

ARTICLE I - PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

1. Purposes and Intent. The purposes and intent of this Ordinance are as follows:
 - a) To identify, designate, protect, preserve, and encourage the restoration, rehabilitation, and adaptation for continued use of those properties and structures which represent or reflect the historical, cultural, artistic, social, economic, ethnic or political heritage of the United States of America, State of Illinois, or County of Will or which may be representative of an architectural or engineering type inherently valuable for the study of style, period, craftsmanship, method of construction or use of indigenous materials;
 - b) To strengthen the economy of the County of Will;
 - c) To stabilize and improve the economic vitality and value of designated landmarks and preservation districts, in particular, and of the County of Will, in general;
 - d) To protect, enhance, and interpret the County's resources for tourists and visitors as well as to support and provide stimulus to business and industry;
 - e) To foster civic pride in the beauty and noble accomplishments of the past;
 - f) To safeguard the County's historic, aesthetic and cultural heritage and as embodied and reflected in structures, landscape features, and scenic areas; and
 - g) To promote the use of historic districts and landmarks for the education, pleasure, and welfare of the citizens of Will County.

2. Definitions. For the purposes of this Ordinance, certain words, phrases, and terms shall have the following meanings:
 - a) Alteration: Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities; surface mining; and clearing, grading or other modification of an area, site or landscape that changes its current or natural condition.
 - b) Architectural Significance: Embodying the distinctive characteristics of a type, period, style or method of construction or use of indigenous materials, or representing the work of an important builder, designer, architect, engineer, or craftsman who has contributed to the development of the community, County, State or Nation.
 - c) Archaeological Significance: Importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures in Illinois or previous periods of the present culture. Areas, sites or landscapes of archaeological significance may include, but are not limited to, aboriginal mounds, forts, earthworks, burial grounds, historic or prehistoric ruins, locations of villages, mine excavations or tailing.
 - d) Building: Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.
 - e) Certificate of Appropriateness: A certificate issued by a Preservation Commission indicating its approval of plans for alteration, construction, demolition, or removal affecting a nominated or designated landmark or property within a nominated or designated preservation district.
 - f) Certificate of Economic Hardship: A certificate issued by the Preservation Commission authorizing an alteration, construction, removal or demolition even though a Certificate of Appropriateness has previously been denied or may be denied.
 - g) Commissioners: Members of the Preservation Commission.
 - h) Conservation Right: A term that includes easements, covenants, deed restrictions or any other type of less than full fee simple interest as that term is defined in Illinois Revised Statutes, Section 1 of "An Act relating to conservation rights in real property," approved September 12, 1977, as amended.
 - i) Construction: The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.
 - j) Demolition: Any act or process which destroys in part or in whole a landmark or a building or structure within a preservation district.

- k) Design Criteria: Standards of appropriate activity that will preserve the historic, architectural, scenic or aesthetic character of a landmark or preservation district.
 - l) Development Rights: The development rights of a landmark or of a property within a preservation district as defined in Section 11-48.2-1A of the Illinois Municipal Code.
 - m) Development Rights Bank: A reserve for the deposit of development rights as defined in Section 11-48.2-1A of the Illinois Municipal Code.
 - n) Exterior Architectural Appearance: The architectural character and general composition of the exterior of a building or structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.
 - o) Historic Significance: Character, interest or value as part of the development, heritage, or culture of the community, County, State or Nation; as the location of an important local, County, State or national event; or through identification with a person or persons who made important contributions to the development of the community, County, State or Nation.
 - p) Landmark: A property or structure designated as a "Landmark" by ordinance of the County Board, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, or preservation because of its historic, or scenic, or architectural significance.
 - q) Landscape: A natural feature or group of natural features such as, but not limited to: valleys, rivers, lakes, marshes, swamps, forests, woods, or hills; or a combination of natural features and buildings, structures, objects cultivated, fields, or orchards in a predominantly rural setting.
 - r) Object: Any tangible items, including any items of personal property, including, but not limited to: wagons, boats, and farm machinery that may be easily moved or removed from real estate property.
 - s) Owner of Record: The person or corporation or other legal entity in whose name the property appears on the records of the County Recorder of Deeds.
 - t) Preservation District: An area designated as a "preservation district" by ordinance of the County Board and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties, areas, sites, landscapes or structures, while not of such historic, architectural or scenic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the district.
 - u) Removal: Any relocation of a structure, object or artifact on its site or to another site.
 - v) Repair: Any change that is not construction, alteration, demolition, or removal and is necessary or useful for continuing normal maintenance.
 - w) Scenic Significance: Importance as a result of appearance or character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period; as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage, or culture of the community, County, State, or Nation.
 - x) Site: The traditional, documented or legendary location of an event, occurrence, action, or structure significant in the life or lives of a person, persons, group, or tribe, including but not limited to, cemeteries, burial grounds, campsites, battlefields, settlements, estates, gardens, groves, river crossings, routes, trails, caves, quarries, mines, or significant trees or other plant life.
 - y) Structure: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including (but without limiting the generality of the foregoing), barns; smokehouses; advertising signs; billboards; backstops for tennis courts; bridges; fences; pergolas; gazebos; radio and television antennae, solar collectors, and microwave antennae, including supporting towers; roads; ruins or remnants (including foundations); swimming pools; or walkways.
 - z) Survey: The systematic gathering of information on the architectural, historic, scenic, and archaeological significance of buildings, sites, structures, areas, or landscapes through visual assessment in the field and historical research, for the purpose of identifying landmarks or districts worthy of preservation.
3. General Provisions. The following are general provisions propounded to make more clear matters relative to scope and jurisdiction of this Ordinance.

- e) No provision herein shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner from complying with the requirements of any other state statute or code or ordinance of the County of Will or individual municipal ordinances or regulations, and any permit or license required thereunder shall be required in addition to any Certificate of Appropriateness or Economic Hardship which may be required hereunder; provided, however, that where a Certificate of Appropriateness or Economic Hardship is required, no such other permit or license shall be issued by any other agency under the jurisdiction of the Will County Board before a certificate has been issued by the Commission as herein provided.
- f) The use of property and improvements which have been designated under this Ordinance shall be governed by the Will County Zoning Ordinance, as amended.
- g) If any particular section of this Ordinance is declared to be unconstitutional or void, only the particular section is affected, and all other sections of this Ordinance shall remain in full force and effect.
- h) For purposes of remedying emergency conditions determined to be dangerous to life, health or property, the Commission may waive the procedures set forth herein and grant immediate approval for a Certificate of Appropriateness. The Commission shall state its reasons in writing for such approval.
- i) No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.