

Report on Proposed Additional Resources to Chapter 13, Historic Preservation Ordinance

“Withington & Cooley Industrial Historic District”



Jackson Historic District Commission



prepared by the
**City of Jackson, Michigan
Historic District Commission**

Contact Information:

Amy L. Torres, HDC Staff
City Hall, 161 W. Michigan Avenue
Jackson, MI 49201
517-768-6433 / fax: 517-768-5832
e-mail: atorres@cityofjackson.org

October, 2004

HISTORIC PHOTOGRAPH OF FACTORY COMPLEX

ACKNOWLEDGEMENTS

The Jackson Historic District Commission wishes to acknowledge the contributions of the following individuals in the preparation of this report, and the ongoing preservation of historic resources in Jackson:

The American Fork & Hoe “Withington & Cooley Industrial Historic District” Study Committee

Charles Ahronheim
Martha Fuerstenau
Marilyn Guidinger
Pat Gutekunst
John Schaub
Karessa Weir
Jeannette Woodard

The Jackson Historic District Commission

Charles Ahronheim
Martha Fuerstenau
Marilyn Guidinger
Pat Gutekunst
John Schaub
Karessa Weir
Jeannette Woodard

The Jackson City Council

Mayor	Martin J. Griffin
1st Ward	Carl L. Breeding
2nd Ward	William Mure
3rd Ward	Daniel P. Greer
4th Ward	Sarah Mead
5th Ward	Jud M. Dupuis
6th Ward	Jerry F. Ludwig

Commonwealth Cultural Resources Group – Armory Arts Project consultant for preparation of the National Register nomination

Donald Weir
Elaine Robinson

HDC & Study Committee Staff

Amy L. Torres

TABLE OF CONTENTS

INTRODUCTION	4
APPENDICES	
APPENDIX I..... Proposed District General Property Description and Background	5-6
APPENDIX II..... Proposed District Historical Background and Inventory	7-26
APPENDIX III Report References	27-28
APPENDIX IV..... Boundary & Legal Descriptions - Real Estate Property Summaries	29-30
APPENDIX V..... Proposed Draft Ordinance (subject to City Attorney and City Council approvals) .	31-32
APPENDIX VI..... Photos and Exhibits	33-60
Figure 10.1 – Project Location.....	33
Proposed Withington & Cooley Industrial Historic District Boundary	34
Figure 7.1 – Current Site Conditions and Sketch Map of Withington- Cooley Industrial Historic District	35
Figure 3 – American Fork and Hoe Company (Withington Works) Factory Complex, 1932 Site Plan	36
Figures 7.2 through 7.44 – Current Photos.....	37-58
Figures 8.1 – 8.3 – Historic Photos.....	59-60
APPENDIX VII.... Existing Historic Preservation Ordinance – Chapter 13 of the Municipal Code of Ordinances, Jackson, Michigan	61-77
APPENDIX VIII... Under The Oaks Historic District Map	78
APPENDIX IX..... HDC Ordinance Adoption Procedure	79

INTRODUCTION

The purpose of the Historic District Commission (HDC) is in part to create and designate historic sites, which will:

- 1) Safeguard the heritage of the City of Jackson by preserving a historic district, including areas, sites, landmarks, buildings, structures, works of art, and objects, which reflects elements of Jackson's cultural, social, economic, political and/or architectural history;
- 2) Stabilize and improve property values in the historic district;
- 3) Foster civic beauty;
- 4) Strengthen the local economy; and
- 5) Promote the use of the historic district, including areas, sites, landmarks, buildings, structures, works of art and objects, for the education, pleasure and welfare of the citizens of the City of Jackson and the State of Michigan.

For purposes of this report, each site recommended by the HDC, and ultimately approved and designated by the City Council, becomes a **"Historic District"**, meaning:

"an area, or group of areas not necessarily having contiguous boundaries, that contains one resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture." The proposed district described herein includes a number of "Historic Resources".

Historic Resource means:

"a publicly or privately owned building, landmark, structure, site, feature or open space that is significant in the history, architecture, archaeology, engineering, or culture of the state, the City of Jackson, or the United States".

To date, the HDC and the Jackson City Council have designated forty individual sites as historic landmarks and established one historic district entitled the "Under the Oaks Historic District" (see Chapter 13 of the Municipal Code of Ordinances, Section 13-21 and 13-22). This report proposes to add one new historic district entitled the **Withington & Cooley Industrial Historic District**.

As recommended by the Historic District Study Committee, consisting of the membership of the Jackson Historic District Commission, the Jackson Historic District Commission has reviewed and approved each of the landmarks and recommends that they be incorporated into the ordinance.

**APPENDIX I - PROPOSED DISTRICT GENERAL PROPERTY
DESCRIPTION & BACKGROUND**

1. Name of Property

Historic Name: American Fork & Hoe Company (Withington Works) Factory Complex
Other Names: Withington, Cooley & Company, Acme Industries Inc.

2. Location

600-630 N. Mechanic Street, Jackson, Michigan 49201

3. Classification

Ownership of Property (Check as many boxes as apply)

- private
- public-local
- public-State
- public-Federal

Category of Property (Check only one box)

- building(s)
- district
- site
- structure
- object

Number of Resources within Property

Contributing	Noncontributing
<u>6</u>	<u>1</u> buildings
<u> </u>	<u> </u> sites
<u>1</u>	<u> </u> structures
<u> </u>	<u> </u> objects
<u>7</u>	<u>1</u> Total

Number of contributing resources previously listed in the National Register: 0

4. Description

Architectural Classification (Enter categories from instructions)

Late Victorian
Other: reinforced concrete factory
Other: monitor-roof factory

Materials

Foundation: stone, concrete
Roof: asphalt
Walls: brick, concrete

Narrative Description (Describe the historic and current condition of the property on one or more continuation sheets.)***

5. Statement of Significance

Applicable National Register Criteria

- A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B Property is associated with the lives of persons significant in our past.
- C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D Property has yielded, or is likely to yield information important in prehistory or history.

Period of Significance: ca. 1866-1953
Significant Dates: ca. 1866-1902
1902-1934
1934-1953

Significant Person: Withington, General William H.

Narrative Statement of Significance (Explain the significance of the property on one or more continuation sheets.)***

6. Major Bibliographical References

Primary Location of Additional Data

- State Historic Preservation Office
 Other State agency
 Federal agency
 Local government
 University
 Other

7. Geographical Data

Acreage of Property: approximately 5.7 acres
Verbal Boundary Description - See Appendix IV
Boundary Justification - See Appendix IV

8. Report Prepared by:

Amy L. Torres, HDC Staff, and with assistance from Elaine H. Robinson, Preservation Planner, Commonwealth Cultural Resources Group, Inc. (preparer of National Register submission), for the Historic District Study Committee.

Property Owner

Artspace Projects Inc., 250 Third Ave. N, Suite 500, Minneapolis, MN 55401
Telephone: 612/333-9012

APPENDIX II - PROPOSED DISTRICT HISTORIC BACKGROUND & INVENTORY

District Description

The Withington-Cooley Industrial Historic District includes seven buildings and a smokestack on approximately 5.7 acres of land. The district is bounded by North Mechanic on the east, West Ganson on the south, the railroad tracks on the west, and the south property boundary of the Michigan National Guard Armory at the north. Situated just five blocks north of Michigan Avenue in downtown Jackson, the district is approximately 1.15 miles south of I-94. Immediately north of the district is the National Register of Historic Places listed Michigan State Prison, currently the headquarters for the 63rd Brigade Troop Command of the Michigan National Guard. West of the historic district is the Grand River with the Jackson County Fair Grounds extending along the west bank of the river.

The buildings of the historic district are each linked to the industrial history of Jackson and its utilization of the readily available convict labor. This association is largely due to the ownership of each of the buildings within the district by the firm of Withington, Cooley & Company, its predecessor and successor companies. The district is dominated by buildings that once served as manufacturing centers and the warehouses associated with the industrial efforts. Industries beginning with furniture manufacturers, and including agricultural hand tools and ending with the manufacturing of cooling coils and air conditioner components each found a place in the property on the west side of North Mechanic Street. The extant buildings within the district each retain their original location, and with the exception of the structure at 628 North Mechanic, have retained their original appearance.

Architectural History

The buildings and structures associated with the district were constructed between ca. 1866 and 1955. Largely constructed in two time periods, the two northern structures were erected in ca. 1870 and ca. 1866 respectively (Figure 1.1; Appendix A). The northern building was enlarged ca. 1899 with the construction of additional warehouse and office space parallel to the original office section of the building. For a time, between ca. 1910 and 1950, the narrow space between the two northern buildings was enclosed for additional factory space; however, the majority of this area was lost in a devastating fire in 1990. The final one-story portion of this element was subsequently demolished, leaving just the metal I-beams and patches on the walls to indicate the location of the element.

The buildings south of the present day parking lot were constructed by American Fork & Hoe on the grounds of an earlier factory complex. Construction of the large extant structure complex associated with American Fork & Hoe began in 1911 and was completed by 1930. These buildings included the three-story L-plan curtain wall structure erected ca. 1911 (Building 3 on Figure 1), a rectilinear structure parallel to West Ganson Street (Building 4) and topped with a monitor roof; a smaller monitor roof structure placed at the west end of the curtain wall building and oriented parallel to the railroad tracks (Building 5); and a smokestack (Structure 8). Several later additions to the interior courtyard of the ca. 1910s buildings were made under the ownership of Acme Industries, Inc. in the 1930s (Building 6). The free-standing one-story garage (Building 7) was added ca. 1946.

Contracts between the manufacturing firms and the Agent or Warden of the adjacent State Prison for convict labor provided the initial impetus for development in proximity to the prison. During much of the nineteenth and into the twentieth century, the firms within the district held among the highest number of convict contracts within the city of Jackson. A second enticement to the area was the

proximity of the manufacturing firms to the Michigan Central Railroad. In 1870, Jackson was recognized as second only to Detroit in the shipment of freight (Santer 1970:120). In 1902, the Withington, Cooley & Company was one of ten firms nationwide that merged to form the American Fork & Hoe Company. In the early twentieth century, this firm demolished all of the buildings once associated with the Austin, Tomlinson & Webster Company, and constructed most of the large building complex now situated at the northwest corner of West Ganson and North Mechanic Streets. Twenty years later, in the early 1930s, the final major manufacturer, Acme Industries Inc., acquired the buildings erected by American Fork & Hoe, and customized the site to meet their production needs. Many of the smaller structures north of the main building were demolished after their almost twenty year occupation of the facilities. The only other major change made to the property since the 1950s has been the loss of the rear portions of Buildings 1 and 2. A four-alarm fire in 1990 destroyed the west portion of the buildings, although much of the foundation materials remain extant.

Inventory for the Withington & Cooley Industrial Historic District

Building numbers in the following text are taken from the sketch maps of the historic district (See Appendix VI – Photos and Exhibits, Figure 10.1 – Project Location, Figure 7.1 – Current Site Conditions and Sketch Map of Withington-Cooley Industrial Historic District and Figure 3 - American Fork and Hoe Company (Withington Works) Factory Complex, 1932 Site Plan).

Building 1

Located at 632-634 N. Mechanic, the large flat-roofed building is two-stories tall and oriented perpendicular to Mechanic Street (Figure 7.2). It was constructed in several stages. Erected on a stone foundation, the building is predominately brick clad. The original portion of the building, consisting of the north three bays of the office section on the east end of the building and the slightly off set rectilinear element extending to the west, was erected ca. 1870 (Sanborn Map Company 1886:11). The southern section of the two-story office building replaced several smaller structures in ca. 1899 (Sanborn Map Company 1907:8). It was probably during the construction of the second portion of the offices that the earlier building was updated with the addition of cast hood moldings above the second story windows, corbeled brickwork below the building's frieze and the addition of the slightly projecting ornate cornice molding (Figure 7.3). Several distinctly different bricks found on the building's east facade corroborate the buildings' staged construction.

The final major element of the building, the large brick element extending from the north facade of the warehouse building, was constructed ca.1900. By 1907, the building including its distinctive shed roof deck across the north facade of the original warehouse and east facade of the final element, were completed (Figure 7.4). The western section of the original warehouse building was damaged in a four-alarm fire in 1990, and has subsequently been demolished. Although no longer standing, portions of the stone and brick foundation are still extant (Figure 7.5). Probably as a result of fire damage, the owners of the building have subsequently applied a layer of spray-on Urethane Foam to the south facade of the building (Figure 7.6).

The front, east, facade of the building is divided into six fenestration bays, each with a window at the second floor level and either a window or door on the first floor. Windows

on the first floor are placed in pairs and completely fill the fenestration bay defined by brick pilasters. The original windows have been replaced with new

windows divided horizontally into three large lights. The third bay from the north has a narrow side-hinged door with a square transom light above placed at the center of the bay. The southernmost bay on the east facade features a side-hinged door with a fixed panel adjacent. Extending above both the door and panel is a four-light transom window. Each of the windows on the second floor is placed singly at the center of the bay. Topping the windows are flat hood moldings with incised ornament. At the top of each fenestration bay, the brick walls have three courses of corbeled bricks echoing the dentil molding in the cornice above. Further enhancing the cornice, are large wooden corbel brackets.

