ORDINANCE NO. 1094

AN ORDINANCE AMENDING THE ORDINANCE
ESTABLISHING THE CULTURAL HERITAGE COMMISSION
OF CENTRAL SOLANO COUNTY

The Board of Supervisors of the County of Solano, State of
California, does ordain as follows:

SECTION I.

Chapter 6.1, Cultural Heritage Commission, is hereby
amended in its entirety to read as follows:

CHAPTER 6.1

Cultural Heritage Commission

of Central Solano County

Section 1. Title.

Chapter 6.1 entitled "Cultural Heritage Commission of
Central Solano County," is hereby added to the Solano County
Code.

Section 1.10. Findings.

The Solano County Board of Supervisors finds that historical,
archeological, and cultural objects and sites are being destroyed,
substantially altered or threatened as Central Solano County is
being developed, and finds that it is in the public interest to
preserve some of these sites and objects and to provide a
method for their preservation. The Solano County Board of
Supervisors finds that the general welfare of the inhabitants
of Central Solano County is promoted through the preservation
and protection of historical, archeological or cultural monuments,
sites, objects, structures, buildings, or other areas so design-
nated; and also finds that such buildings, sites, monuments,
and structures constitute an educational benefit to the young
people of the community and the young people visiting the
community in that it provides some link and relationship with
the past.

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Section 1.20. Definitions.

(a) "Historical property" means any building or part thereof, object, structure, monument, or collection thereof deemed of importance to the history, architecture, or culture of an area as determined by an appropriate governmental agency. An appropriate governmental agency is the local Cultural Heritage Commission, or the legislative body of the appropriate local agency. "Historical property" includes objects, buildings, structures, monuments, or collections thereof on existing national, state, or local historical registers or official inventories, such as the National Register of Historic Places and State Historical Landmarks.

(b) "Legislative body" means either the city council of Fairfield or Suisun City, or the Board of Supervisors of Solano County.

(c) "Owner" means the person, persons or entities whose names appear on the latest equalized assessment role of the County of Solano.

(d) "Substantial," as used in the phrase "substantial alteration," shall mean any alteration or change to the historical structure which will directly affect those features which have caused the structure to be placed on the historical preservation list.

Section 1.30. Cooperation Between Political Entities.

The Solano County Board of Supervisors intends to establish the Cultural Heritage Commission of Central Solano County as a cooperative effort with the Cities of Fairfield and Suisun City. Each of these political entities, by separate ordinance, shall empower the Commission. The County of Solano will cooperate with the Cities of Fairfield and Suisun City in ensuring that there is compliance with the intent of this ordinance.
Section 2. Cultural Heritage Commission.

Section 2.10. Commission Membership.

There is hereby created in Central Solano County an area defined as being included within the boundaries of the Fairfield-Suisun and Travis Unified School Districts, a Cultural Heritage Commission composed of nine (9) members. The membership of the Commission shall be three (3) members residing in the unincorporated areas of Central Solano County, three (3) members residing in the City of Fairfield, and three (3) members residing in Suisun City, appointed by the legislative bodies having jurisdiction therein; providing, however, that each legislative body may, if necessary, appoint members having a particular expertise in cultural heritage preservation from an area to include Solano, Yolo, and Napa Counties.

Section 2.20. Members Term of Service.

Members of the Cultural Heritage Commission shall serve for a period of two (2) years, but may be reappointed in the same manner as they were appointed. Members shall serve at the pleasure of the appointing authority and may be removed by the appointing authority without cause. All vacancies shall be filled by appointment for the remainder of that term.

Section 2.30. Powers and Duties of Commission.

The Cultural Heritage Commission shall serve in an advisory capacity to the local legislative bodies and shall have the following powers and duties:

(a) Inspections.

The inspection and investigation of any site, building, structure or area in the Central Solano County area which it has reason to believe is or will, in the near future, be a historical, archeological or cultural monument. Such inspections and investigations on private property shall only proceed with the owner's permission.
(b) Preservation List.

