

Sherrouse-Murphy, Lois

From: Young, Myrtice
Sent: Wednesday, May 29, 2024 9:20 AM
To: Hicks, Breezi
Cc: Sherrouse-Murphy, Lois
Subject: RE: Historical Marker Fee Elimination

Thank you. We'll proceed.

Myrtice Young, Historic Preservation Manager
Polk County History Center
Office Phone 863 534-4385
Cell Phone 863 270-5596

From: Hicks, Breezi <BreeziHicks@polk-county.net>
Sent: Wednesday, May 29, 2024 9:08 AM
To: Young, Myrtice <myrticeyoung@polk-county.net>
Subject: RE: Historical Marker Fee Elimination

Yes, they are.

Thank you,

Breezi K. Hicks

Assistant County Attorney
Polk County Attorney's Office
330 W. Church Street | P.O. Box 9005 | Drawer AT01 | Bartow, FL 33831-9005
863.534.6436 | 863.534.7654 (fax) | 800.780.5346 (toll-free)
breezihicks@polk-county.net
www.polk-county.net



From: Young, Myrtice <myrticeyoung@polk-county.net>
Sent: Wednesday, May 29, 2024 9:07 AM
To: Hicks, Breezi <BreeziHicks@polk-county.net>
Subject: FW: Historical Marker Fee Elimination

Good morning. Are these approved to be placed on agenda review? Thanks.

Myrtice Young, Historic Preservation Manager
Polk County History Center
Office Phone 863 534-4385
Cell Phone 863 270-5596

From: Young, Myrtice
Sent: Wednesday, May 22, 2024 3:51 PM
To: Hicks, Breezi <BreeziHicks@polk-county.net>
Subject: Historical Marker Fee Elimination

Breezi, please review the edited resolution with your recommended changes. With your approval, we'll request the item to be placed on the BoCC agenda.

Thank you.

Myrtice Young, Historic Preservation Manager
Polk County History Center
Office Phone 863 534-4385
Cell Phone 863 270-5596

RESOLUTION NO. 2024-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS ADMENDING THE POLK COUNTY PARKS AND NATURAL RESOURCES (formerly PARKS AND RECREATION) SCHEDULE OF USER FEES

WHEREAS, Ordinance 93-26 authorizes the County to charge fees for the use of a County facility or for participating in an activity conducted with a County facility; and

WHEREAS, the Board has previously established a Polk County Parks and Recreation Schedule of User Fees; and

WHEREAS, to fulfill the strategies and objectives of the Historic Preservation Ordinance approved December 5, 2023, it has come to the Board's attention that the historic marker administration fee is inconsistent with State of Florida historic marker practices.

WHEREAS, the Polk County Historical Commission voted unanimously on May 2, 2024 to eliminate the historic marker application fee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, AT ITS REGULAR MEETING CONDUCTED ON _____

1. The Fee Schedule adopted December 17, 2013 as described on the attached Exhibit "A", (3) establishing the administrative fee in the amount of \$315 for the historic marker program is hereby eliminated.
2. The amended Fee Schedule shall take effect immediately upon the board's adoption of this Resolution.

ADOPTED THIS _____ DAY OF _____, 2024.

ATTEST:
Stacy M. Butterfield, Clerk

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
W. C. Braswell, Chairman

Date Signed by Chairman: _____

Reviewed as to form and legal sufficiency:

County Attorney's Office

Date

EXHIBIT “A”

The Polk County Parks and Recreation Schedule of User Fees is amended as follows to establish fees for special events, provide for History Center event discounts, and add fees for the historical marker program.

- 1) Fees for special events will be set by the Historic Preservation Manager based on actual estimated costs to provide the associated service plus 20% markup to provide additional funding for History Center operations.**
- 2) The calculation method of contributor participation will be set by the Historic Preservation Manager based on the percent contributed of County estimated costs up to a maximum of 50%.**
- 3) The user fee for marker production and erection shall be based on the actual costs to perform this activity. Quotes will be obtained by History Center staff and the sponsoring organization or individual will be billed based on this information.**



POLK COUNTY HISTORICAL COMMISSION HISTORICAL MARKER GUIDELINES

Adopted May 23, 2019

The purpose of the Polk County Historical Marker program is to recognize and encourage the preservation of local history. Historical markers are popular and useful tools for promoting and preserving all aspects of Polk County's diverse heritage. Marker topics include persons, events, institutions, buildings, ethnic groups, churches, sites, communities and cemeteries. Historical markers educate the public about Florida history and spark interest in preserving local history. When properly promoted, they can also boost tourism.

1. History

In 1937, the State of Florida created the Polk County Historical Commission. The Commission serves as a volunteer advisory commission to the Polk County Board of County Commissioners and to the staff of the Polk County History Center. By law the Historical Commission may, upon its own initiative or upon petition of municipalities or historical societies, mark by proper monuments, tablets or markers the location of forts or other places within Polk County where historical events have transpired. Other interested parties may request that the Historical Commission act upon its own initiative to mark such locations. All such petitions or requests must be submitted in accordance with these guidelines.

2. Sponsors

Marker applications may be sponsored by organizations or individuals. Markers will be designated under the following two categories: a.) Subject, and b.) Structure. The criteria for these categories are described below. Sponsor organizations may include, for example: historical societies, churches, schools, businesses, or government entities. Sponsor organizations may apply for a marker to be located on public or private property. Sponsor individuals may only apply for a marker to be located on private property.

3. Categories of Markers

a. Subjects:

Subject markers are educational in nature and record aspects of local history that are important to a community. These markers honor topics such as church congregations, schools, communities, businesses, events and individuals. A subject marker is placed at a site that has historical significance, and is accessible to the public. Most topics marked with subject markers must date back at least 50 years, although historic events may be marked after 30 years. Markers that honor individuals may be installed after the individual has been deceased for 10 years. Living individuals may be mentioned in the subject of a historical marker if deemed appropriate by the Historical Commission. The Historical Commission may also waive the age requirement for topics of overwhelming local or state importance, although these exceptions are rarely granted and the burden of proof is on the applicant.

b. Structures:

Structure markers are awarded to structures deemed worthy of preservation for their historical and architectural significance. Buildings or other historic structures may be eligible for designation upon reaching 50 years of age. In some cases, structures older than 50 years that have been altered may be eligible, if those alterations occurred at least 50 years ago and took place during a significant period of the structure's history. In reviewing applications for designation, the Historical Commission considers not only the historic persons or events associated with a structure, but also the architectural integrity of the building or structure. The structure should maintain its appearance from its period of historical significance and should be an exemplary model of preservation.

