Restructuring of law on preservation likely

By NISSA DARBONNE
Staff Writer

The city's two-year-old historic preservation law is scheduled Tuesday for significant changes that would primarily reduce the law to voluntary participation only.

However, those who voluntarily choose to receive historic landmark recognition from the city would have to wait up to 150 days before being able to demolish the historic structure, the new law says. If not, then a fine of $100 to $1,000 would be levied.

At least three City Council members - Al Simon, Wilfred Pierre and F.V. "Pappy" Landry - have already expressed support for removing mandatory participation requirements.

The council will take up the issue at its Tuesday meeting at 5:15 p.m. in City Hall, 705 W. University Ave.

The current historic preservation law, passed unanimously by the council in May 1988, requires that all structures listed in a national register also be listed on a local landmark register.

It also requires participation from those owning historic structures or property not on the national register even if the owners do not want to participate. Also, those placed on the local list would have to abide by strict property use, change and other regulations.

The law stemmed from attempts prior to 1988 to demolish historically significant buildings in the city, such as St. Mary's Orphanage.

However, when the city's new Historic Preservation Commission put the law into effect, council members refused to force unwilling property owners to participate in the preservation program.

They instead ordered commission members to amended the law to voluntary participation only. One commission member resigned, and the commission's chairman has since left the state. Only three members remain.

Eleanor Lilly, city zoning staff member working with the commission on amending the law, wrote that the new law "will still accomplish many of the original goals such as ... setting up a procedure to designate and protect historic properties in the city."

"We feel, however, that sufficient amendments have been made to make the program more attractive to the historic property owners, the City Council and the public in general," Lilly wrote to Mayor Dud Lastrapes.

"Even in this case, the city does not have the ability to stop the demolition indefinitely, but rather to slow the process down enough to review the request with the owner and consider the alternatives if any," Lilly said.

The procedure calls for the commission to review the demolition application within 45 days of the property owners' request and that the council review the request within 45 days of the commission's review.

If the council approves the request, the demolition may take place immediately, the new law says.

However, if the council disapproves, the demolition must wait at least 60 days, according to the law. Altogether, the process could take up to 150 days.

Commission members reported that the waiting period would at least give preservation organizations time to deter the demolition plans.

In exchange for participation in the historic preservation program, the structures and properties would be placed on a local landmark map - if the commission chooses to create one - and a sign would be given to the property owner - if the commission chooses to do that - the law says.

The new law calls for no means of funding the commission's activities.

Local landmarks may be sites of significant historic events.