

**Village of Cambridge  
Historic Preservation Committee  
Amundson Community Center – Senior Room  
200 Spring St. Cambridge, WI 53523  
Tuesday September 24, 2024 5:45 p.m.**

**Agenda**

1. Call to Order/Roll Call
2. Proof of Posting
3. Introduction of Committee Members
4. Public Appearances/Citizen Input
5. Old Business: None
6. New Business: Discussion and Possible Action Regarding
  - a. Review of Historic Preservation Ordinance
  - b. Committee Goals
  - c. Preliminary Discussion of Water Tower on South St
7. Setting of next meeting date
8. Questions, Referrals to Staff or Future Agenda Items
9. Adjournment

**NOTE:**

1. Persons needing special accommodations should call 423-3712 at least 24 hours prior to the meeting.
2. A quorum of the Village Board may attend this meeting for the purpose of gathering information relevant to their responsibilities as Village Trustees. No matters shall be considered by said Village Board members nor shall any action be taken by said Village Board members at this meeting.
3. More specific information about agenda items may be obtained by calling 423-3712.

Tammy L Jordan, Treasurer/Deputy Clerk/Deputy Administrator

1 **VILLAGE OF CAMBRIDGE ORDINANCE:**

2  
3 **Chapter 15.56 HISTORIC PRESERVATION PROGRAM**

4  
5 **Sections:**

6 15.56.010 Purpose and intent.

7 15.56.020 Definitions.

8 15.56.030 Historic preservation commission composition.

9 15.56.040 Historic structure, historic site and historic district designation criteria.

10 15.56.050 Powers and duties.

11 15.56.060 Procedures.

12 15.56.070 Interim control.

13 15.56.080 Conformance with regulations

14 15.56.090 Violation--Penalty.

15 15.56.100 Emergency conditions.

16  
17 **15.56.010 Purpose and intent.**

18  
19 It is declared a matter of public policy that the protection, enhancement, perpetuation and  
20 use of improvements or sites of special character or special architectural or historic interest  
21 or value is a public necessity and is required in the interest of the health, prosperity, safety  
22 and welfare of the people. The purpose of this chapter is to:

23  
24 A. Effect and accomplish the protection, enhancement, and perpetuation of such  
25 improvements, sites and districts which represent or reflect elements of the village's  
26 cultural, social, economic, political and architectural history.

27  
28 B. Safeguard the village's historic and cultural heritage, as embodied and reflected  
29 in such historic structures, sites and districts.

30  
31 C. Foster civic pride in the notable accomplishments of the past.

32  
33 D. Stabilize and improve property values.

34  
35 E. Protect and enhance the village's attractions to residents, tourists and visitors,  
36 and serve as a support and stimulus to business and industry.

37  
38 F. Improve and enhance the visual and aesthetic character of the village.

39  
40 G. Educate the public regarding the need and desirability of a village historic  
41 preservation program and its enhancement of the quality of life.  
42 (Ord. 128 § 1, 1996)

43  
44 **15.56.020 Definitions.**

45  
46 As used in this chapter, the definitions shall be as follows:

1 *"Certificate of appropriateness"* means the certificate issued by the commission approving  
2 alteration, rehabilitation, construction, reconstruction or demolition of a historic structure,  
3 historic site or any improvement in a historic district.

4 *"Commission"* means the historic preservation commission created under this chapter.

5 *"Historic district"* means an area designated by the common council on recommendation  
6 of the commission, that contains two or more historic improvements or sites, as well as  
7 those abutting improvement parcels which the commission determines should fall under  
8 the provisions of this chapter to assure that their appearance and development is  
9 harmonious with such historic structures or historic sites.

10 *"Historic site"* means any parcel of land of historic significance due to a substantial value  
11 in tracing the history or prehistory of man, or upon which a historic event has occurred,  
12 and which has been designated as a historic site under this chapter, or an improvement  
13 parcel, or part thereof, used as and constituting part of the premises on which the historic  
14 structure is situated.

15 *"Historic structure"* means any improvement which has a special character or special  
16 historic interest or value as part of the development, heritage or cultural characteristics of  
17 the village, state or nation and which has been designated as a historic structure pursuant  
18 to the provisions of this chapter.

19 *"Improvement"* means any building, structure, place, work of art or other object  
20 constituting a physical betterment of real property, or any part of such betterment, including  
21 streets, alleys, sidewalks, curbs, lighting fixtures, signs and the like.