The remaining fenestration on the building is much simpler than that of the front facade. Most of the remaining windows and doors are located on the north and west facade of the former warehouse portion of the building. The openings display segmental arch heads. The remaining windows have also been replaced with the same windows as found on the front facade. Only minor fenestration elements are found on the south, west and north facades of the building. On the west facade of the original warehouse building a first floor door has been replaced with a pair of glazed doors (Figure 7.5). Directly above this door a once large opening has been filled with smooth concrete block and a small double hung window. Several additional door and window openings are found on the final building element, including a boarded arched opening on the first floor of the south facade and several doors situated at grade level on the west facade.

Perhaps the most distinctive feature of the building is the shed roofed porch along the north facade of the original warehouse and east facade of the final building element. The elevated wood deck is accessed by several short wooden stairways. Rising from the deck of the porch are square posts, many with angled brackets to support the broadly overhanging roof.

Inside the original office space has been largely retained in the front portion of the building. The remainder of the structure has been divided into a number of new spaces to accommodate its present use as studios for local artists. Several common areas have been established, including one on the second floor of the original warehouse building which also includes a small kitchen. Most of the studio spaces are quite large, providing ample room for a variety of artistic pursuits.

Building 2

Located at 626-628 N. Mechanic, the L-plan building was constructed in several stages. The earliest extant portion of the building, ca. 1866, is the two-story flat roof office space on the south side of the structure. Erected within a few years of the original building, ca. 1870, is a slightly taller shallow pitched gable roof factory. While both portions of the building boast a coursed vermiculated stone foundation, the detail is more restrained on the larger stones of the north element than on the original section of the structure. Both portions of the building feature creamy yellow brick walls, with no discernible color variation between the two sections of the building (Figure 7.7). The brick is laid in a common bond pattern, featuring six courses of running bond between each header course. Above most fenestration elements the bricks have been laid in segmental arches with two rowlock courses of bricks. The only additional ornamentation on the buildings is a simple corbeled brick cornice across the east

facade of the southern building element (Figure 7.8).

The original portion of the building is two bays wide and extends four bays deep. The north wing is three much wider bays wide and extends eight bays deep. The building was once much larger than its current configuration. Presently the north building element is approximately one-third the length of the original structure. Additionally, the narrow space between Building 1 and Building 2 was filled with a one-story structure once partially utilized by American Fork & Hoe as a sanding room (Sanborn Map Company 1930:41). A four-alarm fire in 1990 resulted in the loss of the rear portion of the warehouse building and most of the one-story structure along its north facade. It wasn't until the 1990s that the final section of the one-story element was demolished, leaving only the metal beams stretching between the two main structures and some painted brick as a reminder that a structure once fitted the space (Figure 7.9).

There is also evidence on the south facade of the warehouse element and across the west facade of the office building, that the structure has been altered over time. At one time a one-story shed roof structure was added across the south facade of the warehouse building. Although this structure is no longer extant, a line of remnant black roofing material extends at an angle up the west facade of the office building and continues across the warehouse just below the second story windows (Figure 7.10).

A number of changes in fenestration also have occurred. In addition to changes in the windows themselves, several areas have been bricked over to eliminate doors as the building function evolved. The most obvious such change is the replacement of a door at the center of the east facade on the warehouse with a pair of aluminum sash double hung windows (Figure 7.11). The segmental brick arch has been retained, with a large wood panel added above the windows and brick infill below. It also appears that the wood porch was simply cut even with the brick wall and left in place. A similar situation involves a second floor doorway on the south facade of the office building. The lack of the segmental brick arch found above most of the fenestration on the building suggests that this door was added after the building was constructed (Figure 7.12). The wide opening has been bricked in. The painted sign for Zoerman-Clark Manufacturing Company has been painted across the wall, including the bricked in area, indicating that the repair may have taken place as early as 1935 when the company was first known to occupy the building (Polk 1935:491).

The main entrance to the building is situated along the south facade of the office structure, in the third of four fenestration bays. Currently access to the entry is by a long winding wood frame ramp that also provides handicapped access to the raised doorway. Several addition doors are located on the building, including a pair of side hinged doors at the center of the north wing's south facade (Figure 7.13). Clearly a replacement of an earlier narrower opening, the brick segmental arch of the original opening is several inches above the flat lintel of the double doors. New brick has infilled the area beneath the original arched opening and along both sides of the door. The door is situated on a tall concrete deck, and is inaccessible from the building's exterior. Two additional doors are located on the north facade of the building; neither appears to have been used for some time.

Many of the windows on the building have also been altered. Originally most of the windows were double hung, with twelve-over-twelve sashes. At least one window with this configuration survives on the second floor of the north facade (Figure 7.14). Most of the remaining windows have been replaced with either four-over-four or one-over-one sashes. Typically the windows are placed singly, with the exceptions being the larger windows at the southeast corner of the office building. The two window openings at each side of the corner once provided a large amount of light and commanding view of the area. Currently these large windows have been infilled with vertical panels above paired double hung windows occupying only two-thirds of the original window height. Inside, the office portion of the building is divided into several small rooms on the first floor, most with plaster or drywall finished walls needed to accommodate the present business. A closed stairwell from near the center of the building provides access to the second story of the building, where several additional rooms divide the space.

The interior of the former warehouse section appears to have retained a higher level of its original construction materials. Most of the walls are brick, with plaster limited to the ceiling of the first floor. Heavy beams supported by T-shaped posts are evenly spaced across each room (Figure 7.15). The second floor of the building lacks the finished ceiling of the first floor, and is instead open to the wood rafters (Figure 7.16). Several frame partitions have been erected on the second floor, although most are without finished wall cladding.

Building 3

Building 3 was erected in 1911. Buildings 3A and 5 and Structure 8 were erected ca. 1915 (probably built after Building 4, but is shown on the 1918 drawing). The one-story structure now identified as Building 4A assumed its present configuration between 1918 and 1928 (ca. 1920). Situated at 608-620 N. Mechanic, the long leg of the L-plan building parallels N. Mechanic with the shorter perpendicular leg extending from its northwest corner (Figure 7.17). Topped by a flat roof, the entire building is three-stories in height. The main building is ten bays long and three bays wide, with brick pilasters defining each of the vertical bays across the building's facade. A pair of elevator shafts extend from the west facade of the main building element and rise to a height of four stories. Although the lower portion of each elevator shaft is now incorporated into the building by the construction of a new structure in the former courtyard (Building 6 on Figure 7.1), the exterior of the third floor continues the curtain wall construction of the main building, with windows filling most of the north, south and west facades. The upper portion of each elevator shaft is completely clad with brick and topped by a flat roof (Figure 7.18). The southern elevator shaft also includes a large painted sign on its west facade. The sign, with a dark background and white letters reads:

ACME INDUSTRIES INC.

The smaller ell, projecting west from the north end of the main building is six full bays plus a shorter bay long and three bays wide. Originally largely obscured from public view by several no longer extant buildings the western element is

constructed of a combination of brick and reinforced concrete.

Ornamentation on the building is minimal, largely provided by the contrast between the color and texture of the brick and large amount of window glazing. The large industrial metal sash windows dominate the building exterior. Typical windows of the second and third floor for the N. Mechanic wing are divided into 160 lights (twenty across and eight high), including four pivot sashes each consisting of eight lights (Figure 7.19). The first floor windows are slightly smaller in size, and placed higher in the bay to accommodate the taller brick wall along the sidewalk. The windows of the first floor are each divided into 90 lights (eighteen across and five high) including two operable sashes situated near the top of each light bay.

Although a similar window form fills much of the north facade curtain wall on the western ell, the bay width is slightly smaller, and the window lights larger than on the main building (Figure 7.20). Typical window bays on the western ell are filled with seventy lights (ten across and seven high) set in metal sashes. Two pivoting sashes are placed near the bottom of each bay and include ten lights (five across and two high) each. Most of the first floor bays across the north facade of the ell have been infilled with corrugated fiberglass panels, the only exceptions being the two westernmost bays. The bay immediately west of the infilled bays also is not a typical window-filled bay. While retaining many of the window lights, the bay also includes a pedestrian door set in a brick surround and capped by a cast concrete lintel. The final bay provides access to the interior through a metal overhead door.

The main entry (Figure 7.21) into the building is situated on the north facade of the main element. Located in the center bay, the modest entry is accessed from the adjacent parking lot by a short grade level in the center bay by several steps to accommodate the change in terrain height. The side hinged single door has a glazed center panel. Surrounding the door are sidelights and transom windows below a small flat pent roof. Above the tiny roof are three small windows forming a second transom light

Inside, the main entry is a small concrete platform encircled with a wrought iron railing (Figure 7.22). A short run of stairs descends from the east end of the platform to the main level of the first floor. The finishes on the building's interior replicate the simplicity of the exterior. Walls are clad with brick and both the floors and ceiling are of poured concrete. The west wing of the building and the north section of each floor in the main building have two rows of columns expressing the interior division of each bay (Figure 7.23). The round concrete mushroom columns have flared capitals. The columns in the western ell are further enhanced by concrete pads above the capitals (Figure 7.24).

The first and second floors of the main building and third floor of the west wing each include areas that have been divided into office spaces (Figure 7.25). Partitions divide each area into a central passage way with offices lining the outer walls. Solid panels form the lower portion of each partition with glass filling the top several feet to increase the amount of natural light through the space.

Building 4

Building 4 was constructed in 1912. Located at 600-606 N. Mechanic, the

building is rectilinear in form, and oriented in an east-west direction, parallel to W. Ganson Street (Figure 7.26). A one-story garage element extends from the northeast corner of the main building north along Mechanic, giving the structure an L-plan footprint (Figure 7.27). The main portion of the building, constructed as a Forge Shop, is an example of the production shed form which is defined as a one-story building, typically rectangular in form, and often of considerable width especially if roof lighting was used (Bradley 1999:38-39). Enhancing the exterior appearance of height is the monitor roof that extends the length of the building and the partially exposed foundation required due to the slope down to the west, where the Grand River runs past the complex. While the current building was erected ca.1915, it may rest in part on the foundation of an earlier building. Although the present structure is wider than the building that occupied the site as part of the Austin, Tomlinson and Webster Company, the south foundation wall appears to occupy the same position as the earlier structure and it displays the same height gradations above grade.

Currently the original foundation wall is covered with a smooth coat of concrete, although cracks in the exterior materials suggest the foundation was once pierced by windows similar to those of the earlier building (Figure 7.28). Additional building materials on the main element include a low brick wall and brick cladding at each corner of the structure. Now covered with corrugated fiberglass panels, large metal sash windows originally filled most of the upper portions of the north and south facades (Figure 7.29). The upper section of the exterior walls and east and west ends of the monitor element are clad with wood panels set in a rectangular framing. Similar materials clad the upper portion of the north and south facades of the monitor element, with light and ventilation panels at the lower edge sheathed with a combination of black sheet roll and metal panels. A neon sign reading "ACME INDUSTRIES INC" is located on the south facade of the monitor above the light and ventilation panels (Figure 7.30).

Other than the now covered large window openings, the main portion of the production shed includes only a modest number of fenestration elements. A series of small window openings and vents are situated low on the brick wall along the south facade. Most of the remaining fenestration is limited to the west and north facades of the building. A large set of doors is situated at the center of the west facade (Figure 7.31). Extending from grade level approximately half the height of the building, the entry includes a door the height of the foundation wall at the base, and second pair of taller doors directly above. A large metal I-beam pierces the top of the upper doors, and extends beyond the end of the building toward the adjacent railroad tracks. A second I-beam is placed directly above the first, with the two elements linked together by three sets of cable. An additional pair of cables extends at an angle from the mid-point of the monitor element to stabilize the upper beam. Several doors and a metal dust collector are placed along the north facade of the production shed.

Extending from the north east corner of the main portion of the building is an associated one-story garage. One-story tall, the garage is parapeted front, east, facade partially conceals the flat roof of the building. An enclosed structure extends

from the south facade of Building 3 to the upper area of Building 4 crossing the flat roof of the garage element at an angle. The exterior walls of the garage are clad with the same brick as the main element extending the entire height of the building. The brick courses are continuous between the garage element and main building, suggesting that the construction for each element was completed simultaneously. The only ornament on the garage is provided by the rowlock and soldier brick courses at the top of the west facade and the simple concrete cap for the parapeted wall. The east facade of the garage element is pierced by two overhead doors with a smaller pedestrian entry situated between. Originally a large window filled the area south of the taller overhead door, but like most of the windows on the structure, it has subsequently been covered with ribbed metal sheathing.

Essentially one large open area, the production shed portion of the building is divided into several sections. The largest portion of the building is an vast open space extending from the eastern edge of the building approximately three-quarters the length of the structure. This area is dominated by a large metal beam located high above the poured concrete floor to facilitate the movement of large crane. Near the western edge of this portion of the building is a one-story high elevated platform. The metal structure is situated along the north wall of the production shed and is accessed by a set of metal stairs at its southwest corner. The final quarter of the production shed is actually lower than the main floor, and accessible by means of a centrally located set of concrete stairs.

