

**ORDINANCE NO. 3565**

**AN ORDINANCE ESTABLISHING A CONSERVATION DISTRICT  
IN THE CITY OF NEW CASTLE**

WHEREAS, the City of New Castle by its passage of Ordinance Number 3431 on June 6, 2005, created a Historic Preservation Commission. That Ordinance was codified as Title 15, Section 155.01 *et seq.* in the New Castle City Code; and,

WHEREAS, the Historic Preservation Commission (hereinafter "Commission") may recommend that the New Castle City Council establish certain areas or neighborhoods of the City as conservation districts; and,

WHEREAS, at its regular public meeting of September 8, 2008, the Commission voted to recommend to the New City Council that a new conservation district entitled "West Broad Street Conservation District" be established by the City; and,

IT IS THEREFORE ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE after reviewing the survey and rationale prepared by the New Castle Historic Preservation Commission (see Exhibit "1" attached) that it should and hereby does establish a conservation district entitled "West Broad Street Conservation District". Said conservation district shall consist of all properties immediately west of and adjacent to the existing "New Castle Historic Preservation District". It shall extend from North 11<sup>th</sup> Street (the eastern boundary) to Indiana State Road 3 or Memorial Drive (the western boundary). It shall contain all properties adjacent to and contiguous with Broad Street or State Road 38. A map showing the exact boundaries of said "West Broad Street Conservation District" is attached hereto and incorporated herein as Exhibit "2".

All properties within the West Broad Street Conservation District shall comply with the provisions of Title 15 of the New Castle City Code, and more specifically with the provisions of 155.04, 155.05, 155.06, 155.07, 155.08, 155.09, and 155.10. All other provisions of Chapter 155 of the New Castle City Code which are applicable to conservation districts shall apply to the West Broad Street Conservation District.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage and publication as provided for by law.