22 *"Improvement parcel"* is the unit of property which includes a physical betterment  
23 constituting an improvement, and the land embracing the site thereof, and is treated as a  
24 single entity for the purpose of levying real estate taxes. Provided, however, that the term  
25 "improvement parcel" shall also include any unimproved area of land which is treated as a  
26 single entity for such tax purposes.

27 (Ord. 128 § 2, 1996)

### 29 **15.56.030 Historic preservation commission composition.**

30  
31 A historic preservation commission is created, consisting of seven members. Of the  
32 membership, if available in the community, one shall be a registered architect; one shall be  
33 a historian; one shall be a licensed real estate broker; one shall be a village board member;  
34 and three shall be citizen members. Each member shall have, to the highest extent  
35 practicable, a known interest in historic preservation. The president of the village board  
36 shall appoint the commissioners subject to confirmation by the village board. Of the initial  
37 members so appointed, two shall serve a term of one year, two shall serve a term of two  
38 years, and three shall serve a term of three years. Thereafter, the term for each member  
39 shall be three years.

40 (Ord. 128 § 3, 1996)

### 42 **15.56.040 Historic structure, historic site and historic district designation criteria.**

43  
44 A. For purposes of this chapter, a historic structure, historic site, or historic district  
45 designation may be placed on any site, natural or improved, including any building,  
46 improvement or structure located thereon, or any area of particular historic, architectural,

1 archeological or cultural significance to the village such as historic structures, sites, or  
2 districts which:

3  
4 1. Exemplify or reflect the broad cultural, political, economic or social history of  
5 the nation, state or community;

6  
7 2. Are identified with historic personages or with important events in national, state  
8 or local history;

9  
10 3. Embody the distinguishing characteristics of an architectural type or specimen  
11 inherently valuable for a study of a period, style, method of construction, or of indigenous  
12 materials or craftsmanship;

13  
14 4. Are representative of the notable work of a master builder, designer or architect  
15 who influenced his or her age; or

16  
17 5. Have yielded, or may be likely to yield, information important to prehistory or  
18 history.

19  
20 B. The commission shall adopt specific operating guidelines for historic structure, history  
21 site and historic district designation providing such are in conformance with the provisions  
22 of this chapter.

23 (Ord. 128 § 4, 1996)

24  
25 **15.56.050 Powers and duties.**

26  
27 **A. Designation.** The commission shall have the power, subject to Section 15.56.060, to  
28 designate historic structures and historic sites and to recommend designation of historic  
29 districts within the village limits. Such designations shall be made based on Section  
30 15.56.040. Historic districts shall be approved by the village board. Once designated, such  
31 historic structures, sites and districts shall be subject to all the provisions of this chapter.

32  
33 **B. Regulation of Constructions, Reconstruction, Alteration and Demolition.**

34 1. No owner or person in charge of a historic structure, historic site or structure  
35 within a historic district shall reconstruct, alter or demolish all or any part of the exterior  
36 of such property or construct any improvement upon such designated property or properties  
37 or cause or permit any such work to be performed upon such property or demolish such  
38 property unless a certificate of appropriateness has been granted by the historic  
39 preservation commission. Unless such certificate has been granted by the commission, the  
40 building inspector shall not issue a permit for any such work.

41  
42 2. Upon filing of any application for a certificate of appropriateness with the  
43 commission, the commission shall approve the application unless:

1 a. In the case of a designated historic structure or historic site, the proposed  
2 work would detrimentally change, destroy or adversely affect any exterior  
3 architectural feature of the improvement or site upon which the work is to be done;

4 b. In the case of the construction of a new improvement upon a historic site,  
5 or within a historic district, the exterior of such improvement would adversely  
6 affect or not harmonize with the external appearance of other neighboring  
7 improvement on such site or within the district;

8 c. In the case of any property located in a historic district, the proposed  
9 construction, reconstruction, exterior alteration or demolition does not conform to  
10 the purpose and in tent of this chapter and to the objectives and design criteria of  
11 the historic preservation plan for the district;

12 d. The building or structure is of such architectural or historical significance  
13 that its demolition would be detrimental to the public interest and contrary to the  
14 general welfare of the people of the village and state;

15 e. The building or structure is of such old and unusual or uncommon design,  
16 texture, and/or material that it could not be reproduced without great difficulty  
17 and/or expense;

18 f. In the case of a request for the demolition of a deteriorated, building or  
19 structure, any hardship or difficulty claimed by the owner is self-created or is the  
20 result of any failure to maintain the property in good repair.