Building 5

Buildings 3A and 5 and Structure 8 were erected ca. 1915 (probably built after Building 4, but is shown on the 1918 drawing). The one-story structure now identified as Building 4A assumed its present configuration between 1918 and 1928 (ca. 1920). Situated immediately west of the west wing of Building 3 is Building 5, a the rectilinear structure oriented parallel to the main wing of Building 3 on the east, and the near-by railroad tracks on the west facade. The main portion of the building is three stories in height with the first floor on the north facade actually situated below the level of the first floor of Building 3 due to a drop in the terrain (Figure 7.32). The building is topped by a shallow pitched gable roof surmounted by a short monitor element extending north and south (Figure 7.33). Two tall gable roof towers rising above the roof along the west facade house the elevator works. A two-story enclosed stairway/ramp extends across the eastern half of the south facade and a one-story shed roof element is situated along the entire west facade of the building.

The curtain wall construction of the utilitarian building includes exposed reinforced concrete posts and beams defining each building bay. Exterior walls are currently clad with a combination of concrete panels and wood sheathing (Figure 7.34). Window openings are situated in many of the second and third floor bays, but for the most part have been covered with corrugated fiberglass panels. Much larger windows are placed on the third floor level at either end of the monitor. Several window openings on the third floor remain uncovered, revealing utilitarian metal sash windows. The east and west sides of the monitor, which primarily provided ventilation to the space, are clad with small metal panels (Figure 7.35).

Several large wooden doors are placed at grade level on the north facade with a similar door found near the immediate west of the stairway/ramp building projection on the south facade. Pairs of wooden doors are also situated at the north and south facades of the one-story element.

Inside the building the space is defined by a central passage below the monitor (Figure 7.36). The large areas flanking the passage include a number of closely spaced posts supporting the poured concrete beams (Figure 7.37). The reinforced concrete posts are much smaller and shorter than the mushroom columns in the adjoining Building 3. Stairwells are situated near both the north and south ends of the building, just off the central passage. Simple metal panels and bent pipes form the guardrail around the open stairwells.

Building 6

The circa 1947 construction of Building 6 completed the main factory complex as it stands today. By 1947, the main original American Fork and Hoe factory building had several additions. Building 6, as seen on the sketch map, was constructed in the formerly open courtyard created by the L-plan of the original factory (Figure 7.38). Divided into three elements, the main building is two stories in height and completely fills the area between the west facade of Building 3 and the east facade of Building 5 (See Figure 7.1). Extending south of the two story element is a one-story structure situated adjacent to the southwest corner of Building 3 and the west facade of Building 4's garage element. The north section of the one-story element consists of a flat roof over a recessed loading dock. Building 6 was erected on a concrete slab with brick clad exterior walls.

The upper portion of the south and portions of the west walls on the two-story element are completely finished in metal sash windows. The windows provide natural light to the large open area inside. A second bank of windows is located at the first floor level on the south facade of the building, situated below the flat roof of the adjacent loading dock. Oversized overhead doors are placed at the southwest corner of the two-story element as well as across the west facade of the loading dock. Two slightly smaller metal overhead doors are situated near the northwest corner of the southernmost element with a bank of metal sash windows completing the fenestration on the element.

On the interior, the building is divided into two sections, with the eastern two-thirds comprising a large open area on each floor. In these areas, the spaces are more open than in earlier portions of the complex, with steel posts and beams widely spaced to create broad expanses of open floor area. The floors are of poured concrete and the metal posts painted the same two shades of green as found throughout the complex (Figure 7.39).

The western third of the building is a steel framed two-story truck receiving bay. The floor of the space is of poured concrete, and the ceiling is simply the underside of the metal roof decking. The west wall of the bay is formed by the once exterior wall of Building 5 (Figure 7.40). This wall retains its metal sash windows and the concrete walls. The north facade of the element is the western end of Building 3's western element. A metal stairway along the west wall of Building 5 provides access to an open metal deck across the exterior of the second story level of Building 3. The deck passes over the opening to the north facade overhead door of Building 3. A second overhead door, although much taller than the first, is situated on the south facade wall of the bay (Figure 7.41). Additional doors include the hanging sliding door placed at the first floor level of Building 5 and accessed by a short set of metal stairs. Two final hanging sliding doors are situated at the south corner of the structure's west facade. These doors extend across the opening at the base of the ramp structure across Building 5's south facade. The bank of metal sash windows across the south and west walls of the building flood the space with natural light.

Building 7

Building 7 was constructed by the Weatherwax Company in 1950 on the site of the former Fork Forge, the latter of which was illustrated on drawings dating to 1918 and 1932. The non-contributing garage was erected ca. 1946. Situated immediately north of the west wing of Building 3, the free-standing one-story flat-roof structure is rectilinear in form, and oriented parallel to North Mechanic Street (Figure 7.42). The front, or east, facade of the building has a yellow and brown brick veneer, with coursed concrete block forming the remaining three facades (Figure 7.43). A simple concrete cap tops the front wall, with a course of rounded tiles forming the upper course on both the north and south facade walls. Most of the fenestration for the building is focused on the east facade, including the four overhead doors evenly spaced across the facade. Each bay is defined by the overhead doors, divided into 30 panels, including two upper courses filled with glazed panels to provide natural light to the building's interior. Two small square windows each are spaced across the north and south facades and are currently filled with glass block. Two additional windows located on the west facade complete the fenestration.

Structure 8

Buildings 3A and 5 and Structure 8 were erected ca. 1915 (probably built after Building 4, but is shown on the 1918 drawing). The one-story structure now identified as Building 4A assumed its present configuration between 1918 and 1928 (ca. 1920). Situated west of the small freestanding garage is the remnant of a tapered cylindrical smoke stack (Figure 7.44). Erected on a poured concrete foundation, the smokestack is constructed of coursed square glazed tile blocks and brick. The bottom six courses of block are slightly wider than the upper section of the stack, with an angled concrete cap. The stack was constructed ca. 1915 by American Fork & Hoe. The company initials were set in contrasting block down the south facade of the stack. Subsequently, the top portion of the smokestack has been removed, leaving just the "H CO" visible down the south side of the structure.

Extending from the south side of the smokestack, below the bottom of the company name, is a rectangular projection formed by corbelling the lower blocks to form a ledge. The projecting element extends less than one foot from the

main structure and is topped by an angled cap of concrete. Inside the projection is filled with brick, except a rectangular opening covered by a metal grill near the top of the inner brick wall. The stack is currently isolated on the property, the small buildings that once surrounded it having been demolished between 1955 and 1990. It is unclear when the chimney stack was partially demolished; whether this occurred during demolition of the small outbuildings on the property or was done as a result of the four-alarm fire that destroyed the western portion of the former furniture factory building at 626-628 N. Mechanic.

Jackson History and Background of Withington & Cooley Industrial Historic District

The first settler arrived in what would later become the city of Jackson in 1829 (Deming 1984:11). The exploration party included three men including native guide Pewytum, a second guide Alexander Laverty, and prospective settler Horace Blackman. Arriving at the place Blackman knew was the perfect location to settle on July 3, 1829, the party celebrated both the location and the 53rd anniversary of American independence the following morning (Deming 1984:11).

Although cautioned by friends and family that he had selected a location too far west, Blackman was determined to make his home at the site, later becoming the corner of Ingham and Trail Streets (Deming 1984:12). Blackman, along with his brother Russell and three hired men, cleared the claim and constructed a small log cabin. Once this was completed, the men returned east, with Russell staying in Ann Arbor to earn money and Horace traveling to New York to prepare his family and other potential settlers for the move.

Returning in the spring of 1830, the Blackmans found a number of changes had occurred during their absence. In spite of the initial warnings that it would take another twenty years before settlement reached the site of the Blackman claim, a number of other settlers had filed claims for lands upstream from the Blackman location. By November of 1830, 30 families had settled in the new community. Another of the changes found by the Blackmans and their party was that the name of the new town had already been decided, with the other settlers selecting Jacksonburg in honor of President Andrew Jackson. It was not until 1838 that the name Jackson was finally accepted by the community in an effort to avoid the confusion that arose by the number of Jacksonburg and Jacksonopolis' within the state.

In spite of several potential problems, including the positioning of the main street through the village center well south of the territorial road between Detroit and Lake Michigan, the community flourished. The location of the village at the center of the county, resulted as Blackman had predicted, in the naming of the community as the county seat (Deming 1984:15). There was even a suggestion from one of the early settlers that the village would be a perfect location for the state capital. Although ten acres on the north side of the settlement was promised for the statehouse square, when the capital location was selected, the fourth-largest community in the state was passed over for the barely settled community of Lansing (Deming 1984:15-16).

While Jackson lost its bid to win the state capital, it was successful in its bid to win the site of the first state prison in 1838. Using the same strategy of providing donated land, Jackson was able to secure the prison location over Napoleon and Marshall, two other communities that also offered liberal land donations to entice the selection committee (Santer 1970:98-99). Jackson pioneer Henry B. Lathrop donated twenty acres of land, with settlers Russell Blackman, Henry Gilbert, William J. Moody, and William Ford each donating ten acres to the cause (Bacon 1959:5). Located on the east bank of the Grand River and somewhat north of the village limits at that time, the donated lands were largely swamp with thickly overgrown tamarack. A section of the land was determined high and dry enough to begin building, with the first portion of the temporary prison ready for occupation in 1839 (Bacon 1959:5).

While a prison seems like an unusual feature for a growing community to desire, the prison was in actuality a boon to the local community. In the 1830s, two primary types of prisons were in use: the Pennsylvania system and the Auburn (New York) system. In the Pennsylvania system, promoted by the Quakers who abhorred the cruel and barbarous punishments of earlier systems, prisoners lived in

large cells and were required to spend their days in introspection and repentance (Bacon 1959:3). In this system, prisoners stayed alone with their Bible most of the day, with just one hour of exercise in their own small private walled yard adjoining their cell. Communication with other inmates was forbidden, with the prisoner carrying out his sentence in solitude.

In contrast to the Pennsylvania system, the Auburn system was built on the theory that hard work could both punish and regenerate (Bacon 1959:4). Prison cells in the Auburn system were much smaller than in the Pennsylvania system, typically about one-eighth the size, and placed back-to-back in the center of the cellhouse shell, rather than along the perimeter as in the Pennsylvania system. Also in contrast to the other system, those held in the Auburn system were let out of their cells by day to work in shops. Like the Pennsylvania system, part of the punishment of inmates came from the forced silence imposed by the guards (Bacon 1959:4).

While most countries around the world adopted the Pennsylvania system for prisons, most areas in the United States adopted the cheaper Auburn system (Bacon 1959:4). By working prisoners together in a shop setting, the prison could more efficiently manage the inmates than when they are required to work individually in their private cells. The decision to adopt the Auburn system proved most advantageous to Jackson, where convict labor was first used to build the prison itself, then when this neared completion, convict labor began to be used by private businesses (Bacon 1959:8). Contracts were entered into between private businesses and the Agent (i.e., warden) for the convict labor, with the company paying the prisoner wages directly to the State.

One of the earliest contracts for prison labor was established in 1842, when Joseph E. Beebe entered into an agreement for the labor of about twenty-five convicts in the manufacture of wagons (*Jackson Citizen Patriot [JCP]1927a*). Beebe's firm, which was later known as Austin, Tomlinson & Webster Manufacturing Co., initially made farm wagons. The "best lumber and finest workmanship were combined to produce a superior vehicle, and soon gained for the Jackson prison wagon a great popularity, which steadily advanced until it has attained a national celebrity" (Inter-State Publishing 1881:551). By 1870 the number of convicts employed on behalf of Austin Tomlinson & Webster had increased to 80, with the State receiving 76-cents per day for each convicts wages (Santer 1970:106).

Many of the firms with contracts for convict labor had factory space both inside the prison walls as well as outside. This was certainly the case for the three companies boasting the highest number of convict labor contracts, including Withington, Cooley Co., makers of small agricultural implements with 102 convicts employed; Austin, Tomlinson & Webster, wagon makers with 80 convicts; and Henry Gilbert, furniture manufacturers with a total of 104 convicts under contract (Santer 1970:106). Each of these firms held additional manufacturing space and warehouse locations between the south prison wall and Ganson Street along the west side of North Mechanic Street (Sanborn Map Company 1886:11).

The area immediately south of the prison was a popular location for industrial complexes. In addition to the proximity of potentially low cost convict labor, the area also was adjacent to the Michigan Central Rail Road (MCRR) line. The first railroad to make its way to Jackson was the Erie and Kalamazoo Railroad, chartered in 1835. It was originally planned to begin in Toledo, travel north to Adrian then west to its terminus on the Kalamazoo River (Santer 1970:107). As soon as the railroad reached Adrian in 1836, plans were implemented to construct an auxiliary line north through Jacksonburg to Palmyra. This line was in operation to Tecumseh by July 1838, where it was ultimately terminated (Santer 1970:108). Several additional railroad routes were planned to reach Jackson, with the most significant to the growing industrial area near the new state penitentiary being the Jackson, Lansing and Saginaw Railroad. Incorporated in February 1865, the railroad reached from Jackson to

Mason by December 1865 and in 1869 revised its ultimate terminus to Lake Superior (Meints 1992:92). In 1871 the line was leased for corporate life to the MCRR, with full merger of the two lines completed on September 27, 1916 (Meints 1992:92). The MCRR was recognized as the most successful of the railroads through Jackson, boasting the state's number one passenger station and ranking second only to Detroit in the amount of freight shipped (Santer 1970: 120).

