**ORDINANCE 2017-**

**AN ORDINANCE TO AMEND THE LAFAYETTE MUNICIPAL CODE TO ADD NEW**

**SECTION 8.01.370 – PRESERVATION OF BRICK STREETS**

 WHEREAS, brick streets can help define the character of a neighborhood and existing exposed brick streets should be preserved to the greatest extent feasible;

 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE AS FOLLOWS:

1. The City of Lafayette, Indiana Municipal Code is hereby amended to add new Section 8.01.370 – Preservation of Brick Streets which shall read as follows:

**8.01.370 Preservation of Brick Streets**

A. It is the mission of the City of Lafayette to preserve all exposed existing brick streets and in furtherance of that mission all exposed existing brick streets shall be preserved in accordance with and subject to this section.

B. Brick streets over the age of fifty years shall be considered historic brick streets.

C Repair, maintenance or restoration of brick streets shall preserve the integrity and character of the street. For historic brick streets:

1) Work that requires removal of pavement, the pavement shall be restored using historic brick pavers.

2) Curbs shall be repaired or replaced in a manner that minimizes the loss of historic bricks.

3) Boundaries between the brick street and other paved streets shall be maintained in a manner that minimizes uneven or rough surface transitions.

D. The City Engineer shall prepare and maintain a long-term maintenance plan for historic brick streets.

E. The City of Lafayette Construction Guide and Standards shall be revised and maintained to implement Paragraph C.

F. A brick street, or a portion of a brick street, may be altered, removed or replaced by the City with material other than brick pavers if such alteration, removal or replacement is necessary to:

1. Comply with any local, state or federal law or regulation, including, but not limited to, the Americans with Disabilities Act.
2. Repair, restoration or replacement with brick pavers is not economically feasible as determined by the Mayor.
3. Repair, restoration or replacement with brick pavers will not comply with City of Lafayette Construction Guide and Standards in effect at the time of the repair, restoration or replacement.
4. Maintain traffic flow or public safety as a temporary measure.

G. Adjacent property owners and the Historic Preservation Commission shall be advised when action under paragraph F, sections 1, 2 or 3 is anticipated or planned.

H. Permanent alteration or replacement of a brick street located in a Local Historic District requires a Certificate of Appropriateness from the Historic Preservation Commission as set forth in Title 12 of the Lafayette Municipal Code.

I. Street cuts or excavations in a brick street shall be performed as set forth in the City of Lafayette Construction Guide and Standards in effect at the time of the street cut or excavation.

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this day of , 2017.

 Nancy Nargi, President

ATTEST:

Cindy Murray, City Clerk

 Presented by me to the Mayor of the City of Lafayette, Indiana, for his approval and signature this day of , 2017.

Cindy Murray, City Clerk

This Ordinance approved and signed by me on this day of , 2017.

 Tony Roswarski, Mayor

ATTEST:

Cindy Murray, City Clerk

Sponsored by: Councilman Ron Campbell