The research, preparation, maintenance and recommendation for adoption of a current Cultural Heritage Preservation List for Central Solano County of all such sites, buildings, structures, or natural features which it has determined from such inspection and investigation to be historical, archeological, or cultural monuments. Such lists shall contain a brief description of the site, building or structure and the reasons for its inclusion in the lists. The Commission shall make its recommendation for the adoption of the list by the local legislative bodies having jurisdiction.

(c) Publication.

The publication and transmission to all interested parties of such lists, including the dissemination of any public information concerning the list, or any site, building or structure contained therein.

(d) Protection of Monuments.

Take all steps necessary to preserve such monuments that are not in conflict with the public health and safety, and general welfare, or the powers and duties of the County of Solano, the Cities of Fairfield or Suisun City, or its boards, officers, or departments. Such steps may include the creation of civic and citizen committees; the establishment of a private fund for the recommended acquisition or restoration of such monuments; the recommendation that such monuments be acquired by a governmental agency where private acquisition is not feasible; and the recommendation that protective zoning be established by the legislative bodies having jurisdiction.

(e) Plan.

Make a Cultural Heritage Preservation Plan for
Central Solano County showing the historical, archeo-
logical and cultural monuments to be preserved, including
priorities and policies and regulations directed toward
such preservation to be recommended for adoption in inde-
pendent actions by the Board of Supervisors and the City
Councils of Suisun City and Fairfield.

(f) Recommendations.

Make any recommendation to the Board of Super-
visors and the City Councils in connection with the exer-
cise of its said powers and duties which it determines is
necessary. The Board of Supervisors and the City Councils
shall take action thereupon as each determines will imple-
ment or carry out the spirit and intent of this ordinance.

Section 2.40. Historical, Archeological, or Cultural
Monument Defined.

For the purposes of this ordinance, a historical, archeo-
logical or cultural monument is any site (including significant
trees, or other natural features) buildings, structure, or area
of particular historical, or archeological or cultural signifi-
cance for the Central Solano County area, such as historical or
archaeological structures or sites in which the broad cultural,
political, economic, or social history of the nation, state or
community is reflected or exemplified; or which are identified
with historical personages or with important events in the
main trends of national, state or local history; or which
embody the distinguishing characteristics of an architectural
type specimen, inherently valuable for a study of a period
style or method of construction; or a notable work of a master
builder, designer, or architect whose individual genius in-
fluenced his age.
Section 2.50. Responsibility of Commission to Provide Notice.

The Cultural Heritage Commission shall transmit to and maintain with the respective county and city departments of planning, building, recreation and parks, public works, the urban renewal agency, and the various school districts, current copies of the Cultural Heritage Preservation List. The Commission shall contact the owner of each building, structure or site, in writing, to ask if he or she wishes their property to be included on the list, and shall give such person at least ten (10) days' written notice of any intended action which it plans to take with respect to such property. Such notice shall be mailed to the address shown on the assessment roll within ten (10) days after the property is included in the list. The owner may appeal any such action taken by the Cultural Heritage Commission to the Cultural Heritage Commission or the City Councils, or Board of Supervisors having jurisdiction, at public hearings as described in Section 2.60, and no property shall be included in said list over the objections of the owner of said property.

Section 2.60. Adoption of Cultural Heritage Preservation Lists or Plans for Central Solano County.

The Cultural Heritage Commission shall develop a tentative Cultural Heritage Preservation List and then hold at least one public hearing to affirm, modify, or rescind its recommendations concerning Cultural Heritage Preservation Lists or Plans. The Commission shall give notice thereof by at least one (1) publication of such notice of public hearing in a newspaper of general circulation within the area as defined in Section 2.10, at least TEN (10) DAYS prior to the public hearing, and shall give the property owner the notice set forth in Section 2.50. The Commission shall forward its recommendations following the
above public hearing(s) to the legislative bodies having juris-
diction. The legislative bodies shall give notice to affected
property owners and hold at least one (1) public hearing to
consider such recommendations.