Manufacturers of the Withington & Cooley Industrial Historic District

Over time, as many as seven major manufacturers occupied lands on the west side of North Mechanic, between the state prison grounds and Ganson Street. One of the earliest companies to locate in the area, the Austin, Tomlinson & Webster Manufacturing Company, was established by Joseph E. Beebe in 1842 (*JCP* 1927a). Boasting a large number of buildings immediately north of Ganson, the firm was responsible for the construction of the Jackson Wagon (Sanborn Map Company 1886:11). By 1860, the company had grown to employ 80 men and produce 800 wagons per year (*JCP* 1927a). The firm continued to grow through the end of the nineteenth century, counting 120 inmates and about 80 free men among their employees by 1898 when they were producing 5,000 wagons a year (Gesler 1967:5). It took the combined forces of the automobile and a recession in the first decade of the twentieth century to weaken this industrial giant. By 1907 the company was so financially weakened that it entered trusteeship with the smaller Michigan Wagon and Manufacturing Co., taking that company's name and relocating to the town of St. John (Gesler 1967:5). Although still depicted in 1907 on the Sanborn maps as the Michigan Wagon and Manufacturing Co., by 1912 the former manufacturing complex had been purchased by the former Withington Works under their new name of American Fork & Hoe, and the entire complex of buildings demolished to make way for a new manufacturing plant, the first element of which, the three story building parallel to North Mechanic Street, was in place by 1911 (Figure 8.1; Sanborn Map Company 1907:8; *Jackson Citizen Press* 1912:32).

With the demolition of all the buildings associated with Austin, Tomlinson & Webster Manufacturing Company, the oldest extant building north of Ganson on Mechanic Street is the structure located at 626 N. Mechanic. It was erected ca. 1866 by the firm of Gilbert, Ransom and Knapp, furniture manufacturers (Inter-State Publishing 1881:553). Owners Messrs. Seymour Gilbert, Henry C. Ransom, and Hollis F. Knapp established the company in 1866 and conducted business approximately six years before Ransom and Knapp retired to deal with furniture trade and leaving the manufacturing portion of the business to Gilbert & Sons. In

1869, the Jackson City Directory proclaimed the firm to be the "largest manufacturing firm of its kind in the west. The shops produce every day 60 bedsteads, 500 chairs of different kinds, 30 wash stands, 15 to 20 tables of different styles and 25 center tables" (Ella Sharp Museum 1993:32). Initially furniture sales were limited

mostly to Michigan, but in the 1870s were beginning to reach Minnesota, Missouri, and Kansas. Distribution stores within the state were located in Jackson, Marshall, Battle Creek, and Kalamazoo (Santer 1970:132). Gilbert & Sons continued to manufacture furniture until the late 1870s when they met with financial reverses resulting in the sale of the business to the Jackson Furniture Company (Inter-State Publishing 1881:553).

The Jackson Furniture Company was organized as a joint-stock company on June 1, 1880 (Inter-State Publishing 1881:553). One of the first actions taken by the company was to purchase the factory and property formerly owned by the Messrs. Gilbert. As of 1881, the Jackson Furniture Company real estate holdings consisted of "16 lots, upon which are the main buildings, of brick 40x300, three stories in height with two wings, one 40x50 feet, and one 25x40 feet in area, besides ample sheds and dry-houses. They had first-class machinery and equipment, sufficient to employ up to 200 men" (Inter-State Publishing 1881:553).

Like their predecessor, the Jackson Furniture Co. manufactured bedroom suits, bedsteads, sideboards, book-cases, and all kinds of order work except upholstered work. In 1881, they employed 75 men, and planned to produce \$75,000 worth of goods to be sold throughout Michigan and extensively in St. Louis and Kansas City (Inter-State Publishing 1881:553).

In 1889 the land and building held by the Jackson Furniture Company on North Mechanic Street was sold to Withington, Cooley and Company (Jackson County Courthouse [JCC] 1889:Deed Book [DB] 129:8). By 1893, Jackson Furniture Co. had relocated its business, listing its address as 130 W. Cortland in the Michigan State Gazetteer (Polk 1893:956). Insurance maps published in 1893 indicated that the former furniture manufacturing facility and warehouse had been incorporated into the larger holdings of the agricultural implements manufacturing firm (Sanborn-Perris Map Company 1893:15).

The manufacturing firm of Withington, Cooley and Company was originally founded in 1847 under the firm name of Pinney, Connable & Co. (Inter-State Publishing 1881:554). The firm founders were three men from Ohio, Abner Pinney, Edward Connable, and Nathan Hamson, who secured a contract with the Michigan State Prison for the labor of 65 convicts to produce farming tools. Connable moved to Jackson and took up management of the firm that produced hay and manure forks, scythes, snaths, and grain cradles. Most of the firm's products were sold in Michigan, although their products were also distributed in a portions of Ohio, Indiana, Illinois, and Wisconsin. Over the next few years, Edward Connable retired from Pinney, Connable & Co. resulting in the firm name being changed to Pinney & Hamson (Inter-State Publishing 1881:554). Under the new name, production of farm tools increased, requiring the new firm to boost their contract for convict labor to 120 men.

In the second half of the 1850s, the death of the two remaining original owners resulted in the company once again reverting to the hands of Mr. Connable (Inter-State Publishing 1881:554). Unwilling to return to work for more than a few years, the firm was sold to Harold Sprague and William H. Withington (Inter-State Publishing 1881:554). Under the new firm name of Sprague, Withington & Co., the firm continued to manufacture the same types of agricultural tools. By 1859 Sprague, Withington & Co. had expanded the original product line to include cast-steel hoes and garden rakes. As late as the 1870s the company was noted as the only cast-steel hoe, fork, and garden-rake factory in Michigan (*JCP* 1927a). Innovations much like those implemented in the mass-production lines in automotive manufacturing, gave the firm the ability to produce their products by the thousands (Ella Sharp Museum 1993:92). In 1869, one admiring Jacksonian wrote, "They have three main shops..with bending, grinding, painting, boiler and engine room in addition... There is a room entirely devoted to polishing with emery" (Ella Sharp Museum 1993:92).

Sprague's tenure with the firm was short, and the name was once again changed to reflect the new ownership as Withington, Cooley and Company by 1877 with \$200,000 paid in capital (Inter-State Publishing 1881:554). The products of Withington, Cooley & Company were sold from "Portland, Maine, to Portland, Oregon, and in the markets of the world" (Inter-State Publishing 1881:554).

In part, the success of Withington, Cooley and Company was based on their extensive use of convict labor. From their initial development as Pinney, Connable & Co., this had been a major factor in the manufacturing firm's operation. Although the firm always held at least one building outside the prison walls, the largest part of the manufacturing process was carried out behind the stone walls of the State Prison. In 1886, published plat maps indicate that a small complex of warehouses along Cooper Street and several small warehouses and the offices were situated on North Mechanic Street were the only buildings held by the company outside the prison walls (Sanborn Map Company 1886:11). By the end

of the nineteenth century, the holdings of Withington, Cooley and Company had grown substantially. Although the company owned warehouse complexes on Cooper Street along with the large warehouse buildings on North Mechanic Street, the primary Withington, Cooley and Company manufacturing facilities were inside the state prison complex. Production facilities noted inside prison walls included “grinding, trip hammer shop, grinding and polishing, and putting handles in rakes” (Sanborn-Perris 1899:3, 4).

Under the leadership of William Withington, Withington, Cooley and Company continued to thrive. Withington, originally from Dorchester, Massachusetts, was the son of a Harvard mathematics professor (DeLand 1903:449). After leaving school, he entered the field of business as a salesman for a Boston leather store, but soon left to serve as a bookkeeper for the North Wayne Scythe Company (DeLand 1903:450). A valuable employee, Withington quickly worked his way up the company. In his later work at the scythe company, Withington traveled extensively to the cities where his company had customers. During one such trip, Withington became acquainted with the manufacturing concern of Pinney & Hamson. Following the death of junior partner, Withington was asked to join the firm (Chapman Bros. 1890:791).

Although Withington proved himself working for Pinney & Hamson, economic hard times still took their toll on the firm. Pinney, distraught by the financial upheaval that resulted in the panic of 1857, committed suicide (Chapman Bros. 1890:792). For the next year, the company operated under the direction of Pinney’s executor and later an administrator from the eastern United States was appointed. Finally, the company was offered for sale, and the newly formed Sprague, Withington & Co., promptly purchased the failing business.

Shortly after the successful purchase of Pinney & Hamson, the Civil War began. Familiar with the military as a former member of the Independent Cadets of Boston, Withington had organized the Jackson Greys shortly after his arrival in the community. The Greys, including Withington, were the first to answer the call for troops, and set off for Washington D.C. as Company B within the First Michigan Infantry (Chapman Bros. 1890:792). Over the course of the next few years, Withington was captured, released, and re-enlisted. Finally, after engaging in numerous battles, including the battle of South Mountain, Withington resigned his commission as Colonel, on March 21, 1863 (Chapman Bros. 1890:793). On March 13, 1865, in recognition of his “conspicuous gallantry” at the battle of South Mountain, Withington was made Brevet Brigadier General. For the remainder of his life, Withington was addressed as “General.”

Withington was married to Julia Beebe, daughter of Joseph E. Beebe, on June 6, 1859 (DeLand 1903:455). Beebe began in 1842 to manufacture farm wagons using the best lumber and finest workmanship to construct a superior wagon than soon attained national renown (Inter-State Publishing 1881:551). Beebe’s firm was the predecessor to Austin, Tomlinson & Webster, and was one of the first two to utilize convict labor from the nearby Jackson Prison (*JCP* 1937:13).

Under the leadership of General Withington, Withington, Cooley and Company flourished. Convict labor continued to comprise a major portion of the company’s workforce. The production of each prison convict under contract to Withington, Cooley and Company in 1863 was estimated at \$1,000. This resulted in an estimated annual production of products in the amount of \$75,000 (Clark 1863:359). By 1870 the company included 102 convicts on their payroll, paying just 52 cents per day or \$162.76 each for a year for six-day work week (Santer 1970:106).

In 1889 it was determined that twenty-five firms in the United States were occupied with the

production of farm and garden tools. The study further noted that the volume of business at Withington, Cooley and Company was \$100,000 greater than the next nearest competitor (*JCP* 1937). One author wrote of Withington, Cooley and Company that “about two million of hoes, rakes, forks, hooks, etc., are made every year in this great institution, and the methods of manufacture and the system are such that the goods of the Withington and Cooley Company constitute the standard to which other companies endeavor to attain” (DeLand 1903:452). The author further proclaimed that the letters “W. & C. Co.” on any tool are to any dealer in the world assurance of the highest grade.

By 1893 published plat maps of Jackson indicated that both of the two northern buildings on the west side of N. Mechanic were under the ownership of Withington & Cooley Manufacturing Co. (Sanborn Map Company 1893:15). The northern building was still only one storefront wide, with several small buildings placed in the recessed area south of the main structure. This building also lacks the west end wing that was oriented perpendicular to the main building, and that appears to have been constructed at the turn of the twentieth century (Sanborn Map Company 1930:41). The sale of the former Jackson Furniture building is confirmed by an entry in the Michigan State Gazetteer stating the company was then located at 130 W. Cortland (Polk 1893:956).

On Saturday, June 27, 1903, General William H. Withington passed away (*Jackson Daily Citizen* [*JDC*] 1903:1). At the time of his death, the highly regarded business and community leader was the president of the Union Bank, Grand River Valley Railroad Co., and the Jackson Vehicle Co., all of Jackson. Withington did not limit his activities to the local business scene, also serving as president of the Withington Handle Co., Fort Wayne and Huntington, Indiana; the Geneva Tool Co., Geneva, Ohio; the Oneida Farm Tool Co., Utica, New York; the National Snatch Co, and the Steel Good Association, New York, New York (*JDC* 1903:1). In 1875, Withington also became the owner and director of the Iowa Farming Tool Co., Fort Madison, Iowa. Finally, in 1902, nearly all of the agricultural implement manufacturers in the country merged, to form American Fork and Hoe, with General Withington serving as their first president (*JDC* 1903:1).

While Withington, Cooley and Company merged with American Fork & Hoe Company in 1902, it was not until April 7, 1908, that a warranty deed was executed, transferring the holdings of Withington, Cooley and Company to the American Fork and Hoe Company of Cleveland, Ohio (*JCC* 1908: DB 190:289). The relatively long delay in transferring property may have been in part complicated by the 1903 death of Withington. The delay also explains the 1904 execution of a warranty deed in which land and machinery once associated with the Austin, Tomlinson & Webster Company was transferred to Withington, Cooley and Company. This transfer included all “boilers, engines, shafts, belting and every machine or thing in use or connected with the machinery used in the manufacture of wagons, except the right-of way lands previously granted to the Jackson, Lansing and Saginaw Railroad” (*JCC* 1904: DB 175:579).

By 1911, published plat maps of Jackson indicate that the only extant structures remaining on the west side of North Mechanic, in the area north of Ganson Street and south of the State Prison, were the buildings originally erected by Gilbert, Ransom & Knapp Furniture and the Withington, Cooley and Company building to its north (Ogle 1911:21). By 1912, the major construction campaign by American Fork & Hoe was well underway, with their first new building, the three story structure paralleling North Mechanic Street, featured in a local publication (*Jackson Citizen Press* 1912:32).

