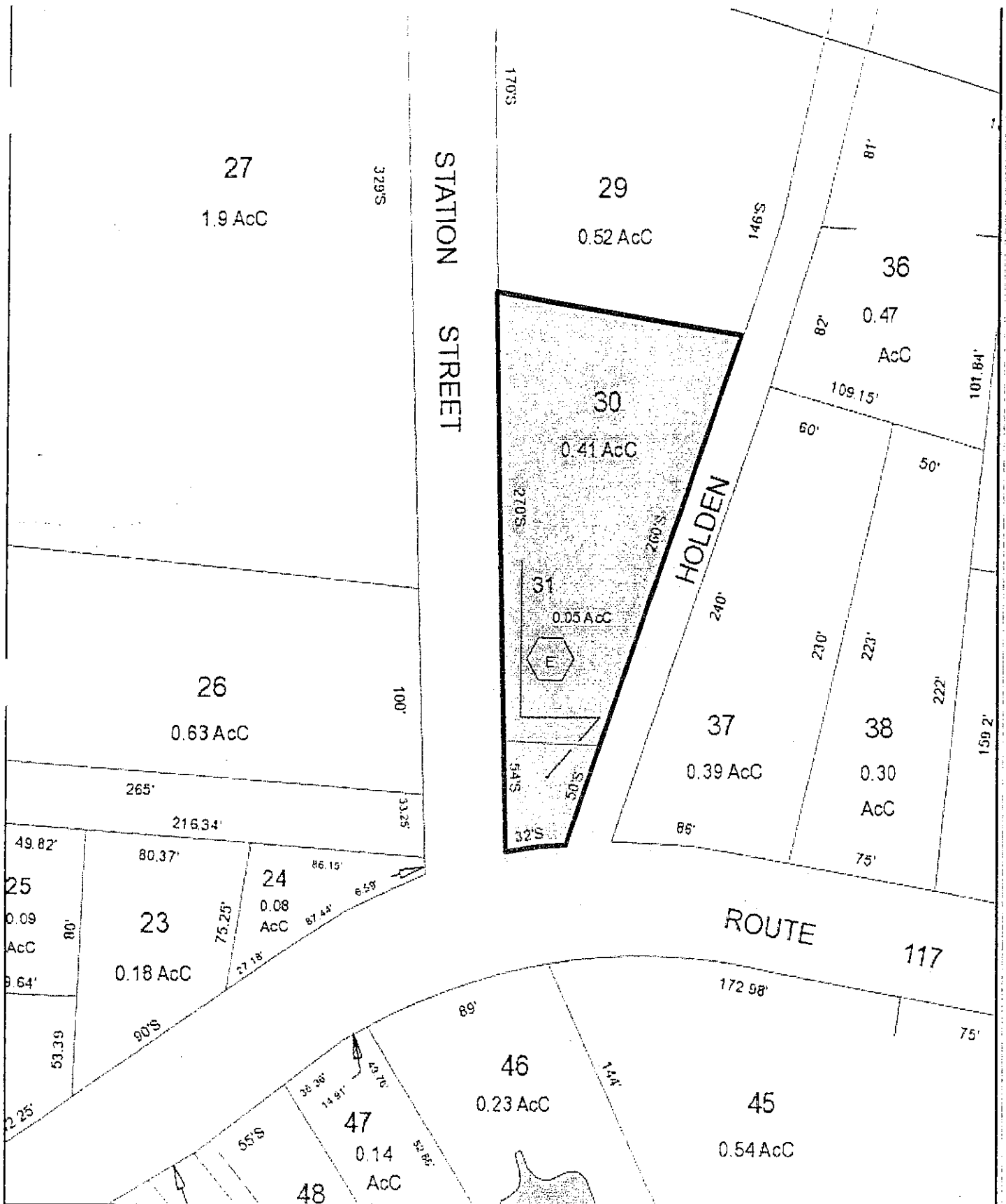
Nothing in this Chapter shall be construed to prevent painting, routine maintenance or repair of any structure within a Historic District, provided that such maintenance or repair does not result

Duly Adopted:

on 5/13 2013

Attest: Cheryl A. Goss  
(Town Clerk)

on \_\_\_\_\_ 2013



Paine House Historic District  
Coventry, RI

