

ORDINANCE NO. 621

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE 558 (HISTORIC DISTRICT) SECTIONS 4, 5, 6, 7, 8, 9,10, 11 AND 12.

SECTION 4. Submission of Plans to Town Council for Exterior Changes

A. The owner of any property within the Historic District shall apply for a permit or Certificate of Appropriateness from the Town Council before commencement of “work” as herein used includes erecting new structures, alterations, remodeling, relocation or demolishing of any existing buildings within the Oak Grove Historic District. If the requirement is violated penalties shall be imposed as provided in Section 8.

B. Application shall be made to the Town Council, accompanied by a full set of plans as providing the proposed structure or alterations to the proposed appearance, color, material and architectural design of the exterior, including the front, sides and alterations or additions to any building or outbuildings, party wall, courtyard, sidewalk, driveway and parking area.

C. Where, by reason of topographical conditions, irregularly shaped lots, or unusual circumstances applicable solely to the particular application strict enforcement of the provisions of this Ordinance would result in serious undue hardship peculiarly affecting said applicant, then the Town Council, in passing upon the application, shall have the power to vary or modify adherence to this Ordinance provided always that its requirement insure harmony with the general purpose hereof, and not adversely affect the Historic District as a whole.

SECTION 5. Council Recommendations and Actions.

The decision of the Council shall be made at the next regular council meeting but may be continued by majority vote of the council attending that regularly constituted meeting.

SECTION 6. Appeals.

Any person or persons aggrieved by the decision of the City Council shall have the right to file a civil suit within thirty (30) days of the decision in a court of competent jurisdiction.

SECTION 7: Injunctions.

Whenever any person has engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of this Ordinance, the Council, and/or the Mayor may make application to appropriate court for an order enjoining such act or practice, or requiring such person to refrain from such prospective violation or to remedy such violation by restoring the affected property to its previous condition. Upon a showing by the City that such person has engaged or is about to engage in such an act or practice, a permanent or temporary restraining order, or other appropriate order shall be granted without bond.

SECTION 8: Penalties.

Any owner, agent, lessee, or other person acting for or in conjunction with the owner or agent who violates the provisions of this Ordinance or rules, regulations or decision of the Council shall be fined not less than fifty (50) dollars nor more than five hundred (500) dollars for each infraction. Each day that a violation continues shall constitute a separate offense.

SECTION 9. New Construction.

Proposals for new construction in the Oak Grove Historic District should seek compatibility with existing structures through the appropriate use of site planning materials, decorative details, architectural elements and scale. A proposal should not draw attention to itself by failing to relate to neighboring styles. But neither should it copy these styles. The object is to compliment the context of the Oak Grove Historic District.

The Council shall follow The Secretary of the Interior’s Standards for the Treatment of

Historic Properties with Guidelines for preserving, Rehabilitating, Re-Storing, and Reconstructing Historic Buildings in considering all proposals for new construction.

SECTION 10. Floodlights.

The exterior of buildings and properties within the Oak Grove Historic District shall not be illuminated by privately controlled floodlights or other illumination except as approved by the Council or as permitted specially by the Ordinance. This shall not prohibit merchants and owners from providing illumination within its own store front windows nor from illumination for decorations in holiday season.

SECTION 11. Signs.

A. Definitions

1. SIGN shall include any symbol, device, image, poster, flag, banner, billboards, design or directional sign used for advertising purposes, whether painted upon, attached to, erected on or otherwise maintained on any premises containing any words, letters, emblems, devices, trade names or trademarks by which anything is made known to designate an individual, firm, corporation, profession, a business or a product, which is visible from any public street and is used to attract attention.

2. DISPLAY includes erect, paint, repaint, place, hang, re-hang, repair, maintain paint directly upon a building or other structure, inlay, embed in, or otherwise exhibit in public view.

B. Signs Must Conform to Character of Historical District.

In addition to the prohibitions contained in this section, approval of the display of a sign in the Oak Grove Historic District of the City shall be granted by the Council only when such signs and the plans therefor, so far as they relate to appearance, color, size position, method of attachment, texture of materials and design, conform to the quaint and distinctive character of Oak Grove Historic District and/or do not injuriously affect it or impair the value of the community of those buildings having architectural or historical worth.

C. No signs to be Displayed in Certain Places.

No sign shall be displayed or placed in any manner whatsoever so as to disfigure or conceal any significant architectural feature or detail of any building.

D. Number of Primary Signs.

In general, one primary sign is allowed per place of business, except on a corner building and where multiple businesses occupy one building.

E. Surface Area of Signs.

The surface area of any sign shall be in direct proportion to the amount of front footage.

F. Secondary Signs.

In addition to the primary sign, small secondary signs may be used to identify entrance doors, operating hours and temporary signs.

G. Temporary Signs.

Temporary signs of a promotional nature may be used on the store windows. In no case may they remain longer than sixty days. A permit is not required for placement of a temporary sign.

SECTION 12. Minimum Maintenance Requirements and Demolition By Neglect.

In order to ensure the protective maintenance of resources, the exterior feature of the properties shall be maintained to meet the requirements of the City’s Minimum Housing Code and the City’s Building Code. Any resource, which is a landmark, and all resources within a preservation district shall be preserved by the owner or such other person or persons as may have legal custody or control. If the Council makes a preliminary determination that a resource is being demolished by neglect, it shall notify the City’s Building Official. See Section 4-66, et seq. Of Oak Grove Code of Ordinances.

BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof is declared to be unconstitutional by judgment of the Court, then in that event, only that particular provision shall be deemed unconstitutional, and the remaining provisions of this Ordinance shall not be affected thereby.

SECTION 13. No Effect on Use District Classification.

The Provision of this Ordinance shall not affect and shall be supplemental and additional to the designation of “use districts” as set forth in the Zoning Ordinances and the official zoning map of the Town of Oak Grove.

SECTION 14. EFFECTIVE DATE:

A. This Ordinance shall become effective immediately upon its passage.

The above Ordinance having been read and discussed by sections was moved for adoption by Council Member Nevels seconded by Council Member Holland, and upon a vote being taken, the results were as follows:

YEAS:	5
NAYS:	0
ABSENT:	0

WHEREUPON the Ordinance was declared duly adopted this 9th day of January 2024.

HUBERT ROLLINSON, JR., MAYOR

ATTEST:

MELLISSA CORLEY, CLERK