The construction undertaken by American Fork & Hoe may have been due in part to changes in the convict labor system in Michigan. In 1909, the Michigan State Legislature voted to dismantle the contract labor system, honoring only existing contracts. Contracts in place for the firm at the abolition of the contract labor system kept 130 convicts on Withington, Cooley and Company's payroll until 1912

(Santer 1970:162).

American Fork and Hoe Company united ten manufacturing plants (including what became known as the Withington Works in Jackson, Michigan) under a single name in 1902 (*Jackson News* 1924:3). Additional manufacturers operating under the American Fork & Hoe name as of 1927 were located at Ashtabula, Ohio; Fort Madison, Iowa; Geneva, Ohio; Philadelphia, Pennsylvania; Wallingford, Vermont; Harriman, Tennessee; North Girard, Pennsylvania; Memphis, Tennessee; Montrose, Iowa; St. Johnsbury, Vermont; Fort Wayne, Indiana; Plymouth, North Carolina; and Blytheville, Arkansas (American Fork & Hoe Company 1927:5).

As part of the American Fork & Hoe Co., the Withington Works continued to produce a large portion of all the hand tools used both in the United States and abroad. Although agricultural mechanization threatened the company's product line, as late as 1924, they were able to overcome the reduced need by farmers with the increased demand by city and suburban gardening demands (*Jackson News* 1924:3). Marketed under the name True Temper Tools, the product line of the Withington Works branch was expanded to include both tools for work, such as forks, hoes and rakes, as well as tools for play, including one-piece steel casting rods, snowshoes, and skis (*JCP* 1927b). Advertising for True Temper products boasted two main qualities for their product lines: "(1) They must be true in every way, in material, in shape, in hang, in finish, and durability. (2) They must have to a superlative degree that marvelous, yet mysterious quality called temper" (*JCP* 1927b). True Temper tools were easily distinguished in the marketplace by the burned-in "True Temper" trademark.

American Fork and Hoe constructed a number of buildings during their tenure on North Mechanic Street. Although the precise order of construction is unclear, by the time they abandoned the property in the early 1930s, the three story L-plan building with the long leg along Mechanic Street had been enlarged to include the Forge Shop parallel to West Ganson and a second monitor roof structure adjacent to the west end of the L-plan building, which paralleled the railroad tracks (Sanborn Map Company 1930:41). The northern building originally constructed by Withington, Cooley and Company had also been enlarged with a large element perpendicular to the original building. A second forge shop, also constructed by Withington, Cooley and Company was extant between the American Fork & Hoe building and the structure first occupied by Gilbert, Ransom & Knapp furniture. At least four smaller structures and a large brick smoke stack were also located on the property north of the main American Fork & Hoe complex.

American Fork & Hoe remained at their North Mechanic location into the early 1930s. Although it is unclear exactly when the company left Jackson, they are still listed in the Jackson City Directory in 1932 at 632-636 North Mechanic (Polk 1932:62). It is likely that the company decided to relocate to Charleston, West Virginia in 1934, the year a warranty deed between the American Fork and Hoe company and the Broad Street Corporation was signed (JCC 1934: DB 336:632). This deed included all the lands west of Broad Street (now Mechanic) and north of Ganson to the southern edge of the Michigan State Prison lands except those lands in the Jackson, Lansing and Saginaw Railroad right-of-way and the right-of-way for the Eastern Michigan Power Company (JCC 1934: DB 336:632). The deed also included transfer of all buildings and building equipment and fixtures located on the property, including elevators, platform scales, monorail system, heating, sprinkler, hose, and plumbing equipment and all appurtenances thereto now located on said premises, but not including the water softener in the boiler room. Consideration for the warranty deed was \$1.00. The Broad Street Corporation was a group of businessmen who bought the former American Fork & Hoe plant to prevent the agricultural tool firm from destroying the buildings and avoid removing them from the tax rolls (Santer 1970:258).

By 1935, the city directory indicates the building at 600 and 636 North Mechanic are vacant, while the automotive accessory company of Zoerman-Clark Manufacturing occupies the building at 634 North Mechanic (Polk 1935:491). Zoerman-Clark Manufacturing remained the only occupants of the large industrial complex until 1936, when the Keeshin Motor Express Company occupied the building at 632 North Mechanic (Polk 1936:497). It was not until later that same year that the final large manufacturing firm, Acme Industries, occupied most of the buildings within the former American Fork & Hoe complex.

Founded in August 1919 by brothers A.J., Clyde E., and Roy C. Weatherwax, the firm was originally known as the Acme Welded Pipe and Coil Company (*JCP* 1955). At its inception, the firm's lone

product was refrigeration pipe coils for the ice industry, a market that stretched for approximately 250 miles. Originally located in a tiny factory building at 1838 Cooper Street, by 1923 the tiny factory had expanded its production to include ammonia condensers, requiring an addition to the original building and twenty additional employees by 1930 (Polk 1929:66; *JCP* 1955). Further expansion of the Acme product line came in the early 1930s with the addition of Freon condensers, fin coils, industrial blower units, and accessory items (*JCP* 1955). Recognizing the expanding product line, in 1935 the company officially changed its name to Acme Industries, Inc. (*JCP* 1955).

In 1935, a fire destroyed the Acme Industries factory. After working for a year out of the Wolcott Machine Co. building off Jackson Street, Acme purchased the American Fork & Hoe property on North Mechanic (*JCP* 1938). The move to the new location provided the company an opportunity to greatly expand their factory size. The location on Cooper Street had been expanded once by Acme from 2,500 square feet to 20,000 square feet at the time of the fire (*JCP* 1955). When Acme first moved into the former American Fork & Hoe Company factory in 1936 they utilized approximately 100,000 square feet of space, with that number doubling the production area in less than twenty years (*JCP* 1955).

By 1938 the company listed their principal products as pipe coils and finned coils for use in Frigidaire, General Electric, and many other refrigeration units; shell and coil water coolers; comfort coolers for offices and stores; and shell and tube condensers for use with ammonia, Freon, methyl chloride and other chemical refrigerants (*JCP* 1938). In addition to its work for large refrigeration and air conditioning manufacturers, the firm maintained its own factory representatives in seventeen of America's largest cities, and did a large export business through its New York agent (*JCP* 1938).

Continuing expansion of product lines, as well as work in both the research and development departments, resulted in the employment of more than 500 individuals by 1953 (*JCP* 1953). At that time, Acme products included water chillers, Freon and ammonia condensers, cooling towers, evaporative condensers, industrial unit coolers, heat exchangers, oil separators, liquid receivers, heat pumps, remote room conditioners, and pipe coils (*JCP* 1953).

In 1955, faced with the continuing growth of the company, Acme Industries, Inc., decided to expand their production facilities. A fifty-five-acre tract of land was purchased on US-12 west of Jackson where a new one-story factory providing more than a half million square feet of floor space and accommodating all seventeen of the company's product lines in a single structure was constructed (*JCP* 1955). While the production aspect of Acme Industries moved, the offices for the company remained at their North Mechanic location. In 1971, the company was sold to Rheem Manufacturing Co. of New York, requiring the removal of the offices from their North Mechanic location after thirty-five years (*JCP* 1984:1).

Since the departure of Acme Industries from North Mechanic Street, portions of each of the buildings in the complex have been utilized for a variety of businesses. Most recently the major function of the building complex has been as warehouse space. No major manufacturing has been undertaken in the complex since 1970. Among the firms utilizing the large spaces of the North Mechanic complex were the Parks Seed Company, John Blank Machinery, the Volunteers of America, and the Cascade Humane Society (Polk 1938:487; 1969:191; 1970:170). Although neglected, most of the buildings within the complex have retained a number of their original features. The most dramatic change in the buildings occurred in May 1990, when a four-alarm fire destroyed the west portion of the ca. 1866 Gilbert, Ransom and Knapp Furniture factory (Ciokajio 1990a:A1). Believed to have been arson, the fire left less than half the length of the original building (Ciokajio 1990b:A3).

APPENDIX III - REPORT REFERENCES

- American Fork & Hoe Company
1927 *A Book About True Temper Tools*. Cleveland, Ohio.
- Bacon, I.
1959 *The State Prison of Southern Michigan 1837-1959*. Ms. on file Minter-Van Orman Room, Carnegie Branch Library, Jackson District Library, Jackson, Michigan.
- Bradley, B. H.
1999 *The Works: The Industrial Architecture of the United States*. Oxford University Press, New York.
- Chapman Bros.
1890 *Portrait and Biographical Album of Jackson County, Michigan*. Chapman Bros., Chicago.
- Ciokajio, P.
1990a *Blaze Destroys Downtown Warehouse*. *Jackson Citizen Patriot* 1 May:A1.
1990b *Blaze Ruled Arson*. *Jackson Citizen Patriot* 2 May:A3.
- Clark, C. F.
1863 *Michigan State Gazetteer and Business Directory for 1863-4*. Charles F. Clark, Detroit.
- Deming, B.
1984 *Jackson: An Illustrated History*. Windsor Publications, Woodland Hills, California.
- DeLand, C. V.
1903 *DeLand's History of Jackson County, Michigan*. B. F. Bowen, Logansport, Indiana.
- Ella Sharp Museum
1993 *The History of Business and Industry in Jackson, Michigan*. G. Bradley Publishing, St. Louis, Missouri.
- Gesler, S.
1967 *Sturdy Jackson Wagons Seldom in Rut*. *Jackson Citizen Patriot* 10 September:5.
- Inter-State Publishing
1881 *History of Jackson County, Michigan*. Inter-State Publishing Co., Chicago.
- Jackson Citizen Patriot (JCP)*
1927a *Industrial Expansion: Hundreds of Factories, Valued at Many Millions of Dollars, Make Their Homes in This City and the Story of Growth in This Respect is Best Told in a History of the Early Manufacturers*. Progress Edition. 25 July: Page 6 Section 8. Jackson, Michigan.
1927b *American Fork and Hoe Company*. Progress Edition. 24 July: last page section 4. Jackson, Michigan.

- 1937 Contract Labor System Had Its Start in 1843; Last Contract Expired After World War Ended. 19 September:13. Jackson, Michigan.
- 1938 Refrigeration Units are Manufactured. 21 May. Jackson, Michigan.
- 1953 Founders Still Manage Acme Firm. 1 December. Jackson, Michigan.
- 1955 Acme Expands Hundredfold in 36 Years. 10 July. Jackson, Michigan.
- 1984 Acme Plant Closing; Jobs Going to Texas. 6 October:1. Jackson, Michigan.

Jackson Citizen Press

- 1912 Jackson Michigan 1912. Jackson Citizen Press, Jackson, Michigan.

Jackson Daily Citizen (JDC)

- 1903 Death of Gen. W. H. Withington. 29 June:1. Jackson, Michigan.

Jackson News

- 1924 Hoe Company Helped City to be Known. 19 May:3. Jackson, Michigan.

Meints, G. M.

- 1992 *Michigan Railroad and Railroad Companies*. Michigan State University Press, East Lansing.

Ogle, G. A.

- 1911 *Standard Atlas of Jackson County, Michigan*. G. A. Ogle & Co., Chicago.

Polk, R. L.

- 1893 *Michigan State Gazetteer and Business Directory*. R. L. Polk & Co., Detroit.
- 1929 *Polk's Jackson City Directory*. R. L. Polk & Co., Detroit.
- 1932 *Polk's Jackson City Directory*. R. L. Polk & Co., Detroit.
- 1935 *Polk's Jackson City Directory*. R. L. Polk & Co., Detroit.
- 1936 *Polk's Jackson City Directory*. R. L. Polk & Co., Detroit.
- 1938 *Polk's Jackson City Directory*. R. L. Polk & Co., Detroit.
- 1969 *Polk's Jackson City Directory*. R. L. Polk & Co., Detroit.
- 1970 *Polk's Jackson City Directory*. R. L. Polk & Co., Detroit.

Proctor, H. (editor)

- 1981 *Old Jackson Town*. Great Lakes Federal Savings, Ann Arbor, Michigan.

Sanborn Map Company

- 1886 *Insurance Maps of Jackson Michigan*. Sanborn Map Company, New York.
- 1907 *Insurance Maps of Jackson Michigan*. Sanborn Map Company, New York.
- 1930 *Insurance Maps of Jackson, Michigan*, vol. 1. Sanborn Map Company, New York.

Sanborn-Perris Map Company

- 1893 *Insurance Maps Jackson Michigan*. Sanborn-Perris Map Company, New York.
- 1899 *Insurance Maps Jackson Michigan*. Sanborn-Perris Map Company, New York.

Santer, R. A.

- 1970 *Historical Geography of Jackson, Michigan: a Study on the Changing Character of an American City 1829-1969*. Friends of the Jackson Public Library, Jackson, Michigan.

APPENDIX IV - BOUNDARY & LEGAL DESCRIPTIONS

Please refer to Appendix IV – Photos and Exhibits, “Proposed Withington & Cooley Industrial Historic District Boundary” Map.

Verbal Boundary Description

Beginning at the intersection of the west line of North Mechanic Street and the north line of Ganson Street; thence north approximately 627 feet; thence west approximately 302.23 feet to the easterly line of the Michigan Central RR R/W; thence southeasterly along said RR R/W to the north line of Ganson Street; thence east approximately 232.88 feet to the place of beginning.