4. Marker Types

Three marker types are available. While historic places and events have been marked in Polk with signs and monuments since at least the 1930s, markers approved by the Historical Commission have been placed in our county since 1956. The earliest official Historical Commission markers used the State Seal as an emblem, and were intended to be part of a statewide heritage trail. The State of Florida officially created an historic marker program in 1960. To ensure uniformity and quality, the goal of the Historical Commission's Marker Program is to continue to complement the statewide tradition of erecting markers in uniform style, content, and quality.

State of Florida Historical Marker

Marker applications that meet Florida state standards can be co-sponsored with the Historical Commission and Florida Department of State. When deemed appropriate the Historical Commission will partner with applicants in making requests for historical markers through the State of Florida Historical Marker Program. Marker applications must be approved by the State Historical Marker Council before markers are ordered. The Standard Florida State Historical Marker is 30" x 42" with a 7" concrete post. The standard marker allows 19 lines of text with approximately 1200 characters.



Polk County Historical Markers

In 2012, two new options were created to expand the ability to recognize local subjects, landmarks, events and individuals. The 2012 marker series uses the new Polk heritage landmark logo and also emphasizes continuity in overall size and appearance. The markers use a brown background and raised gold lettering recognized by cultural tourists across Florida. Applicants wishing to deviate from this specified appearance must pursue a marker through other means. Markers are one-piece cast aluminum with a separate post.



(1) Large Polk County Historical Marker is the same size and shape as the State of Florida marker but with the Polk County Historical Commission's color scheme and logo at the top rather than the State of Florida's (3 palm trees) Current price ranges depending on the wording. Pole mounted.

(2) Medium Polk County Historical Marker is 23" x 29" with a 2" post or on a structure. It allows 10 lines of text with approximately 640 characters of 1/2 inch letters.



(3) Polk County Landmark Medallion is 12" round, and is designed to be mounted with a 2" post, or on a structure.



Fees for markers vary with the cost of materials at the time of manufacture.

5. Policies

- a. The final approval of all marker applications is made by the Historical Commission, based on the evaluation of an application and a recommendation made by a Marker Committee appointed by the Historical Commission.
- b. The Polk County History Center acts as agent for the Historical Commission handling all administrative details relating to the marker program. These duties will include editing the marker texts, ordering the markers and arranging for delivery of the finished signs and posts. Because the Polk County History Center has the ultimate responsibility to preserve historical accuracy and promote interpretative content based on appropriate research, the staff of the Polk County History Center is tasked with the final editing and review of historical marker texts.
- c. Expense of the marker erection is the responsibility of the sponsoring organization or individual requesting the marker.
- d. The Polk County Historical Marker Program, as administered by the Polk County Historical Commission and History Center, requires that individual and organization sponsors pay 100% of marker costs.
- e. Sponsors are responsible for the physical placement of a historical marker unless the site is on a state-maintained highway right-of-way, in which case the Florida Department of Transportation will be responsible for erecting the marker in consultation with the Polk County Historical Commission.
- f. Markers are the property of the County and may not be used for commercial advertising or be copied for the use of any other agency, association, corporation, or individual except with written permission from the Historical Commission.
- g. Once a marker is installed, the County shall maintain the marker. The County's maintenance obligations are contingent upon the property owner's grant of an easement or other non-revocable right to enter the property to do so.
- h. Upon installation of a marker upon a State right of way or County right of way, the marker will, as applicable, become the property of the State or the County.
- i. If an error is found on a marker after it is cast, and if this error is the fault of the sponsoring organization, then that party must pay for the necessary correction. The corrections must be made or the Historical Commission will not install the marker. The marker company guarantees its work and will replace or correct a marker if an error is made by them. The Historical Commission will not be held responsible for any errors that are found on a marker.
- j. The name of the sponsors will be followed by that of the Polk County Historical Commission at the bottom of each marker. No more than four sponsor names may appear on any marker.
- k. Polk County Historical Markers are separate from the federal inventory of historic properties (the National Register of Historic Places) and State of Florida historical marker program. Application for (or the approval of) a Polk County Historical Marker does not constitute a nomination to the State or National Register. More information about both programs is available through the Polk County Historical Commission.
- l. The Historical Commission shall withdraw the marker designation and may repossess any marker if it is determined by the Historical Commission that a site has lost its historical significance, integrity, public access or upon the request of the owner of the property where the marker has been placed.

6. The Historical Marker Application

- a. The Historical Commission has the authority to accept or reject subjects or structures proposed for a marker. The Polk County History Center has final editorial control over the text on each marker. The applicant is responsible for providing research and history of the topic, and for filling out the application and submitting the application with supporting documentation to the Historical Commission for review and approval.
- b. The marker applicant must establish historical significance through a documented narrative history of the topic. A topic has historical significance influenced, effected or impacted the course of history or cultural development. Age alone does not determine historical significance. To determine historical significance, an applicant must fully answer such questions as: How did the topic play a role in local history? Why has it made a difference in the context of local or state history? Who were the individuals involved in the history of the topic? What other events were taking place at the same time (locally, regionally or nationally) that may have had a bearing on how or why the topic was important?
- c. The text of the marker presented with the application must be prepared with the same care and technique as a well-written research or term paper. Because the Polk County History Center and the Polk County Historical Commission strives for historical accuracy in the marker program, the subject must be thoroughly researched using primary and secondary sources. The use of oral tradition and unpublished histories without corroborating evidence is discouraged. The narrative must be documented on a fact-by-fact basis with the use of footnotes, endnotes, or parenthetical citations that offer the source of each statement in the historical narrative that is presented as fact.
- d. All applications and supporting documents must be typed, with correct punctuation, etc., when submitted to the History Center office. Site plans are required for all applications and should clearly show the building or structure under consideration plus any outbuildings or other significant features such as landscaping, though professional blueprints are not required. Simple drawings are sufficient if necessary details are included, with particularly clear delineation of any alterations and/or additions and their dates.
- e. Permission for placement of an official Polk County Historical Marker must be granted by the property owner and must be signified on the application form. When markers are proposed to be placed on State-maintained right-of-way, the Historical Commission will obtain necessary permission from the Florida Department of Transportation. The placement of historical markers should be carefully considered to ensure accessibility and protection of historic resources. Visitors, whenever possible, should be able to safely walk up to the marker and read the text.
- f. Whenever possible, a marker for a landmark receiving the official Polk County Historic Marker designation should be placed on a post rather than on the structure.
- g. Sponsors are responsible for the physical placement of a historical marker unless the site is on a state-maintained highway right-of-way, in which case the Florida Department of Transportation will be responsible for erecting the marker in consultation with the Polk County Historical Commission.
- h. Only the application fee is required at the time of application. All materials submitted for official Polk County Markers become part of the permanent archival files of the Polk County Historical and Genealogical Library and may be used or cited in County publications.