21 Provided, however, that the commission shall approve the application if, in  
22 case of a request for a demolition permit, the denial of the permit would result in  
23 the loss of all reasonable and beneficial use of or return from the property.

24  
25 3. In addition, in determining whether to issue a certificate of appropriateness, the  
26 commission shall consider and may give decisive weight to any or all of the following  
27 standards:

28 a. A property shall be used for its historic purpose or be placed in a new use  
29 that requires minimal change to the defining characteristics of the building and its  
30 site and environment;

31 b. The historic character of a property shall be retained and preserved. The  
32 removal of historic materials or alteration of features and spaces that characterize a  
33 property shall be avoided;

34 c. Each property shall be recognized as a physical record of its time, place,  
35 and use. Changes that create a false sense of historical development, such as adding  
36 conjectural features or architectural elements from other buildings, shall not be  
37 undertaken;

38 d. Most properties change over time; those changes that have acquired  
39 historic significance in their own right shall be retained and preserved;

40 e. Distinctive features, finishes, and construction techniques or examples of  
41 craftsmanship that characterize a property shall be preserved;

42 f. Deteriorated historic features shall be repaired rather than replaced.  
43 Where the severity of deterioration requires replacement of a distinctive feature,  
44 the new feature shall match the old in design, color, texture, and other visual  
45 qualities and, where possible, materials. Replacement of missing features shall be  
46 substantiated by documentary, physical, or pictorial evidence;

1 g. Chemical or physical treatments, such as sandblasting, that cause damage  
2 to historic materials shall not be used. The surface cleaning of structures, if  
3 appropriate, shall be undertaken using the gentlest means possible;

4 h. Significant archeological resources affected by a project shall be  
5 protected and preserved. If such resources must be disturbed, mitigation measures  
6 shall be undertaken;

7 i. New additions, exterior alterations, or related new construction shall not  
8 destroy historic materials that characterize the property. The new work shall be  
9 differentiated from the old and shall be compatible with the massing, size, scale,  
10 and architectural features to protect the historic integrity of the property and its  
11 environment;

12 j. New additions and adjacent or related new construction shall be  
13 undertaken in such a manner that if removed in the future, the essential form and  
14 integrity of the historic property and its environment would be unimpaired.

15  
16 4. If the commission determines that the application for a certificate of  
17 appropriateness and the proposed changes are consistent with the character and features of  
18 the property or district, and with the above guidelines, it shall issue the certificate of  
19 appropriateness. Upon the issuance of such certificate, the building permit shall then be  
20 issued by the building inspector. The commission shall make this decision within forty-  
21 five (45) days of the filing of the application.

22  
23 5. Agencies of the village and all public utility and transportation companies,  
24 undertaking projects affecting historic structures, historic sites or historic districts, shall be  
25 required to obtain a certificate of appropriateness prior to initiating any changes in the  
26 character of street paving, sidewalks, utility installations, lighting, walls, fences, structures,  
27 and building on property, easements, or streets owned or franchised by the village.

28  
29 6. The issuance of a certificate of appropriateness shall not relieve the applicant  
30 from obtaining other permits and approvals required by the village. A building permit or  
31 other municipal permit shall be invalid if it is obtained without the presentation of the  
32 certificate of appropriateness required for the proposed work. Insofar as they are applicable  
33 to a historic structure, historic site, or improvement in a historic district designated under  
34 this chapter, any provision of the plumbing code, electrical code, or building or housing of  
35 the village shall apply, unless waived by the appropriate state or village officials. The  
36 commission may support or oppose such waivers before the appropriate state or village  
37 appeals body.

38  
39 7. Compliance with certificates of appropriateness shall be started within twelve  
40 (12) months after the issuance of the certificate, and the work shall conform to the  
41 provisions of the certificate. The village may inspect the work during and after construction  
42 in order to assure compliance. Failure to comply with a certificate of appropriateness or  
43 failure to obtain a certificate of appropriateness shall be a violation of this chapter. In  
44 addition to other penalties and remedies, the village shall issue a stop work order, and all  
45 work shall cease on the designated property. No additional work shall be undertaken as  
46 long as such stop work order shall continue in effect.