Legal Description of Tax Parcels

Property # : 8-2368.1000

Common Name: 600-618 N. Mechanic

Owner Name : ARTSPACE JACKSON LLC

Legal Description: COM AT A PT IN THE N LN OF GANSON ST 33 FT N & 642.15 FT W OF THE E 1/4 POST OF SEC 34 T2SR1W TH N ALG THE W LN OF BROAD ST 318.70 FT TH N 89 DEG 55' W 175.51 FT TH S 5.20 FT TH N 89 DEG 55' W 98.63 FT TO THE ELY LN OF THE R/W OF JL&S RR CO'S PROPERTY TH SLY ALG SD JL&S R/W TO THE N LN OF GANSON ST TH ELY ALG THE N LN OF GANSON ST 232.88 FT TO THE POB SE 1/4 OF NE 1/4 SEC 34 T2S R1W

Property # : 8-2368.4000

Common Name: 624 N. Mechanic Street

Owner Name : ARTSPACE JACKSON LLC

Legal Description: COM AT THE E 1/4 POST OF SEC 34 T2S R1W TH N 33 FT ALG THE E LN OF SD SEC 34 TO A PT ON THE N LN OF GANSON ST TH WLY ALG THE N LN OF GANSON ST & PARA WITH THE E & W 1/4 LN OF SEC 34 642.15 FT TO THE W LN OF MECHANIC ST FORMERLY KNOWN AS BROAD ST TH N ALG THE W LN OF MECHANIC ST 411.53 FT TH N 89 DEG 41' W 95.33 FT TO THE POB OF THIS DESC TH N 0 DEG 13' E 45.95 FT TO CTR LN OF A 22 IN BASEMENT WALL TH N 0 DEG 13' E 39.25 FT ALG THE CTR OF SD BASEMENT WALL TO A PT WHICH IS IN THE CTR OF A 24 IN BASEMENT WALL RUN- NING E&W TH N 89 DEG 29' W 189.73 FT ALG THE CTR LN OF SD 24 IN BASEMENT WALL TO THE W END OF SD WALL TH CONTINUING N 89 DEG 29' W TO THE ELY LN OF THE R/W OF JL&S RR TH SLY ALG THE ELY LN OF SD R/W TO A PT THEREON WHICH IS 184.75 FT DUE S OF THE S LN EXT W OF THE MICH STATE PRISON LANDS TH W TO THE CTR LN OF THE OLD BED OF THE GRAND RIVER TH SLY ALG SD CTR LN OF THE OLD BED GRAND RIVER TO A PT N 89 DEG 41' W OF THE POB OF THIS DESC TH S 89 DEG 41' E TO SD POB EX R/W OF THE JL&S RR NOT EXCEEDING 50 FT IN WIDTH ALSO SUBJECT TO QUIT CLAIM DEED FROM WITHINGTON & COOLEY MFG CO TO THE CITY OF JACKSON FOR SEWER RECORDED IN L-171 P-72 SE 1/4 OF NE 1/4 SEC 34 T2S R1W

Property #: 8-2368.3000

Common Name: (Vacant)

Owner Name: ARTSPACE JACKSON LLC

Legal Description: L-215-P-386 SE 1/4 OF NE 1/4 SEC 34 T2S R1W
COM AT E 1/4 POST OF SEC 34 T2S R1W TH W ALG E&W 1/4 N OF SEC 34 642.15 FT TH N 351.70 FT ALG W LN OF BROAD ST TH N 89 DEG 5' W 175.51 FT TH S 5.2 FT TH N 89 DEG 55' W 98.63 FT TO A

PT WHICH IS THE POB OF THIS DESC TH S 89 DEG 55' E 98.63 FT TH N 5.20 FT TH S 89 DEG 55' E 175.51 FT TO A PT IN W LN OF MECHANIC ST TH N 92.83 FT ALG W LN OF MECHANIC ST TH N 89 DEG 41' W TO A PT IN CTR OF OLD BED OF GRAND RIVER TH SLY ALG CTR LN OF OLD BED OF GRAND RIVER TO N LN OF GANSON ST TH E ALG N LN OF GANSON ST TH WLY LN OF R/W OF JL&S RR TH NLY ALG SD WLY LN OF R/W TO A PT N 89 DEG 55' W OF POB TH S 89 DEG 55' E TO THE POB EX R/W OF JL&S RR NOT EXCEEDING 50 FT IN WIDTH ALSO EX A CERTAIN R/W CONVEYED BY THE AMERICAN FOR & HOE CO TO EASTERN MICH POWER CO 12/8/13

Property # : 8-236800000

Common Name: 626-628 N. Mechanic Street

Owner Name : ARTSPACE JACKSON LLC

Legal Description: COM AT THE E 1/4 POST OF SEC 34 T2S R1W TH N 33 FT ALG THE E LN OF SD SEC 34 TO A PT IN THE N LN OF GANSON ST TH WLY ALG THE N LN OF GANSON ST & PARA WITH THE E & W 1/4 LINE OF SEC 34-642.15 FT TO W LN OF MECHANIC ST FORMERLY KNOWN AS BROAD ST TH N ALG THE W LN OF MECHANIC ST 411.53 FT TH N 89 DEG 41' W 95.33 FT TO POB OF THIS DESC TH N 0 DEG 31' E 45.95 FT TO THE CTR LN OF A 22 IN BASEMENT WALL TH N 0 DEG 13' E 39.25 FT ALG THE CTR LN OF SD BASEMENT WALL TO A PT WHICH IS IN THE CTR OF A 24 IN BASEMENT WALL RUNNING E & W TH N 89 DEG 29' W ALG THE CTR LN OF SD 24 IN BASEMENT WALL 197.83 FT M/L TO THE ELY LN OF R/W OF JL&S RR TH NLY ALG THE ELY LN OF SD R/W 18.25 FT M/L TO A CONTINUATION WLY OF THE CTR LN OF A 16 IN BRICK WALL NOW STANDING SD CTR LN OF SD BRICK WALL BEING THE CTR LN OF LAND CONVEYED TO THE AMERICAN FORK & HOE CO BY BROAD ST CORP BY DEED IN L-366 P-553 TH E ALG THE CTR LN OF SD 16 IN BRICK WALL 293.35 FT M/L TO THE W LN OF MECHANIC ST TH S ALG THE W LN OF MECHANIC ST 101.17 FT TH N 89 DEG 41' W 95.33 FT TO THE POB SE 1/4 OF NE 1/4 SEC 34 T2S R1W

Property #: 8-2368.2000

Owner Name : SAYLES, STEVEN

Common Name: 632-634 N. Mechanic Street

Legal Description: COM AT A PT ON N LINE OF GANSON ST 33 FT N & 642.15 FT W OF THE E 1/4 POST OF SEC 34 T2SR1W TH N ALG W LN OF BROAD ST 512.70 FT FOR POB OF THIS DESC TH W 293.35 FT TO ELY LN OF THE JL&S RR R/W TH NLY ALG THE ELY LN OF SD R/W TO THE S LINE OF THE MICHIGAN ST PRISON LAND TH E ALG S LN MICHIGAN ST PRISON LD TO THE W LN OF MECHANIC ST TH S 114.30 FT TO THE POB SE 1/4 OF NE 1/4 SEC 34 T2S R1W

Boundary Justification

The described boundary of the Withington & Cooley Industrial Historic District encompasses the contributing buildings and structures associated with early industrial efforts in the city of Jackson (Figure 10.1). These associations are linked to the ownership of each of the buildings within the district by the firm of Withington, Cooley & Company, and its predecessor and successor companies. The location they selected to erect the buildings was carefully chosen to take advantage of the proximity of low-cost convict labor, which was provided by the Auburn System utilized by the neighboring Michigan State Prison (now the headquarters of the 63rd Brigade Troop Command of the Michigan National Guard and a National Register of Historic Places listed site). Additionally, the location in proximity to the railroad was advantageous to the industries, and the facilities required for the shipment of their manufactured goods across Michigan, the United States and in some cases, the world.

APPENDIX V - PROPOSED DRAFT ORDINANCE

NOTE: This ordinance is not yet adopted, and is subject to City Attorney review and City Council approval (10/20/04).

ORDINANCE NO. 2004._____

AN ORDINANCE TO ADD SECTION 13-23 OF CHAPTER 13 (THE HISTORIC PRESERVATION ORDINANCE) OF THE CODE OF THE CITY OF JACKSON, TO ADD A HISTORIC DISTRICT ENTITLED WITHINGTON & COOLEY INDUSTRIAL HISTORIC DISTRICT

THE CITY OF JACKSON ORDAINS:

Section 1. That Chapter 13, Code of the City of Jackson be, and the same hereby is, amended to add Section 13-23, as follows:

Sec. 13-23. The Withington & Cooley Industrial Historic District.

The Withington & Cooley Historic District is hereby created pursuant to Act No. 169 of the Public Acts of 1970, State of Michigan (MCLA 399.201 et seq.) and shall consist of the following description. Maps of the district are available at the office of the City Clerk, City Hall, 161 West Michigan Avenue, Jackson, Michigan, or at the office of Community Development, City of Jackson, 161 W. Michigan Avenue, Jackson, Michigan during normal business hours. If the district depicted on the maps conflicts with the description as hereinafter provided, the description contained in this chapter shall prevail.

(1) Description:

Beginning at the intersection of the west line of North Mechanic Street and the north line of Ganson Street; thence north approximately 627 feet; thence west approximately 302.23 feet to the easterly line of the Michigan Central RR R/W; thence southeasterly along said RR R/W to the north line of Ganson Street; thence east approximately 232.88 feet to the place of beginning (containing Tax Parcel Numbers 8-2368.1000, 8-2368.4000, 8-2368.3000, 8-236800000, and 8-2368.2000.

Section 2. This Ordinance shall take effect thirty (30) days from the date of adoption.

* * * * *

Adopted:

The foregoing Ordinance was adopted by the Jackson City Council on _____, 2004, and a summary was published in the Jackson Citizen Patriot on _____, 2004.

Martin J. Griffin, Mayor

Lynn Fessel, City Clerk

Chapter 13 HISTORIC PRESERVATION*

***Editor's note:** Ord. No. 90-23, § 3, adopted Nov. 13, 1990, amended Ch. 13 in its entirety to read as herein set out. Prior to inclusion of said ordinance, Ch. 13 pertained to similar subject matter and derived from Code 1977, §§ 5.602--5.613. Subsequently, Ord. No. 98-14, § 1, adopted June 16, 1998, amended Ch. 13, in its entirety, to read as herein set out. See the Code Comparative Table for a detailed analysis of inclusion.

Cross references: Buildings and building regulations, Ch. 5; community development, Ch. 8; planning, Ch. 20; zoning, Ch. 28.

State law references: Historical activities, MCL 399.171 et seq.; historic districts, MCL 399.201 et seq.

Sec. 13-1. Title.

This chapter shall be known as the Historic Preservation Ordinance for the City of Jackson.
(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-2. Purpose.

The purpose of this chapter is to create a historic district commission through which the City of Jackson will:

- (1) Safeguard the heritage of the City of Jackson by preserving a historic district, including areas, sites, landmarks, buildings, structures, works of art, objects and resources which reflect elements of Jackson's cultural, social, economic, political and/or architectural history;
- (2) Stabilize and improve property values in the historic district;
- (3) Foster civic beauty;
- (4) Strengthen the local economy; and
- (5) Promote the use of the historic district, including areas, sites, landmarks, buildings, structures, works of art, objects and resources, for the education, pleasure and welfare of the citizens of the City of Jackson and the State of Michigan.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-3. Definitions.

[For the purposes of this chapter, certain terms shall have the meanings ascribed to them in

this section, unless the context clearly indicates otherwise.]

Alteration means work that changes the detail of a resource but does not change its basic size or shape.

Center means the Michigan Historical Center, formerly the Bureau of History, of the Michigan department of state.

Certificate of appropriateness means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

Commission means a historic district commission created by the Jackson City Council pursuant to section 13-4.

Committee means a historic district study committee or a standing committee appointed by the Jackson City Council pursuant to section 13-8.

Demolition means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to demolition by neglect.

Demolition by neglect means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

Denial means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

Historic district means an area, or group of areas not necessarily having contiguous boundaries, that contains one resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.

Historic preservation means the identification, evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.

Historic resource means a publicly or privately owned building, landmark, structure, site, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of the state, the City of Jackson, or the United States.

Notice to proceed means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under section 13-9(e).

Open space means underdeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

Ordinary maintenance means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this act.

Proposed historic district means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.

Repair means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of

this act.

Resource means one or more publicly or privately owned historic or non-historic buildings, structures, landmarks, sites, objects, features, significant trees, plants or open spaces located within a historic district.

Standing committee means a permanent body established by the city council of the City of Jackson pursuant to section 13-8 to conduct the activities of a historic district study committee on a continuing basis.

Work means construction, addition, alteration, repair, moving, excavation, or demolition.

(Ord. No. 98-14, § 1, 6-16-98; Ord. No. 2004.4, § 1, 3-30-04)

Sec. 13-4. Historic district commission; creation.

The Jackson Historic District Commission is hereby created pursuant to Act No. 169 of the Michigan Public Acts of 1970, as amended (MCL 399.201 et seq.)

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-5. Historic district commission; membership; terms of office; compensation; vacancies.