REQUEST FOR LEGAL SERVICES

TO: County Attorney's Office
Attention: Breezi Hicks (Drawer No. AT01)

From: Myrtice Young *Myrtice Young*, Ext. 4385

Dept: Parks and Natural Resources, (Drawer No. PW06)

Date: May 15, 2024

Request (In detail):

Please review as to form and sufficiency, the proposed Resolution of the Board of County Commissioners amending the Polk County Parks and Natural Resources (formerly Polk County Parks and Recreation) Schedule of User Fees.

The proposed resolution amends Resolution No. 2013-148 to terminate the \$315 administrative fee for the historic marker program. Refer to Resolution 2013-148, Exhibit A, attached.

On December 5, 2023 the Board of County Commissioners adopted a Preservation Ordinance making historic preservation public policy, Ordinance 2023-076, attached. The county has applied to the State of Florida, Division of Historical Resources for Certified Local Government (CLG) designation. The CLG application will be submitted to the Department of the Interior creating a local, state and federal preservation status. The marker application fee is inconsistent with state and federal historic marker practices and should be eliminated to align with CLG guidelines. On May 2, 2024, The Historical Commission voted to eliminate the fee.

For County Attorney office use only:

Assign to: Breezi

County Attorney Project No: 2024-275

Logged out:

5-17-24

Date:

MAY 16 2024

call if you have questions

5/16/24 BKA good - see edits on yellow sheet.
County Attorney

RESOLUTION NO. 2013 – 148

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AMENDING THE
POLK COUNTY PARKS AND RECREATION SCHEDULE OF USER FEES

WHEREAS, Ordinance 93-26 authorizes the County to charge fees for the use of
a County facility or for participating in an activity conducted with a County facility; and

WHEREAS, pursuant to Ordinance 93-26 the Board of County Commissioners
(the "Board") may by resolution from time to time establish and amend a general
schedule of such fees; and

WHEREAS, the Board has previously established a Polk County Parks and
Recreation Schedule of User Fees (the "Fee Schedule") which it last amended on
October 16, 2012, when adopting Resolution 2012-111; and

WHEREAS, to fulfill the strategies and objectives of the 2012-2017 Polk County
History Center Strategic Plan, it has come to the Board's attention that the Fee Schedule
requires further amendment to establish fees for special events, discounts to fees, and
historical markers;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSION OF POLK COUNTY, FLORIDA, AT ITS REGULAR MEETING
CONDUCTED ON DECEMBER 17, 2013:

1. The Fee Schedule is hereby amended as described on the attached Exhibit
"A".
2. The amended Fee Schedule shall take effect immediately upon the board's
adoption of this Resolution.

ADOPTED THIS 17TH DAY OF DECEMBER, 2013.

ATTEST:
Stacy M. Butterfield, Clerk

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By: Kim Hancock
Deputy Clerk

By: R. Todd Dantzler
R. Todd Dantzler, Chairman
12/17/13 9:46



Date Signed by Chairman: 1/9/14

Reviewed as to form and legal sufficiency:

Philip K. Shuman
County Attorney's Office Date

EXHIBIT "A"

The Polk County Parks and Recreation Schedule of User Fees is amended as follows to establish fees for special events, provide for History Center event discounts, and add fees for the historical marker program.

- 1) Fees for special events will be set by the Historic Preservation Manager based on actual estimated costs to provide the associated service plus 20% markup to provide additional funding for History Center operations.
- 2) The calculation method of contributor participation will be set by the Historic Preservation Manager based on the percent contributed of County estimated costs up to a maximum of 50%.
- 3) The administrative fee for the historic marker program shall be established at \$315.00 per marker.
- 4) The user fee for marker production and erection shall be based on the actual costs to perform this activity. Quotes will be obtained by History Center staff and the sponsoring organization or individual will be billed based on this information.

Just
eliminate
the sentence
in its
entirety

12/17/2013 Regular BoCC Meeting Minutes

**December 17, 2013 Regular BoCC meeting
Agenda Item #76**

SUBJECT

Resolution to amend the Polk County Parks and Recreation Schedule of User Fees to establish a method for fund-raising special event and tour fee development, provide discounts when appropriate, and set up two user fees for the County Historic Marker program. (\$10,000.00 anticipated annual revenue)

DESCRIPTION

Pursuant to the 2012-2017 Strategic Master Plan developed for the Polk County History Center, the Parks and Natural Resources Division requests approval to implement new user fees to provide additional revenue sources for the History Center.

Polk County History Center Strategic Plan Goal 2: to develop financial practices and marketing programs that attracts sufficient financial resources to continually build the museum and assure its successful operation.

The current fee schedule does not provide flexibility to recover costs for fund-raising special events/tours and provide sponsorship discounts.

1) The Division is requesting approval to establish user fees for fund-raising special events or tours based on actual estimated costs to provide the associated service plus 20%. The intent is to recover the County's costs including a portion of indirect costs (partial utilities & building maintenance, etc.) without having to seek Board approval for each individual rate. This rate calculation includes a small surcharge for funding continued operations of the History Center.

2) At various times, History Center staff is able to secure event sponsorship from different agencies. The Division is seeking Board approval to provide event discounts for these contributors based on their level of contribution. The calculation method of this discount is based on the percent contributed of County estimated costs up to a maximum of 50%.

The Polk County Historical Commission currently directs the County's historical marker program. This program is being expanded to include two new markers (Polk County historical marker and landmark medallion) specifically geared towards local subjects, landmarks, events and individuals. The Commission is recommending a historic marker fee calculation method be established.