1  
2 8. Ordinary maintenance and repairs may be undertaken without a certificate of  
3 appropriateness provided that the work does not change the exterior appearance of the  
4 structure or site and does not require the issuance of a building permit.

5  
6 **C. Appeals.** Should the commission fail to issue a certificate of appropriateness due to the  
7 failure of the proposal to conform to the guidelines, the applicant may appeal such decision  
8 to the village board within thirty (30) days. In addition, if the commission fails to issue a  
9 certificate of appropriateness, the commission shall, with the cooperation of the applicant,  
10 work with the applicant, in an attempt to obtain a certificate of appropriateness within the  
11 guidelines of this chapter.

12  
13 **D. Recognition of Historic Structures, Sites and Districts.** At such time as a historic  
14 structure, site or district has been properly designated, the commission may cause to be  
15 prepared and erected on such property, at village expense, a suitable plaque declaring that  
16 such property is a historic structure, site or district. Such plaque shall be so placed as to be  
17 easily visible to passing pedestrians. The plaque shall state the accepted name of the  
18 historic property, the date of its construction of significance, and other information deemed  
19 proper by the commission.

20  
21 **E. Other Duties.** In addition to those duties already specified in this section, the  
22 commission shall:

23 1. Work for the continuing education of the citizens about the historical heritage of  
24 the village and the historic properties designated under the provision of this chapter;

25 2. Cooperate with the State Historic Preservation Officer and the State Historic  
26 Preservation Review Board in attempting to include such properties hereunder designated  
27 as landmarks or landmark sites, or historic districts in the National Register of Historic  
28 Places and the State Register of Historic Places;

29 3. As it deems advisable, receive and solicit funds for the purpose of historic  
30 preservation in the village. Such funds shall be placed in a special village account for such  
31 purpose.

32 (Ord. 128 § 5, 1996)

33  
34 **15.56.060 Procedures.**

35 **A. Designation of Historic Structures and Historic Sites.**

36 1. The commission may, after notice and public hearing, designate historic  
37 structures and historic sites, or rescind such designation or recommendation, after  
38 application of the criteria in Section 15.56.040 of this chapter. At least ten (10) days prior  
39 to such hearing, the commission shall notify the owners of record, as listed in the office of  
40 the village assessor, who are owners of property in whole or in part, situated within two  
41 hundred (200) feet of the boundaries of the property affected. These owners shall have the  
42 right to confer with the commission prior to final action by the commission on the  
43 designation. Notice of such hearing shall also be published as a Class 1 notice under the  
44 Wisconsin Statutes. The commission shall also notify the following: department of public  
45 works, redevelopment authority, parks division, fire and police departments, health

1 department, building inspection division, and plan commission. Each such department may  
2 respond to the commission with its comments on the proposed designation or rescission.

3 2. The commission shall then conduct such public hearing and, in addition to the  
4 notified persons, may hear expert witnesses and shall have the power to subpoena such  
5 witnesses and records as it deems necessary. The commission may conduct an independent  
6 investigation into the proposed designation or rescission. Within ten (10) days after the  
7 close of the public hearing, the commission may designate the property as either a historic  
8 structure or historic site, or rescind the designation. After the designation or rescission has  
9 been made, notification shall be sent to the property owner or owners. Notification shall  
10 also be given to the village administrator/clerk/treasurer, building inspection division, plan  
11 commission and village assessor. The commission shall cause the designation or rescission  
12 to be recorded, at village expense, in the county register of deeds office.

### 13 14 **B. Designation of Historic Districts.**

15 1. For preservation purposes, the historic preservation commission shall select  
16 geographically defined areas within the village to be designated as historic districts and  
17 shall, with the assistance of the village planning department, prepare a historic preservation  
18 plan in ordinance form for each area. A historic district may be designated for any  
19 geographic area of particular historic, architectural or cultural significance to the village  
20 which:

21 a. Exemplifies or reflects the broad cultural, political, economic or social  
22 history of the nation, state or community;

23 b. Is identified with historic personages or with important events in national,  
24 state or local history;

25 c. Embodies the distinguishing characteristics of architectural types or  
26 specimens inherently valuable for the study of a period or periods, styles, methods  
27 of construction, or of indigenous materials or craftsmanship;

28 d. Is representative of the notable works of master builders, designers, or  
29 architects who influenced their age; or

30 e. Has yielded, or may be likely to yield, information important to history  
31 or prehistory.