The Jackson Historic District Commission shall consist of seven (7) members who reside in the City of Jackson. Members shall be appointed by the mayor and approved by the city council members shall be appointed for three (3) year terms, except that the initial appointments, shall provide for three (3) three-year terms, two (2) two-year terms, and two (2) one-year terms so that subsequent appointments shall not recur at the same time. All subsequent appointments shall be for full three-year terms. The mayor shall consult with the chairman of the historic district commission and shall appoint at least two (2) members from a list of citizens submitted by a duly organized and existing local historical and/or preservation society or societies, and, if available, one architect, or a graduate of an accredited school of architecture who has two (2) years of architecture experience or who is an architect registered in this state.

Members shall serve without compensation and shall be eligible for reappointment. All terms shall commence on January first and terminate on December thirty-first, except that a member shall continue in office until a successor is appointed and takes office. In the event of a vacancy on the commission, an interim appointment shall be made by the mayor and approved by the city council to complete the unexpired term of such position within sixty (60) days.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-6. Historic district commission; meetings; rules of procedure; records.

At the first meeting of each year, the Jackson Historic District Commission shall elect from its membership a chairman and such other officers as it deems appropriate. The terms of the officers shall be for one year and they shall be eligible for re-election. The commission shall prepare rules of procedure and shall submit them, and any subsequent amendment of such rules, to the city council for approval. The commission shall meet at least four times during the year, and at the request of the chairman. A majority of the members of the historic district commission shall constitute a quorum. A majority of the members is required to take action on all matters not of an administrative nature, but a

majority of a quorum may deal with administrative matters. All meetings of the commission shall be open to the public and any person or representative of his choice shall be entitled to appear and be heard on any matter before the commission before it reaches its decision. The minutes of commission meetings shall be maintained in the office of the Jackson City Clerk or Region 2 Planning Commission and shall be open to public view.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-7. Historic district commission; duties and functions.

The Jackson Historic District Commission shall have the following duties and functions:

- (1) It shall have those duties and powers set forth in this chapter concerning construction, alteration, repair, moving, or demolition of a historic resource.
- (2) It shall encourage and cooperate with civic and fraternal groups and other organizations in promoting Jackson history, heritage, traditions and customs through participation in public historical activities, patriotic celebrations or other special events.
- (3) It shall encourage and cooperate with merchants, banks, utilities, and other commercial enterprises in the use of local historical material in their advertising and sales promotion, using the historic district commission's collections, knowledge and skill.
- (4) It shall encourage and cooperate with the Chamber of Commerce in the use of historical material in promoting the welfare of the city, using the resources of the historic district commission.
- (5) It shall work with any local, state or national groups, organizations, agencies or units of government in the selection, marking and/or acquisition of historic resources, as well as the acquisition, preservation and display of historical material.
- (6) It shall represent, or serve as a liaison between the city government and other organizations interested in the history of Jackson.
- (7) It shall act in a management, administrative, advisory, research or service capacity for the city council in historical matters, subject to the instructions of the city council, and it shall attempt to relieve the city council of all of the day to day detail and minutiae of historical concerns and preservation activities.
- (8) It shall advise the city council regarding the acceptance, by the city, of gifts of property having historical significance or, in the alternative, cooperate in the receipt of such property, funds, bequests or gifts.
- (9) It shall carry out such special assignments on historical matters as the city council may direct from time to time, including the solicitation of grants and bequests for historical purposes by any and all appropriate available means.
- (10) It shall report annually, and as requested, to the city council on all its activities and the results.
- (11) It may select other non-voting ad hoc members to assist a standing committee in the investigation and evaluation of historic district commission projects.

(Ord. No. 98-14, § 1, 6-16-98; Ord. No. 2004.4, § 2, 3-30-04)

Sec. 13-8. Establishment of historic districts.

(a) Historic districts shall be established by ordinance. Before such establishment, the Jackson City Council shall appoint a historic district study committee or a standing committee. This committee shall be made up of the existing historic district commission and such representation from existing historical preservation societies and others who have an interest in such preservation. The committee shall conduct studies and research and make a report on the historical significance of the proposed historic district, which report may address the historical significance of the exteriors and interiors of buildings, structures, features, sites, objects and surroundings in Jackson. The committee and its report shall comply with the requirements of section 3 of Act No. 169 of the Michigan Public Acts of 1970, as amended. The report shall contain recommendations concerning the area to be included in the proposed historic district. Copies of the report shall be transmitted for review and recommendation to the planning commission, to the Michigan Historical Commission, and the State Historical Advisory Council.

(b) Not less than sixty (60) calendar days after the transmittal of the preliminary report, the committee shall hold a public hearing in compliance with Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date and place of the hearings shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended. Written notice shall be mailed by first-class mail not less than fourteen (14) calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the City of Jackson.

(c) After the date of the public hearing, the committee and the Jackson City Council shall have not more than one (1) year, unless otherwise authorized by the city council, to take the following actions:

(1) The committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the Jackson City Planning Commission to the Jackson City Council. If the recommendation is to establish a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.

(2) After receiving a final report that recommends the establishment of a historic district or districts, the Jackson City Council, at its discretion, may introduce and pass or reject an ordinance or ordinances. If the ordinance or ordinances establishing one (1) or more historic districts is passed, the City of Jackson shall file a copy of that ordinance or ordinances, including a legal description of the property or properties located within the historic district or districts, with the register of deeds. The Jackson City Council shall not pass an ordinance establishing a contiguous historic district less than sixty (60) days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the City of Jackson, have approved the establishment of the historic district pursuant to a written petition.

(d) The historic district study committee shall keep a record of its resolutions, proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by an historic district study committee in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(Ord. No. 98-14, § 1, 6-16-98; Ord. No. 2004.4, § 3, 3-30-04)

Sec. 13-9. Historic district commission review.

(a) Except for ordinary maintenance or repair or as provided for in section 13-9(d), a permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district. The person, individual, partnership, firm, corporation, organization, institution, or agency of government proposing to do that work shall file an application for permission with the building inspector. Within seven (7) business days after the building inspector receives the application, the application shall be referred to the historic district commission, together with all required supporting materials that make the application complete. A permit shall not be issued and proposed work shall not proceed until the historic district commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed as prescribed in section 13-9(e).

(b) All decisions of the historic district commission, that deny or modify an application for permission, must be in writing and served upon the applicant by personal service or by certified mail, return receipt requested.

(1) An applicant aggrieved by a decision of the historic district commission concerning a permit application may appeal that decision to:

- a. The Jackson City Council; or
- b. The State Historic Preservation Review Board of the Michigan Historical Commission.

Provided, however, an applicant who files an appeal with the Jackson City Council may appeal the decision of the city council to the State Historic Preservation Review Board of the Michigan Historical Commission.

(2) The following procedures and time limits must be adhered to by an applicant who appeals a decision of the historic district commission:

- a. *Appeal to Jackson City Council.* An aggrieved applicant who wishes to appeal a decision of the historic district commission to the Jackson City Council must file a written claim of appeal with the Jackson City Clerk within seven (7) business days after the applicant receives the decision from the historic district commission. The Jackson City Council will attempt to hear the appeal within thirty (30) days after the claim of appeal has been filed with the city clerk.
- b. *Appeal to the State Historic Preservation Review Board.* An applicant aggrieved by a decision of the historic district commission or the Jackson City Council may file an appeal with the State Historic Preservation Review Board of the Michigan Historical Commission within the Department of State. All appeals to the State Historic Preservation Review Board shall be filed within sixty (60) days after the decision of the historic district commission is received by the applicant. The applicant may submit all or part of the appellant's evidence and arguments in written form. An applicant aggrieved by the decision of the State Historic Preservation Review Board may appeal the decision to the Circuit Court having jurisdiction over the Jackson Historic District Commission whose decision was appealed to the State Historic Preservation Review Board.

(c) In reviewing the plans, the historic district commission shall follow the U.S. secretary of the interior's standards for rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 C.F.R. part 67. (A copy of these standards is available for review at the city

clerk's office.) The commission shall also consider all of the following:

- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
- (2) The relationship of any architectural features of the resource and its relationship to the historic value of the surrounding area.
- (3) The general compatibility of the design, arrangement, texture, and materials proposed to be used.
- (4) Other factors, such as aesthetic value, that the commission finds relevant.
- (5) *Height.* All additions shall be no higher than the existing building or structure.
- (6) *Second exit platforms.* Second exit shall not be applied to the front or sides of a building or structure, unless they are not visible from the street or unless such prohibition would endanger the safety of the inhabitants.
- (7) *Solar apparatus.* Passive and active solar apparatus may be allowed only if such devices do not detract from the architectural integrity of a building or structure and are unobtrusive. Solar apparatus will not be permitted if such devices hide significant architectural features of a building or structure or neighboring buildings or structures, if their installation requires the loss of significant architectural features, or if they are such a large scale that they become a major feature of the design.
- (8) *Repairs.* Repairs in materials that exactly duplicate the original in composition, texture and appearance are encouraged. Repairs in new materials that duplicate the original in texture and appearance may also be permitted.

Repairs in materials that do not duplicate the original in appearance may be permitted on an individual basis if the repairs are compatible with the character and materials of the existing building or structure and if repairs that duplicate the original in materials are prohibitively expensive.

(9) *Restoration.* Projects that will return the appearance of a building, structure or property to an earlier appearance are encouraged and may be permitted if such projects are documented by photographs, architectural or archeological research, or other suitable evidence.

(10) *Additions and alterations to street facades.* The appearance of all street facades of a building or structure shall not be altered unless the design is sensitive to the historic character of a building or structure. Specifically, the design shall be compatible with the existing building in scale, color, texture and the proportion of solids to voids. Materials and architectural details used in such alterations and additions shall be in accordance with the Secretary of the Interior's standards.

(11) *Additions and alterations not visible from the street.* Additions and alterations that are not visible from streets contiguous to the lot lines may be permitted if their design is compatible with the scale of the existing building or structure, and if it is in accordance with the Secretary of the Interior's standards.

(12) *Repair, replacement, alterations, additions, or modifications to a roof.* Existing roofing that is repaired or replaced with roofing materials of the same or similar kind and quality as that currently existing on a building or structure may be approved by the building inspector without referring the application for permission to the historic district

commission.

Further provided, that in order for the building inspector to approve the aforementioned roofing, all architectural details including, but not limited to, window trim, wood cornices and ornaments must either remain uncovered or be duplicated exactly in appearance and materials.

(d) An application for permission is not required for the construction, alteration, repair, moving or demolition of fences, downspouts, storm doors or storm windows. Nor is an application for permission needed for painting.

(e) Work within a historic district shall be permitted through the issuance of a notice to proceed by the historic district commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:

(1) The resource constitutes a hazard to the safety of the public or to the structure's occupants.

(2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.

(3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.

(4) Retaining the resource is not in the interest of the majority of the community.

(f) The business that the historic district commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the commission.

(g) The historic district commission shall keep a record of its resolutions, proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(h) The historic district commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines for resource treatment to carry out its duties under this act.

(i) Upon a finding by the historic district commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following:

(1) Require the owner of the resource to repair all conditions contributing to

demolition by neglect.

(2) If the owner does not make repairs within a reasonable time, the historic district commission or its agents may enter the property and make such repairs as are necessary to prevent demolition by neglect. The cost of the work shall be charged to the owner, and may be levied by the City of Jackson as a special assessment against the property. The historic district commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

(j) When work has been done upon a resource without a permit, and the historic district commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. When acting pursuant to an order of the circuit court, the historic district commission or its agents may enter a property for purposes of this section.

(k) Plan for preservation. In the case of an application for repair or alteration affecting the exterior appearance of a historic resource or a building or structure within a historic district, or for the moving or demolition of a historic resource or a building or structure within a historic district, which the historic district commission deems so valuable to the City of Jackson, the State of Michigan, or the United States of America that the loss thereof will adversely affect the public purpose of the City of Jackson, the State of Michigan, or the United States of America, the historic district commission may endeavor to work out with the owner an economically feasible plan for preservation of said historic resource or a building or structure within a historic district.

(l) Certificates of appropriateness or rejection. The historic district commission shall file with the chief building inspector its certificate of appropriateness, notice to proceed or denial of an application for permission submitted to it for review. No work shall begin until the certificate or notice is filed, but in the case of denial, the certificate is binding on the chief building inspector, or other duly delegated authority, and no permit shall be issued in such case. The failure of the commission to issue a decision within thirty-two (32) days after the date the application for a permit was first presented to the historic district commission at a regular meeting, shall be deemed to constitute approval unless an extension is agreed upon mutually by the applicant and the historic district commission in writing.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-10. Applicability.

Nothing in this chapter shall apply to nor affect a building permit issued by the City of Jackson, which has been issued and is outstanding on the effective date of this chapter.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-11. Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of a historic resource.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-12. Maintenance.

Notwithstanding any other provision contained in this chapter, the provisions of the City's Housing Maintenance Code, being Chapter 14 of the Jackson City Code, shall remain in full force and effect for all historic resources and all buildings or structures within a historic district.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-13. Gifts and grants to city.

The city council may accept public and/or private gifts for historical preservation or restoration purposes. All funds accepted as grants and gifts for historical preservation purposes shall be deposited with the city treasurer or Region 2 Planning Commission and all such funds shall be used for historical preservation purposes only.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-14. Acquisition of property by the city.