1) The Historical Commission has proposed a new administrative fee for the historic marker program. Since the History Center acts as agent for the Commission, the Commission is recommending that any administrative costs incurred by the History Center be recovered from the applicant. A service cost study was completed to determine that, given the amount of direct and indirect costs involved, this administrative fee should be set at \$315.00 per marker.

2) The Historical Commission is recommending that the expense of marker production and erection be the responsibility of the sponsoring organization or individual. Therefore, History Center staff will obtain a manufacturing and erection quote for any approved markers. Sponsoring organizations or individuals will be invoiced based on quotes obtained.

RECOMMENDATION

12/17/2013 Regular BoCC Meeting Minutes

Adopt Resolution to amend the Polk County Parks and Recreation Schedule of User Fees to establish fees for fund-raising events/tours, provide for user fee discounts, and to set historic marker user fees at the Polk County History Center.

FISCAL IMPACT

The anticipated annual revenue, in the amount of \$10,000.00, will be deposited in the History Center Fund.

CONTACT INFORMATION

Myrtice Young, Historic Preservation Manager
Parks & Natural Resources Division
(863)534-4385
myrticeyoung@polk-county.net

Jeffrey F. Spence, Director
Parks & Natural Resources Division
(863)534-7377
jeffspence@polk-county.net

Attachment: [Resolution User Fees.pdf](#)

Attachment: [Resolution User Fees Approval.pdf](#)

ORDINANCE NO. 2023-076

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, ESTABLISHING A HISTORIC PRESERVATION PROGRAM; RECOGNIZING THE POLK COUNTY HISTORICAL COMMISSION AS THE HISTORICAL RESOURCES ADVISORY BOARD; CREATING A LOCAL DATABASE OF HISTORIC PLACES; ESTABLISHING CRITERIA, STRUCTURES AND DISTRICTS; REGULATING CONSTRUCTION, RECONSTRUCTION, ALTERATION AND DEMOLITION OF HISTORIC SITES; PROVIDING FOR APPLICABILITY; PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Polk County, Florida, has recognized the need for the continued use of the Polk County Historical Commission to collect and preserve historical materials relating to the history of Polk County and Florida, as set forth in the Laws of Florida, Chapter 2011-250.; and

WHEREAS, the Polk County Historical Commission has maintained its commitment to develop a partnership between Federal, State, and local governments to identify, evaluate, and protect historic properties; and

WHEREAS, the Polk County Historical Commission has continued to work towards approval as a Certified Local Government, which would improve the eligibility of Polk County for State historical preservation grants, and

WHEREAS, a Historical Preservation Ordinance is desired to assist with the County's eligibility as a Certified Local Government with the State;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Polk County, Florida, that:

SECTION 1. APPLICABILITY, INTENT AND PURPOSE.

- A. It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural, archaeological, or historic interest or value is in the interest and general welfare of the public.
- B. Applicability. This ordinance shall apply to the unincorporated areas of Polk County, Florida and properties owned by the County.
- C. The purpose of this Ordinance is to:
 - 1. Effect and accomplish the protection, enhancement and preservation of such improvements, sites and districts which represent or reflect elements of the County's cultural, social,

economic, political and architectural history;

2. Safeguard the County's historic, prehistoric and cultural heritage, as embodied and reflected in such historic structures, sites and districts;
3. Protect and enhance the County's attraction to residents, tourists, and visitors, and serve as a support and stimulus to business and industry.

SECTION 2. DEFINITIONS.

"Advisory Board" means the Polk County Historical Commission sitting as the Historical Resources Advisory Board.

"Applicant" means the property owner of record who makes application for a nomination for a certificate of appropriateness.

"Certificate of Appropriateness" means the certificate issued by the Historical Resources Advisory Board approving alteration, rehabilitation, construction, reconstruction or demolition of a Historic Structure, Historic Site, or any Improvement in a Historic District according to the guidelines referenced in Section 7.

"Certified Local Government" means designated local government meeting the requirements of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470, which extends some aspects of the federal and state responsibilities for historic preservation to qualified local governments. Under the program, local governments are certified to review and make recommendations to the Florida National Register Review Board concerning nominations to the National Register of Historic Places of properties located within the confines of their local jurisdictions.

"Board of County Commissioners" means the Polk County Board of County Commissioners.

"County" means Polk County, a political subdivision of the State of Florida.

"Historic District" means an area designated by the Board of County Commissioners upon recommendation of the advisory board, which contains two or more historic improvements or sites.

"Historic Resources" means any prehistoric or historic district, site, building, structure, object included in, or eligible for inclusion on the National Register, including artifacts, records, and material remains related to such a property or resource,

"Historic Resources Database" means the compilation of data gathered on historical and archaeological sites in Polk County, Florida.

"Historic Site" means any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which a historic event has occurred and which has been designated as a Historic Site under this section, or an

Improvement parcel, or part thereof, on which is situated a Historic Structure and any abutting Improvement parcel, or part thereof, used as and constituting part of the premises on which the Historic Structure is situated.

"Historic Structure" means any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the county, state, or nation and which has been designated as a historic structure pursuant to the provisions of this Ordinance.

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

SECTION 3. HISTORICAL RESOURCES ADVISORY BOARD.

Establishment. The Polk County Historical Commission ("Historical Commission") is hereby established as the Historical Resources Advisory Board ("Advisory Board"). The Advisory Board is vested with the power, authority, and jurisdiction to review and make recommendations to the Board of County Commissioners on matters related to the designation, regulation, and administration of cultural, architectural, and historical resources in the County, as prescribed by this Ordinance, under the direct jurisdiction and control of the Board of County Commissioners. The Advisory Board will comply with the Bylaws and Policy of the Historical Commission, particularly referencing (1) membership; (2) terms and vacancies of members; (3) officers; (4) chairperson; and (5) vice-chairperson.

Composition. The Advisory Board will consist of all nine (9) members of the Historical Commission appointed by the Board of County Commissioners. To the extent available in the community, the Board shall appoint professional members from the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, landscape architecture or related disciplines.

Vacancies. Vacancies will be filled within 60 days according to Florida Statute, Chapter 2011-250, Section 2 governing the Polk County Historical Commission and further detailed in the Polk County Historical Commission By-laws.

Meetings. Advisory Board meetings will be held according to Florida Statute, Chapter 2011-250, Section 5 governing the Polk County Historical Commission.

