

**CHAPTER 163**

**PROPERTY MAINTENANCE REQUIREMENTS FOR  
PROPERTY LOCATED IN THE HISTORIC/CULTURAL  
DISTRICT OF DOWNTOWN PERRY**

**163.01 Purpose and Intent**

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**163.01 PURPOSE AND INTENT.** The purpose of this chapter is to:

1. Stabilize and improve property values;
2. Protect and enhance the City's attractions to tourists and visitors and the support and stimulus to business thereby provided;
3. To provide additional protection for the people who use and visit the buildings in the Historic/Cultural District of Downtown Perry.

**163.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. "Building" for the purpose of this chapter "building" refers to all buildings within an area designated as Historic/Cultural District with the exception of single-family dwellings.
2. "Contributing" means any building site, object, and/or structure contained in the designated Historic/Cultural District or National Register of Historic Places Historic District that is identified as a contributor to the Historic District.
3. "Minimum Maintenance Requirements" mean those regulations adopted by the City of Perry requiring property owners to maintain the buildings, structures and sites associated within the Historic/Cultural District.

**163.03 PROPERTY MAINTENANCE REQUIRED.**

1. The Perry City Council and the Historic Preservation Commission intends to preserve from deliberate or inadvertent neglect the exterior portions of designated landmarks, contributing buildings or structures in the Historic/Cultural District and all interior portions thereof whose maintenance is necessary to prevent deterioration of any exterior portion. No owner, lessee, or occupant of any landmark, contributing building or structure in the Historic/Cultural District shall fail to prevent significant deterioration of the exterior of the structure or special feature beyond the condition of the structure on the effective date of the designating ordinance. Examples of minimum maintenance requirements stipulate the prompt repair or removal of the following:

- A. Facades which may fall and injure members of the public or property;

- B. Removal of satellite dishes hanging out over the sidewalks where pedestrians will be walking under them;
  - C. Window air conditioners and signs which are not properly installed and may fall on passersby;
  - D. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows, window casements or doors;
  - E. Addresses must be displayed on both the front and back sides of a building to facilitate safety in case of 911 emergencies;
  - F. Any fault or defect in the building which renders it not properly watertight or structurally unsafe;
  - G. Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;
  - H. Members of ceilings, roofs, ceiling and roof supports or other horizontal member with age, split or buckle due to defective material or deterioration.
2. No owner, lessee, or occupant of any historic structure shall fail to comply with all applicable provisions of this code and other ordinances of the City of Perry regulating property maintenance, including without limitation weed control, garbage, and housing.
  3. Applicants may reference the Perry Design Guide or a series of preservation briefs published by the National Park Service for detailed descriptions of appropriate treatment and maintenance methods for historic properties.
  4. Before the City Attorney files a complaint in court for failure to maintain the property, the Building Official shall notify the property owner, lessee, or occupant of the need to repair, maintain, or restore the property, shall assist the owner, lessee, or occupant in determining how to preserve the property and shall give the owner a reasonable time to perform such work.

**163.04 VIOLATION DEEMED A MUNICIPAL INFRACTION OR MISDEMEANOR.**

1. Any person, firm, or corporation violating any of the terms of this chapter shall be deemed guilty of a municipal infraction or misdemeanor and shall be punishable in accordance with the provisions of the City of Perry Municipal Code, Chapter 4. Each day a violation occurs can constitute a separate offense.
2. The remedies herein provided shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

*(Ch. 163 – Ord. 866 – Dec. 07 Supp.)*