

**BYLAWS  
of the  
HISTORIC PRESERVATION COMMISSION OF THE CITY OF COEUR D'ALENE**

**ARTICLE I  
Name**

The name of this commission shall be the Historic Preservation Commission of the City of Coeur d'Alene (hereinafter referred to as the "Commission").

**ARTICLE II  
Purpose**

The purpose of the Commission is to promote the educational, cultural, economic, and general welfare of the public of the City of Coeur d'Alene (hereinafter referred to as the "City") through the identification, evaluation, and designation of those buildings, sites, districts, areas, structures, and objects that constitute, or contain significant elements of, historic, architectural, archaeological, and cultural interest reflecting the heritage of the City, the State, and/or the Nation.

**ARTICLE III  
Authority**

The Commission shall function under the authority of the following laws, including any subsequent amendments thereof, which are incorporated into these Bylaws by reference:

- A. Chapter 2.85, Coeur d'Alene Municipal Code;
- B. Title 67, Chapter 46, Idaho Code;
- C. National Historic Preservation Act of 1966, as recodified, 54 U.S.C. § 300101 *et seq.* (NHPA), and regulations promulgated thereunder; and
- D. Other relevant city ordinances and federal or state statutes or regulations.

**ARTICLE IV  
Membership**

Section 1. The Commission shall consist of nine (9) members who shall be appointed by the Mayor with the approval of the Coeur d'Alene City Council (hereinafter referred to as the "Council"), for three-year terms, as provided by Municipal Code § 2.85.030. A sitting member

of the Council, appointed by the Mayor with the approval of Council, shall serve as a non-voting member of the Commission and act as liaison between the Council and the Commission.

Section 2. No commissioner, with the exception of the Council member, may serve more than three (3) consecutive terms or portions thereof.

Section 3. All commissioners shall reside in Kootenai County during their term in office.

Section 4. If a commissioner fails to attend three (3) consecutive regularly scheduled Commission meetings without good cause and without having provided prior notice to the Chair and/or Secretary, or if a commissioner is absent from more than one-half (1/2) of the scheduled meetings in a six (6) month period, the Commission shall request Mayor and Council to remove that commissioner from the Commission and appoint a new commissioner to fill the unexpired term.

## ARTICLE V Officers

Section 1. Upon approval of these Bylaws, and at each regular January meeting thereafter, a Chairperson, Vice-Chairperson, and Secretary shall be elected from among the commissioners by majority vote to serve for the calendar year. Any voting member of the Commission may serve as an officer.

Section 2. The powers and duties of the Chairperson shall be:

- a. To preside at all meetings of the Commission.
- b. To vote on any item in order to break a tie vote.
- c. To call special meetings of the Commission.
- d. To ensure that all responsibilities of the Commission are properly discharged.
- e. To oversee the preparation and transmission of an annual summary of Commission business to Council no later than thirty (30) days after the end of the calendar year.
- f. To establish subcommittees and appoint commissioners to those subcommittees, with the advice and consent of a majority of the Commission.

Section 3. The powers and duties of the Vice-Chairperson shall be:

- a. To exercise the powers and duties of the Chairperson in his/her absence.

Section 4. The powers and duties of the Secretary shall be:

- a. To keep detailed notes for all subcommittee meetings of the Commission.
- b. To assist City staff in maintaining the records of the Commission.
- c. To work with City staff to provide the Commission with any correspondence or documents related to the business of the Commission.
- d. To coordinate with City staff and the Chairperson to identify agenda items for each meeting and subcommittee meeting.
- e. To prepare a monthly report of volunteer hours for the purpose of in-kind grant matches and subcommittees.

## ARTICLE VI

### Powers, Duties, and Responsibilities of the Commission

Section 1. The powers and duties of the Commission are as set out in Coeur d'Alene Municipal Code § 2.85.050 or as otherwise directed by the Mayor or Council.

## ARTICLE VII

### Meetings

Section 1. All meetings of the Commission shall comply with the Idaho Open Meetings Law, Title 74, Chapter 2, Idaho Code. In the event of any conflict between these Bylaws and the Idaho Open Meetings Law, the applicable provisions of the Open Meetings Law shall govern.

Section 2. The agenda for each meeting comply with, and shall be posted and/or advertised as required by, the Idaho Open Meetings Law and/or any other applicable laws.

Section 3. The Commission may hold executive sessions pursuant to the requirements and procedures of Idaho Code § 74-206.

Section 4. A majority of the sitting members of the Commission, not including the Council member, shall constitute a quorum to conduct business at any meeting.

Section 5. The Commission shall hold meetings as necessary, at such time and place as may be determined by the majority of the Commission, or when called by Chairperson or Mayor of the City. At a minimum, the Commission shall meet quarterly. If there is no business pending, a meeting may be canceled by the Chairperson with twenty-four (24) hours' notice to the other commissioners.

Section 6. Special meetings may be called by the Chairperson on his/her own initiative or upon the request of another commissioner.

Section 7. The Commission shall keep minutes of its proceedings and shall keep records of its examinations, findings, recommendations and all other official actions. The records of the Commission are “public records” as defined by Idaho Code § 74-101(13). Disclosure of Commission records shall be governed under the applicable provisions of the Idaho Public Records Act, Idaho Code § 74-101 *et seq.*

Section 8. The Commission shall make findings of fact stating the reasons for any recommendation made in any particular case. These findings shall be in writing, approved by the Commission, and submitted to the Council. The findings need not follow a specific format, but they must provide a simple statement of the reasoning behind the recommendation.

## ARTICLE VIII Voting

Section 1. Each member of the Commission, except the Council member, shall be entitled to one vote with the exception of the Chairperson, who shall only vote to break a tie.

Section 2. A Commission member shall neither participate in discussions nor vote in any action or proceeding when he or she has a conflict of interest as defined by Idaho Code § 74-403(4).

## ARTICLE IX Conduct of Meetings

Section 1. The following procedures will normally be observed on any action item coming before the Commission:

- a. The proponent of the item, or representative(s) of the proponent, will be allowed to make an initial presentation.
- b. The Commission may ask questions regarding the proponent’s initial presentation.
- c. Public comment in favor of or neutral to the item will be taken.
- d. Public comment in opposition to the item will be taken.
- e. The proponent will be allowed to provide a response or rebuttal to any public comment.
- f. The Commission may ask questions of the proponent, opponents, or staff.

- g. A motion may be made by a sitting member of the Commission, but not the Chairperson or Council member, and, if there is a second to the motion, the Commission shall vote on the motion. A roll call vote is not necessary.

Section 2. The Chairperson may modify the above procedures as he/she may deem necessary for the expeditious conduct of the Commission's business.

ADOPTED by the Coeur d'Alene Historic Preservation Commission this 22<sup>nd</sup> day of FEBRUARY, 2020.

  
Chairperson