Duties. The Advisory Board will review and recommend designation of Historic Structures, Historic Sites and Historic Districts within unincorporated Polk County. Each Advisory Board member will attend at least one (1) State Historic Preservation Office training program. The Advisory Board members will also participate in survey and planning activities of Polk County upon the County's recognition as a Certified Local Government. Such recommendations will be made based on the criteria set forth in this Ordinance. Once designated by the Board of County Commissioners, such Historical Structures, Sites, and Districts will be subject to all the provisions of this Ordinance. The Board of County Commissioners will assign staff members and/or

outside consultants, as appropriate, to provide assistance with the conduct of these duties.

SECTION 4. LOCAL DATABASE OF HISTORIC RESOURCES. A local database of historic resources is hereby created as a means of identifying and classifying various sites, buildings, structures, or districts as historic and/or architecturally significant. The local database will be compatible with the Florida Master Site File to ensure that the data produced can be integrated into the statewide comprehensive historic preservation planning process and should include at a minimum a completed Florida Master Site File form with an assigned Florida Master Site File number. The local database will be made available to the public through the County's website.

SECTION 5. HISTORIC SITE, STRUCTURE AND DISTRICT DESIGNATION CRITERIA

- A. For purposes of this Ordinance the criteria for designation of historic resources as a historic structure, historic site, or historic district shall be based on and consistent with the criteria for evaluation as listed in the National Historic Preservation Act of 1966, as amended, 16 U.S.C 470 *et seq.* and E.O. 11593.
- B. For purposes of this Ordinance, a Historic Structure, Historic Site or Historic District designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of historic, archeological, or cultural significance to the county which:
 - 1. Exemplify or reflect the broad cultural, political, economic, or social history of the nation, state, or community; or
 - 2. Are identified with historic personages or with important events in national, state, or local history; or
 - 3. Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or
 - 4. Are representative of the notable work of a master builder, designer or architect who influenced his age; or
 - 5. Have yielded, or may be likely to yield, information important to prehistory or history.
- C. Properties Generally Not Considered. Cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria of if they fall within the following categories:
 - 1. A religious property deriving primary significance from architectural or artistic

- distinction or historical importance, or
 - 2. A building or structure removed from its original location, but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
 - 3. A birthplace or grave of a historical figure of outstanding importance if there is not appropriate site or building directly associated with his productive life.
 - 4. A cemetery which derives its primary significance from graves of person of transcendent importance, from age, from distinctive design features, or from association with historic events; or
 - 5. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
 - 6. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
 - 7. A property achieving significance within the past 50 year if it is of exceptional importance.
- D. The Advisory Board will recommend, for the approval by the Board of County Commissioners, specific operating guidelines for Historic Structure, Historic Site and Historic District designation providing such are in conformance with the provisions of this Ordinance.
- E. The Advisory Board will review and provide recommendations for any nominations of properties and districts to the National Register of Historic Places.

SECTION 6. HISTORIC SITE, STRUCTURE, AND DISTRICT DESIGNATION AND REMOVAL OF DESIGNATION PROCEDURES

- A. Eligible Applicants. Applications for historic designation will be initiated by only the following:
- 1. Property owner(s) of the affected property.
 - 2. The Advisory Board or the Board of County Commissioners, but only upon consent of the property owner.
 - 3. A majority of property owners within a proposed Historic District under consideration for designation; but only for properties where the property owners have consented.
- B. Completed Application. An application is considered complete when:
- 1. An applicant or property owner submits a written statement of the historical, cultural, architectural, archaeological, or other significance of the building, structure, or site, with supporting evidence.
- C. Advisory Board Agenda. Following staff determination that an application for

designation is complete; the application shall be scheduled for a public hearing by the Advisory Board.

D. Designation of Historic Structures and Historic Sites

1. Review and Adoption Procedure

- a. **Advisory Board.** The Advisory Board may, after notice and public hearing, recommend certain properties be designated as Historic Structures or Historic Sites. At least ten (10) days prior to such hearing, the Advisory Board shall notify the owners of record, as listed in the office of the Property Appraiser, who are owners of property in whole or in part within five hundred (500) feet of the boundaries of the property affected. Following the public hearing, the Advisory Board shall vote to recommend approval or denial of the proposed designation by the Board of County Commissioners.
- b. **Board of County Commissioners.** After receiving the recommendation, the Board of County Commissioners shall hold a public hearing, notice to be given as outlined in Florida Statutes, and shall, following the public hearing, approve or deny the designation of the Historic Structure or Historic Site.

E. REMOVAL OF DESIGNATION

1. The removal of historic designation may be initiated in one of three ways: (a) by written request of the property owner; (b) by majority vote of the Advisory Board; or (c) at the request of the Board of County Commissioners.
2. **Removal of designation by owner.** The owner must file a written request for removal of designation or change in status. The request must state with specificity the reason for the request and include sufficient information to support investigation of the property in response to the request.
3. **Advisory Board Agenda.** Following a request for removal of designation, the request shall be scheduled for a public hearing by the Advisory Board.
4. At the conclusion of the public hearing, the Advisory Board shall vote to recommend approval or denial of the request for removal of historic designation to the Board of County Commissioners.
5. **Board of County Commissioners.** After receiving the recommendation, the Board of County Commissioners shall hold a public hearing, notice to be given as outlined in Florida Statutes, and shall, following the public hearing, approve or deny the removal of the designation of the Historic Structure or Historic Site.
6. **Appeal.** Any person aggrieved by a decision rendered by the Board of County Commissioners may appeal the decision to Circuit Court within thirty (30) days from the date a written decision by the Board of

County Commissioners is rendered.

F. CREATION OF HISTORIC DISTRICT.

1. **Historic Preservation Plan.** Along with a complete application supported by a majority of property owners within a proposed Historic District, the property owners shall prepare a historic preservation plan for the proposed District. Each historic preservation plan shall include a cultural and architectural analysis supporting the historic significance of the area, the specific guidelines for development, a statement of preservation objectives and an exemption for those property owners within the proposed Historic District that are opposed to such designation.
2. **Review and Adoption Procedure.**
 - a. **Historical Resources Advisory Board.** The Advisory Board may, after notice and public hearing, recommend select geographically defined areas within the County be designated as Historic Districts. At least ten (10) days prior to such hearing, the Advisory Board shall notify the owners of record, as listed in the office of the Property Appraiser, who are owners of the property within the proposed Historic District or are situated in whole or in part within five hundred (500) feet of the boundaries of the proposed Historic District. Following the public hearing, the Advisory Board shall vote to recommend approval or denial of the proposed designation by the Board of County Commissioners.
 - b. **Board of County Commissioners.** After receiving the recommendation, the Board of County Commissioners shall hold a public hearing, notice to be given as noted in subparagraph a. above and shall, following the public hearing, designate or reject the Historic District. Designation of the Historic District shall constitute adoption of the plan prepared for the District and direct the implementation of said plan.
3. **Appeal.** Any person aggrieved by a decision rendered by the Board of County Commissioners may appeal the decision of Circuit Court within thirty (30) days from the date a written decision by the Board of County Commissioners is rendered.

G. NOMINATIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES.

1. The general public, owners of record, and applicants shall be given a minimum of thirty (30) calendar days and not more than seventy-five (75) calendar days prior notice to Advisory Board meetings in which to comment on or object to the listing of a property in the National Register of Historic Places.
2. Objections to being listed in the National Register of Historic Places by

property owners must be notarized and filed with the State Historic Preservation Officer. Within thirty (30) days after its meeting, the Advisory Board shall forward to the State Historic Preservation Officer its recommendation on the nomination. The owner and the applicant shall be notified of the Advisory Board's action.

SECTION 7. REGULATION OF CONSTRUCTION, RECONSTRUCTION, ALTERATION AND DEMOLITION OF HISTORIC SITES OR STRUCTURES. The Advisory Board will use and which are hereby adopted by reference, the U.S. Secretary of the Interior's Standards for Rehabilitation, 36 CFR 67 (1983), as such standards may be amended, renumbered or replaced, for the issuance of a Certificate of Appropriateness.

- A. No owner or person in charge of a Historic Structure, Historic Site of structure within a Historic District shall reconstruct, alter or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property or demolish such property unless a Certificate of Appropriateness has been granted by the Advisory Board.
 - 1. The Advisory Board may, after notice and public hearing, review applications for a Certificate of Appropriateness. At least ten (10) days prior to such hearing, the Advisory Board shall notify the owners of record, as listed in the office of the Property Appraiser, who are owners of the property.
- B. Upon filing of any application for a Certificate of Appropriateness with the Advisory Board, the Advisory Board will approve the application unless:
 - 1. In the case of a designated Historic Structure or Historic Site, the proposed work would detrimentally change, destroy or adversely affect any exterior feature of the Improvement or site upon which said work is to be done;
 - 2. In the case of the construction of a new Improvement upon a Historic Site, or within a Historic District, the exterior of such Improvement will adversely affect or not harmonize with the external appearance of other neighboring Improvements on such site or within the district.
 - 3. In the case of any property located in a Historic District, the proposed construction, reconstruction, exterior alteration or demolition does not conform to the purpose and intent of this section and to the objectives and design criteria of the historic preservation plan for said district;
 - 4. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of

the county and state; or

5. In the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair. The Advisory Board may issue a Certificate of Appropriateness for demolition which may contain a delayed effective date, determined by the Advisory Board, to allow time required to arrange a possible alternative to demolition for up to three (3) months. During this delay period, the Advisory Board may take such steps as it deems necessary to preserve the resource, including, but not limited to, consultation with community groups, public agencies and interested citizens or an exploration of the possibility of moving the building or structure.

- C. If the Advisory Board determines that the application for a Certificate of Appropriateness and the proposed changes are consistent with the character and features of the property or district, it shall issue the Certificate of Appropriateness. The Advisory Board will make this decision within forty-five (45) days of the filing of the application.
- D. The issuance of a Certificate of Appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the County and/or the State of Florida.
- E. Ordinary maintenance and repairs may be undertaken without a Certificate of Appropriateness provided that the work involves repairs to existing features of a Historic Structure or Historic Site with pieces identical in appearance and provided that the work does not change the exterior appearance (including color) of the structure or site.
- F. Should the Advisory Board deny the issuance of a Certificate of Appropriateness due to the failure of the proposal to conform to the guidelines of the U.S. Secretary of the Interior's Standards for Rehabilitation, 36 CFR 67 (1983), as such standards may be amended, renumbered or replaced-the applicant may appeal such decision to the County Commission within thirty (30) days. In addition, if the Advisory Board fails to issue a Certificate of Appropriateness, the Advisory Board will, with the cooperation of the applicant, work with the applicant to obtain a Certificate of Appropriateness within the guidelines of this Ordinance.
- G. When a historic structure, site or district has been properly designated, the applicant may cause to be prepared and erected on such property a suitable plaque declaring that such property is a historic structure, site, or district.

SECTION 8. STATE HISTORIC PRESERVATION OFFICER

The State Historic Preservation Officer will be provided within thirty (30) calendar days prior notice of all meetings of the Advisory Board. Copies of minutes, a record of attendance, and public attendance figures for each Advisory Board meeting will be provided to the State Historic Preservation Officer within thirty (30) calendar days after each meeting. The State Historic Preservation Officer will be provided with a notice of any change in Advisory Board membership or any amendment to this ordinance within thirty (30) calendar days of action. All new historic designations or alterations to existing designations will also be provided to the State Historic Preservation Officer.

Upon recognition as a Certified Local Government, an annual report will be provided by November 1st of each year covering the activities of the Advisory Board for the previous October 1st through September 30th to include:

1. Copy of the rules of Procedure
2. Copy of historic preservation ordinance
3. Resume of commission members
4. Changes to the commission
5. New local designations
6. New National Register listings
7. Review of survey and inventory activity with a description of the system used
8. Program report on each grant-assisted activity
9. Number of projects reviewed

SECTION 9. PENALTIES FOR VIOLATION. A County's code enforcement officer or any other person authorized to enforce county ordinances may enforce the provisions of this Ordinance.

When enforced by a code enforcement officer, the enforcement provision and procedures contained in the Polk County Code Enforcement Special Magistrate Ordinance, as may be amended, are incorporated herein by reference and will apply. The Polk County Code Enforcement Special Magistrates are hereby authorized to impose a fine up to \$1,000 per day per violation for a first violation of this Ordinance, up to \$5,000 per day per violation for a repeat violation of this Ordinance and up to \$15,000 per violation if the Special Magistrate finds a violation of this Ordinance to be irreparable or irreversible in nature. In determining the amount of the fines for violation for this Ordinance, the Polk County Code Enforcement Special Magistrate shall consider: 1) the gravity of the violation; 2) any actions taken by the violator; and 3) any previous violations committed by the violator. Nothing contained herein shall prevent the County from taking such other lawful action in law and equity as may be necessary to remedy any violation of any part of this Ordinance, including but not limited to:

1. Pursuit of injunctive and/or declaratory relief in court of competent jurisdiction; or
2. Utilizing any other action or enforcement method permitted by law.

