



**ORDINANCE NO. 24-04**

**AN ORDINANCE OF THE TOWN OF PENDLETON,  
MADISON COUNTY, INDIANA, AMENDING  
ORDINANCE NO. 2010-06 ESTABLISHING A HISTORIC  
PRESERVATION COMMISSION**

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**WHEREAS**, on September 2, 2010, the Pendleton Town Council adopted Ordinance #2010-06, which established a Historic Preservation Commission in the Town of Pendleton, Indiana; and

**WHEREAS**, after receiving a favorable recommendation from the Pendleton Historic Preservation Commission after the Commission conducted a public hearing on March 12, 2024, the Pendleton Town Council desires to adopt the attached Amendments to the Ordinance Establishing the Historic Preservation Commission, which was originally adopted as Ordinance #2010-06.

**NOW THEREFORE IT IS HEREBY ORDAINED** by the Pendleton Town Council that the attached amendments to the Town of Pendleton Ordinance Establishing a Historic Preservation Commission **are hereby adopted**.

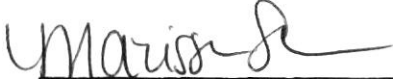
[Signature Page Follows]

Passed and adopted by the Town Council of the Town of Pendleton, Indiana, this 11<sup>th</sup> day of April, 2024.


**TOWN OF PENDLETON, INDIANA, BY ITS TOWN COUNCIL**

Voting Affirmative:


Voting Opposed:

  
\_\_\_\_\_  
Marissa Skaggs, President

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Marissa Skaggs, President

  
\_\_\_\_\_  
Steve Denny, Vice-President

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Steve Denny, Vice-President

  
\_\_\_\_\_  
Jerry Burmeister

\_\_\_\_\_  
Jerry Burmeister

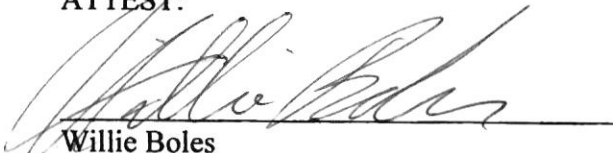
  
\_\_\_\_\_  
Bryan Williams

\_\_\_\_\_  
Bryan Williams

  
\_\_\_\_\_  
Cory Hall

\_\_\_\_\_  
Cory Hall

ATTEST:

  
\_\_\_\_\_  
Willie Boles  
Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Jeffrey K. Graham

Prepared By:  
Jeffrey K. Graham #26380-29  
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Attorneys at Law  
200 E. State Street, Pendleton, IN 46064  
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PH: (765) 221-9273 or (765) 552-9878



**RECOMMENDATION TO THE PENDLETON TOWN  
COUNCIL CONCERNING AMENDING ORD. 2010-06**

**CERTIFICATION OF THE PENDLETON HISTORIC  
PRESERVATION COMMISSION**

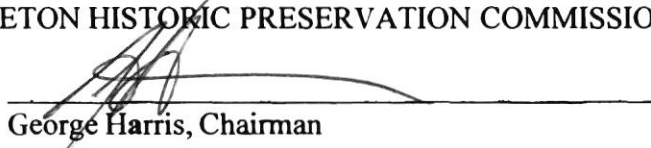
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Comes now the Pendleton Historic Preservation Commission and submits the following **favorable/unfavorable/neutral recommendation** to the Pendleton Town Council; and WHEREAS, this Certification is being submitted within ten (10) days after the meeting held by the Pendleton Historic Preservation Commission which commenced March 12, 2024 concerning Ordinance 2010-06.

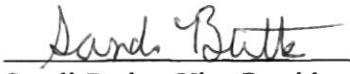
WHEREFORE, the Pendleton Historic Preservation Commission hereby issues this Certification of the attached Ordinance, with a **favorable/unfavorable/neutral recommendation** to the Pendleton Town Council.

DATED: March 12, 2024

PENDLETON HISTORIC PRESERVATION COMMISSION

  
George Harris, Chairman

ATTEST:

  
Sandi Butler, Vice President

Prepared By:  
Jeffrey K. Graham #26380-29  
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Attorneys at Law  
1601 S. Anderson Street, PO Box 494, Elwood, Indiana 46036  
200 E. State Street, Pendleton, Indiana 46064  
Telephone: (765) 552-9878

Section 13	14	<b>Since we do not dictate building color add the following language: HPC does not have purview over paint colors, but recommends utilizing historically accurate and appropriate colors and color themes.</b>	as written
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CATEGORY	PAGE # <b>(S)</b>	PROPOSED AMENDMENT	AGREED UPON AMENDMENT
Definitions - Classifications	2	add "reference" definition as per the 1984 interim report: <b>Sites which are considered later or adversely altered pre-1940 structures. These entries do not meet the criteria for the Inventory because of their date of construction, style, and/or general incompatibility with their historical and architectural surroundings.</b>	as written
Definitions - Classifications	2	non-contributing definition update: <b>Entries listed within historic districts and rated "NC" are sites and structures which are considered later or adversely altered intrusions and which create a negative impact. These entries do not meet the criteria for the Inventory because of their date of construction, style, and/or general incompatibility with their historical and architectural surroundings.</b>	as written
Definitions - Routine Maintenance	3	add this language: <b>"Reference section 11 for maintenance definition and standards."</b>	as written
paint colors	7	Code states: 'A COA will be issued for the following activities: a conspicuous change in the exterior appearance of historic buildings by additions, construction, alteration, or maintenance involving <b>exterior color changes;</b> " <b>We do not dictate color or color changes, remove language.</b>	as written
missing categories	7	missing designation categories: <b>non-contributing and reference</b>	as written
Alterations that require a COA	9	Code states this in reference to when a COA is required: A change in the exterior appearance of any historic building or any part of or appurtenance to such a building, including walls, fences, light fixtures, steps, paving, and signs by additions, reconstruction, alteration, or maintenance involving exterior color change if cited by individual ordinance. <b>We do not dictate color or color changes, remove this language for colors.</b>	as written

Section 13	14	<b>Since we do not dictate building color add the following language: HPC does not have purview over paint colors, but recommends utilizing historically accurate and appropriate colors and color themes.</b>	as written
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