

**ORDINANCE NO. 03-2016**

**AN ORDINANCE AMENDING PORTIONS OF THE BUILDING CODE  
CONCERNING WORKMANSHIP**

WHEREAS, the Common Council of the City of Rochester has determined that certain portions of the City’s building regulations should be amended to regulate the aesthetic value of property within the historic downtown commercial corridor;

WHEREAS, the Common Council acknowledges statistics proving a direct correlation between aesthetics and economic vitality of a City;

WHEREAS, the Common Council supports the initiatives of organizations within the City of Rochester focused on the revitalization of the downtown historic commercial corridor;

WHEREAS, the Common Council recognizes the importance of the legislative body extending support to positive initiatives within the City;

NOW, THEREFORE BE IT ORDAINED by the Common Council of City of Rochester that the Ordinances of City of Rochester are hereby amended as follows (additions listed in **bold**):

§150.024 WORKMANSHIP AND DEMOLITION

(A) All work on the construction, alteration and repair of buildings and other structures shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.

(B) **The regulations set forth in this paragraph and its subparagraphs apply to the following geographic locations (“corridor”): the section of Main Street that extends north and south from 4<sup>th</sup> Street to 9<sup>th</sup> Street encompassing the area east and west of Main Street ending at the north-south alley lying mid-block between Main and Madison, as well as, Main and Jefferson—all extending from 4<sup>th</sup> Street to 9<sup>th</sup> Street. The entire block situated between 7<sup>th</sup> and 8<sup>th</sup> street between Madison Street and Main Street, as well as, the entire courthouse square.**

- (1) **Brick and/or ornamental, decorative masonry material will be used for all new exterior wall reconstruction and construction for any building or structure visible from any alley or street. All materials must be conducive to the historical intent of the corridor as defined by the City of Rochester Common Council. No other construction material is allowed.**
- (2) **Historically ornamental elements including awnings, cornices, column, mullion, parapet, pediment, window hood, etc., may be repaired and replaced by using the original construction material or a material with a**

**historically similar texture, color, appearance, and style in order to maintain historical compatibility within the corridor.**



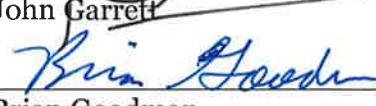
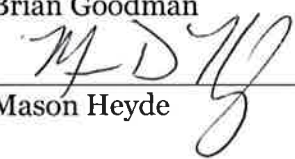
- (3) Historic buildings, structures, and sites shall be maintained to meet the applicable requirements established under City of Rochester and Indiana State Statute for buildings generally so as to prevent the loss of historic material and the deterioration of important character defining details and features.**
- (4) Nothing in this section shall be construed so as to prevent the ordinary repairs and maintenance of any building, structure, or site, provided that such repairs or maintenance do not result in a conspicuous change in the design, form, proportion, mass, configuration, building material, texture, color, location, or external visual appearance of any structure, or part thereof.**
- (5) Any pitched roof visible from a street or alley will be constructed from roofing material consisting of one color and will be neutral in shade. All materials and colors must be conducive to the historical intent of the corridor as defined by the Rochester Common Council.**
- (6) Any property owner or other interested party desiring changes in the exterior appearance of buildings or structures within this corridor subject to view from a public way by additions, reconstruction, alteration and/or maintenance including the involvement of exterior color change shall apply for a City of Rochester Building Permit prior to making such changes. Said Building Permit application may require sketches, drawings, photographs, descriptions, or other information be submitted to the office of the Building Commissioner. If an applicant is denied a permit or believes that one of these guidelines is unduly restrictive, not in keeping with the historicity of the applicant's building, or otherwise should not be required for the applicant's project, the applicant may request that the Rochester Common Council grant the applicant a variance from the particular guideline.**


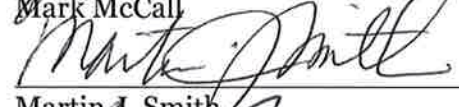
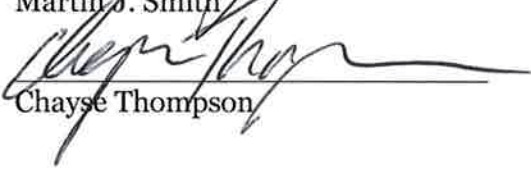
**(C)** All demolition debris/rubbish shall be completely removed and disposed of in a legal and proper manner within 14 days of the start of the demolition process. Where a Demolition Permit is required, all demolition sites will have some type of barrier to signify to the public that a hazard exists (rope, tape, fencing, etc.), which will completely enclose/surround the worksite. Where a Demolition Permit is required, any demolition site open for more than five (5) days, must have construction barricades as defined by the Indiana Department of Homeland Security and not to be less than 6 feet in height. All demolition sites will be completely back-filled with suitable material, graded and seeded with a vegetative cover within 30 days of the start of demolition. Any building demolished in a commercial/industrial district will be completed by a contractor that is legally bonded and insured.

(D) If any person, firm or corporation shall violate any of the provisions of this subsection, do any act prohibited herein or fail to perform any duty lawfully enjoined, within the time prescribed by the Building Commissioner, or shall fail, neglect or refuse to obey any lawful order given by the Building Commissioner in connection with the provisions of this code for each such violation, failure or refusal, such person, firm or corporation shall be fined \$250. Each day of such unlawful activity shall constitute a separate offense.

Passed by the Common Council of City of Rochester, Indiana  
the 17<sup>th</sup> day of May, 2016.

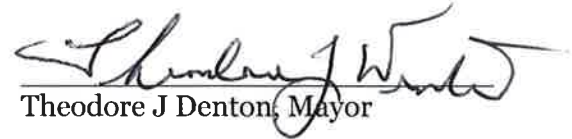
CITY OF ROCHESTER COMMON COUNCIL

  
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Brian Fitzwater  
  
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John Garrett  
  
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Brian Goodman  
  
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Mason Heyde

  
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Mark McCall  
  
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Martin J. Smith  
  
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Chayse Thompson

Approved this 17<sup>th</sup> day of May, 2016.

ATTEST:  
  
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Shoda D. Beehler, Clerk Treasurer

  
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Theodore J Denton, Mayor





- City Town Boundary
- County Boundary
- Historic Boundary 4th

Boundary Defined: 4th Street to 9th Street