Section 2.70. Demolition Restriction on Issuance of
Demolition Permits, Building Permits, or
other Permits Providing for Substantial
Alteration on Property.

No permit for the demolition, substantial alteration, or
removal of any building, structure or site contained in said
list shall be issued by cities, county, or renewal agencies,
and no such site, building or structure shall be demolished,
substantially altered or removed without first referring the
matter to the Cultural Heritage Commission, except where the
county or city agencies having jurisdiction determine that the
demolition, removal or substantial alteration of any such
building, structure, or site is immediately necessary in the
interest of public health, safety or general welfare.

Section 2.80. Responsibilities of Commission Upon
Notification of proposed Demolition or Major
Alteration; Time Limits.

Where such matters are referred to said Commission, the
Commission shall have TWENTY (20) DAYS from the date of such
notification within which to object to the proposed demolition,
major alteration or removal. If no such objection is filed
with the appropriate department or board within the said twenty
(20) days, all such objections shall be deemed to have been
waived by the Commission.

Section 2.90. Right of Commission to File Objections;
Time Limits.

If the Cultural Heritage Commission objects to the proposed
demolition, major alteration or removal, it shall, after having
given notice as provided in Section 2.50, file its objections with the appropriate county or city department or board. The filing of such objections shall suspend the issuance of such permit, the demolition or major alteration of such building or structure, or the removal of such site for a period of (40) DAYS during which time the Cultural Heritage Commission shall, within the scope of its powers and duties, determine the steps necessary for the preservation of the site, building or structure to be demolished, altered, or removed. At the end of the FORTY (40) DAYS, said Commission shall report its findings to the Board of Supervisors or city council having jurisdiction, which will, upon review of the report and following a public hearing, withdraw and cancel the objection, or affirm or modify the findings of the Commission, and promptly notify the department or board concerned of its action. Upon receipt of such notification, the permit may be issued and the building, structure or site may be demolished, altered or removed as the case may be.

Section 2.100. Limitation of Powers and Rights.

The Cultural Heritage Commission shall have no power or right to acquire any property nor acquire or hold any money for or on behalf of itself or the County of Solano.

Section 2.110. Authority of Commission to Make Plans, Lists, Rules and Regulations.

Said Commission may make such plans, rules, regulations, policies and criteria as necessary to carry out the purpose and intent of this ordinance.

Section 2.120. Selection of Chairman; Constitution of a Quorum and Majority Actions.

The Commission shall select a chairman from its membership annually. Five (5) members shall constitute a quorum. The
Section 2.130. Responsibilities of Other Boards and Commissions.

All boards, commissions, departments, and officers of the County of Solano shall cooperate with said Commission in carrying out the spirit and intent of this ordinance.

Section 2.140. Commission Funding and Staff Assistance.

The Solano County Board of Supervisors shall work with the Cities of Fairfield and Suisun City to provide funds and personnel that the Commission may require to perform its functions.

SECTION II.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the \textit{Vallejo Times Herald}, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage, or concurrently with the effective dates of identical ordinances by the Cities of Fairfield and Suisun City, whichever date is later.

ATTEST:

JOHN S. BLACKLOCK  
Clerk of the Board of Supervisors

WALLACE L. BRAZELTON, Chairman  
Board of Supervisors

I, JOHN S. BLACKLOCK, Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held this 29th day of January, 1980.
On the motion of Supervisor _______ and the Second of Supervisor _______ this Ordinance was adopted at a regular meeting of said Board on the 26th day of ________, 1980, by the following vote:

AYES: SUPERVISORS: ________

NOES: SUPERVISORS: ________

ABSTAINED: SUPERVISORS: ________

ABSENT: SUPERVISORS: ________

WITNESS my hand and the Seal of said Board this ________ day of ________, 1980.

JOHN S. BLACKLOCK, Clerk
of the Board of Supervisors