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# Public Acts of 1972 Chapter 821

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Public Acts of 1972 Chapter 821

**COMPILER'S NOTE:** The provisions of the Public Act have special effect for Morgan County and are not found in the Tennessee Code Annotated.

WHEREAS, Rugby, Tennessee, is rich in historic sites and historic buildings worthy of preservation as part of the educational and patriotic heritage of future generations; and

WHEREAS, Each year the historic buildings are being changed by remodeling, are being allowed to degrade entirely, or are encroached upon by buildings or uses in the immediate environs which substantially detract from their characters; and

WHEREAS, Many of the local citizens and land owners wish to participate in and encourage the preservation and protection of such land, buildings, and historic facilities; and

WHEREAS, Many individuals, land owners, local citizens, and officials are concerned that the educational and cultural heritage of Rugby has been neglected through the demolition of historic buildings or their conversion beyond recognition, occupancy of historic sites by other use, and encroachments which have rendered buildings or sites unattractive; now, therefore,

**SECTION 1.** This act shall be known as the "Rugby Historic Preservation Act".

**SECTION 2.** There is created and established a Rugby Historic Commission of five members made up as follows:

- (a) A representative from the Morgan County Quarterly Court.
- (b) A representative of the Tennessee Historical Commission.
- (c) A registered architect with a demonstrated familiarity with historic preservation.
- (d) A citizen-at-large who has a demonstrated interest in the historic preservation of Rugby; and
- (e) A member from the Rugby Restoration Association.

The appointment of Commission members from the Morgan County Court, the Tennessee Historical Commission, and the Rugby Restoration Association shall be by resolution of those respective organizations. The selection of the registered architect and the citizen-at-large shall be by the three organizational members, from a list of at least three names submitted by the public for each position, public notice having been given that such selection would occur. Terms of membership shall be five (5) years, except that of those first appointed, one shall be for one year, one for two years, one for three years, one for four years and one for five years, with the length of the respective first terms to be determined by lot.

**SECTION 3.** The Commission shall elect a chairman from among its membership and shall at its first meeting develop and adopt the necessary operating regulations and rules not inconsistent with the provisions of this act. These regulations, rules, and procedures shall be available for public information. The Commission members shall serve without compensation.

**SECTION 4.** In administering this act the Rugby Historic Commission shall receive for review and prompt action applications from persons desiring to build, remodel, demolish, or change the use of buildings or lands within the designated Rugby Historic District. The Commission should meet promptly and not delay the applicant. They may require of the applicant detailed construction plans in order that they may do an adequate job of considering (1) the historical or architectural value of the present structure, (2) the relationship of the exterior architectural features of the structure to the structure and to the surrounding area, (3) the general compatibility of exterior, design, arrangement, texture, and materials proposed to be used, and (4) any other factor including aesthetics deemed pertinent: The Commission shall give a decisions within thirty (30) days following the availability of necessary data. They may direct the granting of the building permit with or without attaching conditions, or they may direct refusal of the building permit but the grounds of refusal shall be stated in writing. Anyone who may be aggrieved by any final order or judgment of the Commission may have such order or judgment reviewed by the courts as provided by Chapter 9 of Title 27, Tennessee Code Annotated.

**SECTION 5.** The Rugby Historic District is defined as including those lands within Morgan County bounded by the Clear Fork River on the North and West, Whiteoak Creek on the East, and the Whaley Branch Creek on the South, except that the western end of Whaley Branch Creek be extended to the Brewster Bridge over the Clear Fork River and the eastern portion be extended to about mile post 6 on the Whiteoak Creek, such mile post being defined on TVA's Rugby Quadrangle map.

**SECTION 6.** If any section or provision of this act be held to be unconstitutional or invalid, the same shall

not affect the validity of the act as a whole or any part thereof other than the part so held to be unconstitutional.

**SECTION 7.** This Act shall take effect on becoming a law, the public welfare requiring it.

PASSED: April 7, 1972.

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