SECTION 10. CODIFICATION IN THE CODE OF ORDINANCES. It is the intention of the Polk County Board of County Commissioners, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Polk County Code of Ordinances and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 11. SEVERABILITY. Should any section or provision of this Ordinance, or any portion thereof; or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 12. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after its enactment by the Polk County Board of Commissioners and shall be effective upon filing with the Department of State.



STATE OF FLORIDA)
)
COUNTY OF POLK)

I Stacy M. Butterfield, County Clerk and Comptroller for Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 2023-076' adopted by the Board on December 5, 2023

WITNESS my hand and official seal on this 5th day of December 2023.

STACY M. BUTTERFIELD, CLERK

By: Yolanda Harris
Yolanda Harris
Deputy Clerk





FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

December 12, 2023

Stacy M. Butterfield
Clerk of the Circuit Court and Comptroller
Polk County
Post Office Box 988
Bartow, FL 33831-0988

Attention: Yolanda Harris

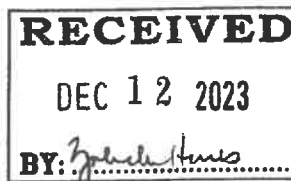
Dear Stacy Butterfield,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Polk County Ordinance No. 2023-076, which was filed in this office on December 6, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh



RESOLUTION NO. 2024-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS ADMENDING THE POLK COUNTY PARKS AND NATURAL RESOURCES (formerly PARKS AND RECREATION) SCHEDULE OF USER FEES

WHEREAS, Ordinance 93-26 authorizes the County to charge fees for the use of a County facility or for participating in an activity conducted with a County facility; and

WHEREAS, the Board has previously established a Polk County Parks and Recreation Schedule of User Fees; and

WHEREAS, to fulfill the strategies and objectives of the Historic Preservation Ordinance approved December 5, 2023, it has come to the Board's attention that the historic marker administration fee is inconsistent with State of Florida historic marker practices.

WHEREAS, the Polk County Historical Commission voted unanimously on May 2, 2024 to eliminate the historic marker application fee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, AT ITS REGULAR MEETING CONDUCTED ON _____

1. The Fee Schedule adopted December 17, 2013 as described on the attached Exhibit "A", (3) establishing the administrative fee in the amount of \$315 for the historic marker program is hereby ~~amended to eliminate the fee.~~ *eliminated.* Read as follows:
2. The amended Fee Schedule shall take effect immediately upon the board's adoption of this Resolution.

Adopted this _____ day of _____, 2024.

ATTEST:
Stacy M. Butterfield, Clerk

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
W. C. Braswell, Chairman

Date Signed by Chairman: _____

Reviewed as to form and legal sufficiency:

County Attorney's Office

Date

The Polk County Historical Marker Program as administered by the Polk County Historical Commission and History Center requires that individual and organizations sponsors pay 100% of marker costs.



POLK COUNTY HISTORICAL COMMISSION HISTORICAL MARKER GUIDELINES

Adopted May 23, 2019

The purpose of the Polk County Historical Marker program is to recognize and encourage the preservation of local history. Historical markers are popular and useful tools for promoting and preserving all aspects of Polk County's diverse heritage. Marker topics include persons, events, institutions, buildings, ethnic groups, churches, sites, communities and cemeteries. Historical markers educate the public about Florida history and spark interest in preserving local history. When properly promoted, they can also boost tourism.

1. History

In 1937, the State of Florida created the Polk County Historical Commission. The Commission serves as a volunteer advisory commission to the Polk County Board of County Commissioners and to the staff of the Polk County History Center. By law the Historical Commission may, upon its own initiative or upon petition of municipalities or historical societies, mark by proper monuments, tablets or markers the location of forts or other places within Polk County where historical events have transpired. Other interested parties may request that the Historical Commission act upon its own initiative to mark such locations. All such petitions or requests must be submitted in accordance with these guidelines.

2. Sponsors

Marker applications may be sponsored by organizations or individuals. Markers will be designated under the following two categories: a.) Subject, and b.) Structure. The criteria for these categories are described below. Sponsor organizations may include, for example: historical societies, churches, schools, businesses, or government entities. Sponsor organizations may apply for a marker to be located on public or private property. Sponsor individuals may only apply for a marker to be located on private property.

3. Categories of Markers

a. Subjects:

Subject markers are educational in nature and record aspects of local history that are important to a community. These markers honor topics such as church congregations, schools, communities, businesses, events and individuals. A subject marker is placed at a site that has historical significance, and is accessible to the public. Most topics marked with subject markers must date back at least 50 years, although historic events may be marked after 30 years. Markers that honor individuals may be installed after the individual has been deceased for 10 years. Living individuals may be mentioned in the subject of a historical marker if deemed appropriate by the Historical Commission. The Historical Commission may also waive the age requirement for topics of overwhelming local or state importance, although these exceptions are rarely granted and the burden of proof is on the applicant.

b. Structures:

Structure markers are awarded to structures deemed worthy of preservation for their historical and architectural significance. Buildings or other historic structures may be eligible for designation upon reaching 50 years of age. In some cases, structures older than 50 years that have been altered may be eligible, if those alterations occurred at least 50 years ago and took place during a significant period of the structure's history. In reviewing applications for designation, the Historical Commission considers not only the historic persons or events associated with a structure, but also the architectural integrity of the building or structure. The structure should maintain its appearance from its period of historical significance and should be an exemplary model of preservation.

4. Marker Types

Three marker types are available. While historic places and events have been marked in Polk with signs and monuments since at least the 1930s, markers approved by the Historical Commission have been placed in our county since 1956. The earliest official Historical Commission markers used the State Seal as an emblem, and were intended to be part of a statewide heritage trail. The State of Florida officially created an historic marker program in 1960. To ensure uniformity and quality, the goal of the Historical Commission's Marker Program is to continue to complement the statewide tradition of erecting markers in uniform style, content, and quality.