32 Each historic preservation plan prepared for or by the historic preservation commission  
33 shall include a cultural and architectural analysis supporting the historic significance of the  
34 area, the specific guidelines, for development and a statement of preservation objectives.

35  
36 2. Guideline criteria to be considered in the development of historic district plans  
37 are as follows:

38 a. Regulation of construction, reconstruction, alteration and demolition  
39 shall conform to the criteria and standards in Section 15.56.050(B) of this chapter;

40 b. All new structures shall be constructed to a height visually compatible  
41 with the buildings and environment with which they are visually related;

42 c. The gross volume of any new structure shall be visually compatible with  
43 the buildings and environment with which it is visually related;

44 d. In the street elevation of a building, the proportion between the width and  
45 height in the facade should be visually compatible with the building and  
46 environment with which it is visually related;

1 e. The proportions and relationships between doors and windows in the  
2 street facade should be visually compatible with the buildings and environment  
3 with which it is visually related;

4 f. The rhythm of solids to voids, created by openings in the facade, should  
5 be visually compatible with the buildings and environment with which it is visually  
6 related;

7 g. The existing rhythm created by existing building masses and spaces  
8 between them should be preserved;

9 h. The materials used in the final facade should be visually compatible with  
10 the buildings and environment with which it is visually related;

11 i. The texture inherent in the facade should be visually compatible with the  
12 buildings and environment with which it is visually related;

13 j. Colors and patterns used on the facade (especially trim) should be visually  
14 compatible with the buildings and environment with which it is visually related;

15 k. The design of the roof should be visually compatible with the buildings  
16 and environment with which it is visually related;

17  
18 1. The landscape plan should be sensitive to the individual building, its  
19 occupants and their needs. Further, the landscape treatment should be visually  
20 compatible with the buildings and environment with which it is visually related;

21 m. The street facade should blend with other buildings via directional  
22 expression. When adjacent buildings have a dominant horizontal or vertical  
23 expression, this expression should be carried over and reflected;

24 n. Architectural elements should be incorporated as necessary to relate the  
25 new with the old and to preserve and enhance the inherent characteristics of the  
26 area.

### 27 28 **3. Review and Adoption Procedure.**

29 **a. Historic Preservation Commission.** The historic preservation commission shall  
30 hold a public hearing when considering the plan for a historic district. Notice of the time,  
31 place and purpose of such hearing shall be given by publication as a Class 1 notice under  
32 the Wisconsin Statutes in the official village paper. Notice of the time, place and purpose  
33 of the public hearing shall also be sent by the village administrator/clerk/treasurer to the  
34 village board member of the district or districts in which the historic district is located and  
35 the owners of record, as listed in the office of the village assessor, who are owners of the  
36 property within the proposed historic district or are situated in whole or in part within two  
37 hundred (200) feet of the boundaries of the proposed historic district. The notice is to be  
38 sent at least ten (10) days prior to the date of the public hearing. Following the public  
39 hearing, the historic preservation commission shall vote to recommend, reject or withhold  
40 action on the plan. This recommendation shall be forwarded to the village plan commission  
41 and the village board.

42  
43 **b. Village Plan Commission.** The plan commission shall review the historic  
44 district plan and make a recommendation to the village board. The plan commission shall  
45 make its recommendation on the historic district plan within thirty (30) days.

1           **c. Village Board.** The village board, upon receipt of the recommendations from the  
2 historic preservation commission and plan commission, shall hold a public hearing, notice  
3 to be given as noted in subsection (A)(3)(a) of this section, and shall, following the public  
4 hearing, either designate or reject the historic district. Designation of the historic district  
5 shall constitute adoption of the plan in ordinance form prepared for that district and direct  
6 the implementation of the plan.