State of Florida Historical Marker

Marker applications that meet Florida state standards can be co-sponsored with the Historical Commission and Florida Department of State. When deemed appropriate the Historical Commission will partner with applicants in making requests for historical markers through the State of Florida Historical Marker Program. Marker applications must be approved by the State Historical Marker Council before markers are ordered. The Standard Florida State Historical Marker is 30" x 42" with a 7" concrete post. The standard marker allows 19 lines of text with approximately 1200 characters.



Polk County Historical Markers

In 2012, two new options were created to expand the ability to recognize local subjects, landmarks, events and individuals. The 2012 marker series uses the new Polk heritage landmark logo and also emphasizes continuity in overall size and appearance. The markers use a brown background and raised gold lettering recognized by cultural tourists across Florida. Applicants wishing to deviate from this specified appearance must pursue a marker through other means. Markers are one-piece cast aluminum with a separate post.



- (1) Large Polk County Historical Marker is the same size and shape as the State of Florida marker but with the Polk County Historical Commission's color scheme and logo at the top rather than the State of Florida's (3 palm trees) Current price ranges depending on the wording. Pole mounted.



- (2) Medium Polk County Historical Marker is 23" x 29" with a 2" post or on a structure. It allows 10 lines of text with approximately 640 characters of 1/2 inch letters.

- (3) Polk County Landmark Medallion is 12" round, and is designed to be mounted with a 2" post, or on a structure.



Fees for markers vary with the cost of materials at the time of manufacture.

5. Policies

- a. The final approval of all marker applications is made by the Historical Commission, based on the evaluation of an application and a recommendation made by a Marker Committee appointed by the Historical Commission.
- b. The Polk County History Center acts as agent for the Historical Commission handling all administrative details relating to the marker program. These duties will include editing the marker texts, ordering the markers and arranging for delivery of the finished signs and posts. Because the Polk County History Center has the ultimate responsibility to preserve historical accuracy and promote interpretative content based on appropriate research, the staff of the Polk County History Center is tasked with the final editing and review of historical marker texts.
- c. Expense of the marker erection is the responsibility of the sponsoring organization or individual requesting the marker.
- d. The Polk County Historical Marker Program, as administered by the Polk County Historical Commission and History Center, requires that individual and organization sponsors pay 100% of marker costs. ~~In addition, an application fee supports the History Center's administrative costs and support of the program.~~
- e. Sponsors are responsible for the physical placement of a historical marker unless the marker is on a state-maintained highway right-of-way, in which case the Florida Department of Transportation will be responsible for erecting the marker in consultation with the Polk County Historical Commission.
- f. Markers are the property of the County and may not be used for commercial advertising. No marker may be copied for the use of any other agency, association, corporation, or individual except with written permission from the Historical Commission.
- g. Once a marker is installed, the County shall maintain the marker. The County's maintenance obligations are contingent upon the property owner's grant of an easement or other irrevocable right to enter the property to do so.
- h. Upon installation of a marker upon a State right of way or County right of way, the marker will, as applicable, become the property of the State or the County.
- i. If an error is found on a marker after it is cast, and if this error is the fault of the sponsoring organization, then that party must pay for the necessary correction. The corrections must be made or the Historical Commission will not install the marker. The marker company guarantees its work and will replace or correct a marker if an error is made by them. The Historical Commission will not be held responsible for any errors that are found on a marker.
- j. The name of the sponsors will be followed by that of the Polk County Historical Commission at the bottom of each marker. No more than four sponsor names may appear on any marker.
- k. Polk County Historical Markers are separate from the federal inventory of historic properties (the National Register of Historic Places) and State of Florida historical marker program. Application for (or the approval of) a Polk County Historical Marker does not constitute a nomination to the State or National Register. More information about both programs is available through the Polk County Historical Commission.
- l. The Historical Commission shall withdraw the marker designation and may repossess any marker if it is determined by the Historical Commission that a site has lost its historical significance, integrity, public access or upon the request of the owner of the property where the marker has been placed.

Just eliminate last sentence

6. The Historical Marker Application

- a. The Historical Commission has the authority to accept or reject subjects or structures proposed for a marker. The Polk County History Center has final editorial control over the text on each marker. The applicant is responsible for providing research and history of the topic, and for filling out the application and submitting the application with supporting documentation to the Historical Commission for review and approval.
- b. The marker applicant must establish historical significance through a documented narrative history of the topic. A topic has historical significance influenced, effected or impacted the course of history or cultural development. Age alone does not determine historical significance. To determine historical significance, an applicant must fully answer such questions as: How did the topic play a role in local history? Why has it made a difference in the context of local or state history? Who were the individuals involved in the history of the topic? What other events were taking place at the same time (locally, regionally or nationally) that may have had a bearing on how or why the topic was important?
- c. The text of the marker presented with the application must be prepared with the same care and technique as a well-written research or term paper. Because the Polk County History Center and the Polk County Historical Commission strives for historical accuracy in the marker program, the subject must be thoroughly researched using primary and secondary sources. The use of oral tradition and unpublished histories without corroborating evidence is discouraged. The narrative must be documented on a fact-by-fact basis with the use of footnotes, endnotes, or parenthetical citations that offer the source of each statement in the historical narrative that is presented as fact.
- d. All applications and supporting documents must be typed, with correct punctuation, etc., when submitted to the History Center office. Site plans are required for all applications and should clearly show the building or structure under consideration plus any outbuildings or other significant features such as landscaping, though professional blueprints are not required. Simple drawings are sufficient if necessary details are included, with particularly clear delineation of any alterations and/or additions and their dates.
- e. Permission for placement of an official Polk County Historical Marker must be granted by the property owner and must be signified on the application form. When markers are proposed to be placed on State-maintained right-of-way, the Historical Commission will obtain necessary permission from the Florida Department of Transportation. The placement of historical markers should be carefully considered to ensure accessibility and protection of historic resources. Visitors, whenever possible, should be able to safely walk up to the marker and read the text.
- f. Whenever possible, a marker for a landmark receiving the official Polk County Historic Marker designation should be placed on a post rather than on the structure.
- g. Sponsors are responsible for the physical placement of a historical marker unless the site is on a state-maintained highway right-of-way, in which case the Florida Department of Transportation will be responsible for erecting the marker in consultation with the Polk County Historical Commission.
- h. Only the application fee is required at the time of application. All materials submitted for official Polk County Markers become part of the permanent archival files of the Polk County Historical and Genealogical Library and may be used or cited in County publications.