7 (Ord. 2003-03 § 4 (part); Ord. 2-3-3 (part), 2002; Ord. 128 § 6, 1996)

8  
9           **15.56.070 Interim control.**

10 No building permit shall be issued by the building inspector for alteration, construction,  
11 demolition, or removal of a nominated historic structure, historic site, or any property or  
12 structure within a nominated historic district from the date of the meeting of the historic  
13 preservation commission at which a nomination form is first presented until the final  
14 disposition of the nomination by the historic preservation commission or the village board  
15 unless such alteration, removal or demolition is authorized by formal resolution of the  
16 village board as necessary for public health, welfare or safety. In no event shall the delay  
17 be for more than one hundred eighty (180) days.

18 (Ord. 128 § 7, 1996)

19  
20           **15.56.080 Conformance with regulations**

21           A. Every person in charge of a historic structure, historic site or improvement in a  
22 historic district shall maintain same or cause or permit it to be maintained in a condition  
23 consistent with the provisions of this chapter. The village board may appoint the building  
24 inspector or any other individual or group of individuals to enforce this chapter. The duties  
25 of the inspection officer shall include periodic inspection at intervals provided by the  
26 village board of designated historic structures, historic sites and historic districts. These  
27 inspections may include physical entry upon the property and improvement, with  
28 permission of the owner, to insure that interior alterations or maintenance will not  
29 jeopardize the exterior appearance or structural stability of the improvement. If an owner  
30 refuses permission for the enforcement officer to enter for purposes of inspection, the  
31 inspection officer may obtain a warrant of entry pursuant to Section 66.122, Wis. Stats.,  
32 and take any other reasonable measures that further enforcement of this chapter.

33  
34           B. Every person in charge of an improvement on a historic site or in a historic  
35 district shall keep in good repair all of the exterior portions of such improvement and all  
36 interior portions of such improvement to fall into a state of disrepair, including but not  
37 limited to:

- 38                   1. The deterioration of exterior walls or other vertical supports;
- 39                   2. The deterioration of roofs or other horizontal members;
- 40                   3. The deterioration of external chimneys;
- 41                   4. The deterioration or crumbling of exterior plasters or mortar;
- 42                   5. The ineffective waterproofing of exterior walls, roofs, and foundations,  
43 including broken windows or doors;
- 44                   6. The peeling of paint, rotting, holes, and other forms of decay;
- 45                   7. The deterioration of surrounding environment, e.g., fences, gates,  
46 sidewalks, steps, signs, accessory structures and landscaping;

- 1                   8. The deterioration of any features so as to create or permit the creation of  
2 any hazardous or unsafe condition or conditions;  
3                   9. All interior portions thereof which may cause the exterior to deteriorate  
4 or become damaged or otherwise to fall into a state of disrepair.

5  
6 The purpose of this section is to prevent the demolition of a building or structure by  
7 neglecting it and permitting damage to it by weather or vandalism.  
8

9  
10           C. Insofar as they are applicable to a historic structure, historic site or improvement  
11 in a historic district designated under this chapter, any provision of the plumbing code, the  
12 minimum housing and property maintenance code, building code, heating, ventilating and  
13 air conditioning code, and outdoor signs and outdoor advertising structures regulations of  
14 this code, may be varied or waived, on application, by the appropriate board having such  
15 jurisdiction over such chapter or, in the absence of such board, by the building inspector,  
16 provided such variance or waiver does not endanger public health or safety.  
17 (Ord. 128 § 8, 1996)

18  
19 **15.56.090 Violation--Penalty.**

20 Any person or persons violating any provision of this chapter shall be fined two hundred  
21 dollars (\$200.00) for each separate violation. Each and every day during which a violation  
22 continues shall be deemed to be a separate offense. Notice of violations shall be issued by  
23 the building inspector. If the violations remain uncorrected after the time specified in the  
24 notice, the village may, at its election, impose fines and/or have the violations corrected at  
25 village expense and have a lien placed against the property equal to the cost of the repairs,  
26 plus applicable fines and administrative costs.  
27 (Ord. 128 § 9, 1996)

28  
29 **15.56.100 Emergency conditions.**

30 In any case where the building inspector determines that there are emergency conditions  
31 dangerous to life, health or property affecting a historic structure, site or a property in a  
32 historic district, the building inspector may order the remedying of these conditions without  
33 the approval of the commission. The building inspector shall promptly notify the  
34 commission of the action being taken. When the emergency conditions do not require  
35 demolition, the building inspector shall make every effort to carry out the intent of this  
36 chapter and to use the design guidelines of the commission when remedying the emergency  
37 conditions.  
38 (Ord. 128 § 10, 1996)