If all efforts by the Jackson Historic District Commission to preserve a historic resource or a building or structure within a historic district fail, or if it is determined that public ownership is most suitable, the city council may, if deemed to be in the public interest, acquire such property using public funds, gifts for historical purposes, grants from the State of Michigan and/or the United States of America for acquisitions of historic properties, or proceeds from revenue bonds issued for historical preservation purposes. Such acquisitions shall be based on the recommendation of the Jackson Historic District Commission. The Jackson Historic District Commission shall have responsibility for the maintenance of such acquisitions within a historic district, using funds committed for this use by the city council.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-15. Budget.

There may be appropriated in the annual City of Jackson budget a sum of money which may be expended by the historic district commission for and in connection with:

- (1) The preparation of surveys of buildings, structures, and historic districts in the City of Jackson.
- (2) The acquisition and/or restoration of buildings or structures of historical or architectural significance; or
- (3) Subject to the approval of the city council, an incentive improvement program

under which the historic district commission may contract with the owner or lessee of a designated historic resource or building or structure, or a designated historic or cultural site, to reimburse such owner or lessee some pre-determined portion of the costs incurred by him in the reconstruction, alteration, removal, preservation, maintenance, repairs or painting of an exterior feature in furtherance of the purposes of this chapter, as determined by the historic district commission, and in any and all such cases the city council shall have the absolute right to determine the actual cost of such work and the proportion or amount to be reimbursed out of appropriated funds.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-16. Special historic buildings and districts.

The provisions of the city building code relating to the exterior construction, repair, alteration, enlargement, restoration and moving of historic resources or buildings or structures within a historic district may not be mandatory when such historic resources or buildings or structures, are judged by the city's chief building inspector to be safe and it is in the public's interest of health, safety, and welfare not to enforce said codes. All such approvals must be based on the applicant's complete submission of professional architectural and engineering plans and specifications bearing the professional seal of the designer.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-17. Actions prohibited.

As of the effective date of this chapter:

- (1) No person shall erect, demolish, alter, repair or remove any historic resource established pursuant to this chapter, except pursuant to the standards and procedures of this chapter.
- (2) No owner of any historic resource established pursuant to this chapter shall maintain or cause same to be maintained in a condition which violates the provision of this chapter.
- (3) No owner of any historic resource established pursuant to this chapter shall fail to restore same to its previous condition if any portion of same has been altered, demolished, constructed, repaired or moved in violation of the requirements set forth in this chapter.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-18. Penalty.

Any person, firm or corporation convicted of a violation of any of the provisions of this chapter, or any amendment thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished pursuant to section 1-13 of the Code. Each and every day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-19. Civil remedies.

Violations of this chapter may be abated by civil suit in any court of competent jurisdiction which remedy shall be in addition to others provided in this chapter. The city attorney is authorized to seek an order from a court of competent jurisdiction to prevent any violation of this chapter or to require that property which has been altered in violation of this chapter be restored.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-20. Dangerous structures.

Notwithstanding any other provision contained herein, in the event any historic resource is deemed a "dangerous structure" pursuant to the city's dangerous structure ordinance, Chapter 17 of this Code, said structure may be made safe by utilizing the procedures established in said dangerous structure ordinance. The city's building inspection division may provide notice to the chairperson of the historic district commission of all proceedings before the city's building code board of appeals which involve the alleged dangerous structure.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-21. The Jackson Historic Districts.

The Jackson Historic Districts are hereby created pursuant to Act No. 169 of the Public Acts of 1970, State of Michigan (MCLA 399.201 et seq.) and shall consist of the following resources:

- (1) *Stone Post Office, 125 N. Jackson Street (1836)*: S 22.39 ft of Lot 1 and South 38.4 ft of Lot 2, Block 1 Block 1 North, Range 1 East.
- (2) *Wilcox-Holton House, 231 E. High (1871)*: A piece of land in section 11 commencing at point on N line of section 11 63 rods W of N 1/4 of post of SD section then W on said section line 219 feet then S 10 rods then E 219 feet thence N 10 rods to beginning except 2 rods on N for street purposes N 1/2 of NW 1/4 section 11 Township 3 S, Range 1 West.
- (3) *First Congregational Church, 120 N. Jackson Street (1860)*: Lot 1 and East 11 ft of Lot 2 Block 1 North Range 1 West and West 55 ft of Lot 2 Block 1 North Range 1 West.
- (4) *Jackson District Library, 244 W. Michigan Avenue (1906)*: Lots 10, 11 and 12, except East 8.25 ft of Lots 10 and 12 Block 1 North Range 1 West.
- (5) *No. 5 Fire House at Rockwell and South Jackson Streets (1907)*: Land in the SE 1/4 of S/E 1/4 of Section 3, Township 3 S, Range 1 West, described as: Commencing at the intersection of the south line of Rockwell Street with the east line of Jackson Street, thence east 8 rods, thence south 8 rods, thence west 8 rods, thence north 8 rods, to the point of beginning.
- (6) *First Baptist Church, 201 South Jackson Street (1872)*: Lots 1 and 2, Block 2 South, Range 1 East.
- (7) *St. Mary's Catholic Church, 116 East Wesley Street (1923--26)*: Lots 1 and 2, Block 3 South, Range 2 East.
- (8) *Berthold S. Rummeler House, 122 West Wilkins (1904)*: Lot 162, except the west 8

feet of the south 65.54 feet thereof, Assessor's South Plat, City of Jackson, Michigan.

(9) *First United Methodist Church, 275 West Michigan Avenue (1867--70)*: The north 9 feet of Lot 10, and all of Lots 11 and 12, Block 1 South, Range 1 West of the original plat of the City of Jackson, Michigan.

(10) *Michigan Theatre, 124 North Mechanic Street (1928--30)*: The south 26 feet of the east 60 feet of Lot 15, also the west 72 feet of Lot 15 and the north 7.66 feet of Lot 13 and the north 7.66 feet of the west 6 feet of Lot 14, City of Jackson.

(11) *Beffel Lighting, 208 South Jackson Street (1912)*: The north 27 feet of the south 35.25 feet of Lot 1, Block 2 South, Range 1 West of the original plat of the City of Jackson.

(12) *Michigan Central Depot, 501 East Michigan Avenue (1873)*: All that parcel of land situated in the City of Jackson, County of Jackson, and State of Michigan, being designated as parcel MIJJ-1 on Railroad Valuation Map No. V I-B-M/S-33-C and V I-B-M/S-33-D, as drawn on June 30, 1918, and furnished to the United States Railway Association on December 1, 1975; and being all of the land of the Michigan Central Railroad Company, as shown on the Map, which lies within the following described lines:

Beginning at a point on the southern line of Elizabeth Street opposite Railroad Station 3983+50; thence southwesterly 85 feet, more or less, to a point distant 20 feet northwardly and at right angles to the northeasternmost rail of the mainline tracks, as it was located on December 1, 1975; thence, northwardly 402 feet, more or less, parallel to said northeasternmost rail to a point opposite Railroad Station 3987+52; thence northeastwardly 44 feet, more or less, to the southerly line of East Michigan Avenue; thence eastwardly along said line of East Michigan Avenue 212 feet, more or less, to the west line of Park Street; thence southwardly by said line of Park Street 123 feet, more or less; thence, southeastwardly by same, 130 feet more or less; thence eastwardly by the same 37 feet, more or less, to the point of beginning.

(13) *Soldiers and Sailors Monument at Wildwood and Michigan Avenues (1903)*: Land commencing at a point on the north line of West Michigan Avenue, 118.25 feet east of the southeast corner of Lot 17, Block 1, Assessor's Wildwood Plat, thence northerly 109.47 feet to southerly line of Wildwood Avenue, thence southeasterly to northerly line of Michigan Avenue, thence west to beginning. Southeast 1/4 of southwest 1/4, Section 34, Township 2 South, Range 1 West.

(14) *Ella Sharp Museum House (before 1856)*: Being a part of the East 1/2 of the North West 1/4 of Section 16, Township 3 South, Range 1 West, City of Jackson, Jackson County, Michigan. More particularly described as: Beginning at a point distant, on the west north-south 1/16 line, South 88 degrees 59'00" East - 1322.67' and north 00 degrees 08'14" east - 1361.04' from the west 1/4 Post of said section; thence: North 00 degrees 08'14" East, along said 1/16 line, 119.82'; North 90 degrees 00'00" East 206.19'; south 00 degrees 08'14" west - parallel with said 1/16 line of 121.79'; North 89 degrees 27'05" West 206.19' parallel with the southerly wall of the Ella Sharp Museum House to the point of beginning. Containing 0.572 acres more or less.

(15) *St. Paul's Church, 309 S. Jackson (1850)*: Lots 1 and 2, Block 3 south, Range 1 East, also commencing at intersection of east line of Jackson Street with south line of Washington Street, thence east 8 rods, thence south 8 rods, thence west 8 rods to east line of Jackson Street, thence north 8 rods to beginning. Block 3 south, Range 1 East.

- (16) *The Republican Birthplace at Franklin and Second Streets (1854)*: The south 38.31 feet of the east 83.13 feet of Lot 17, Block 12 of Livermore Woods, Eaton's Addition to the City of Jackson.
- (17) *Old Prison (Armory) at North and Cooper Streets (1842)*: Commencing at a point on the east line of Section 34; 660 feet north of the 1/4 post on the east line of said section, thence west 15 chains to the center of the Grand River, thence north 13 1/3 chains to a stake, thence east 15 chains to a stake, thence south 13 1/3 chains to place of beginning. Also a strip of land bounded on the south by Prison Street, west by Broad Street, north by the south line of the Michigan State Prison Land, on east by Cooper Street. Being 82 1/2 feet north and south by 551 1/2 feet east and west, east 1/2 of northeast 1/4, Section 34, Township 2 South, Range 1 West.
- (18) *St. John's Catholic Church, 711 Cooper (1857)*: Block 3, Ford's North Addition.
- (19) *Commercial Exchange Building, 2301 E. Michigan (1895)*: Lots 1 to 10 inclusive, and north 5.6 feet of Lot 11. Also a parcel of land commencing at southeast corner of Lot 10, thence east to west line of Ann Street, thence south 7.35 feet, thence west 59.15 feet, thence north 1.75 feet, thence west to east line of Lot 11, thence north to beginning. Being part of Lot 12, Block 18 east, addition No. 4.
- (20) *1401 Greenwood (1900)*: Lot 1 and north 22 feet of Lot 2, Block 2, Division 2, amended plat of Divisions 1, 2, 3 of Summitville Addition.
- (21) *Jackson County Juvenile Court Building, 936 Fleming Avenue (n.a.)*: LD COM AT A PT 138- 1/2 FT N & 42 RDS W OF THE SE COR OF SEC 26 TH W 38 RDS THE N 558.3 FT TH E 38 RDS TH S 558.3 FT TO BEG EXC THE W 33 FT FOR STREET ALSO EXCEPT THAT PART DEEDED TO CITY FOR FLORAL AVE SE 1/4 OF SE 1/4 SEC 26 T2S R1W (Claire Allen structure).
- (22) *205 South West Avenue (n.a.)*: LOT 42 ASSESSOR'S WASHINGTON PLAT (Claire Allen structure).
- (23) *1000-02 Carlton Boulevard*: LOT 16 EX S 16 1/2 FT BLK 17 SHOEMAKERS ADD (Claire Allen structure).
- (24) *310 South Thompson (1929)*: N 38 FT OF LOT 7 & A PIECE OF LAND COM 160 FT S OF INTERS OF W LINE OF THOMPSON ST & S LINE OF WASHINGTON ST TH W 45.25 FT TH SWLY 14.42 FT TH W 74.65 FT TH S 30 FT TO NO LINE OF LOT 7 TH E 132 FT TH N 38 FT TO BEG BEING PART OF LOT 6 BLK 9 SHOEMAKER'S ADD (Claire Allen structure).
- (25) *604 Wildwood Avenue, Toddler Tech (n.a.)*: LAND COM AT A PT ON THE NLY LN OF WILDWOOD AVE 36 RDS E OF THE W LN OF SEC 34 T2S R1W FOR PL OF BEG, TH SELY ON NLY LN OF SD AVE 9 RDS TO THE W LN OF EDWARD AVE TH N ON W LN OF EDWARD AVE 276 FT TH W 189.3 FT TH S 38.9 FT TH ELY TO A PT ON THE E LN OF LOT 4 AND 226.5 FT N OF N LN OF WILDWOOD AVE MEASURED ALG E LN OF SD LOT 4 TH SWLY TO BEG BEING A PART OF LOTS 4 & 5 BLK 2 CARR & PECK'S ADD (Claire Allen structure).
- (26) *1214 West Washington Avenue (1915)*: LAND COM AT THE INTERSECTION OF THE N LINE OF WASHINGTON ST WITH THE E LINE OF THOMPSON ST TH N 8 RDS TH E 4 RDS TH S 8 RDS TO THE N LINE OF WASHINGTON ST TH S 4 RDS TO THE BEG NW 1/4 OF NE 1/4 SEC 4 T3S R1W (Claire Allen structure).

- (27) *1403 West Washington (1911)*: LOTS 1, 2 & 6 BLK 8 SHOEMAKER'S ADD (Claire Allen structure).
- (28) *206 South Webster Street (n.a.)*: E 116 FT OF LOT 14 BLK 3 SHOEMAKER'S ADD (Claire Allen structure).
- (29) *Post Office, 200 South Otsego (1932)*: ALL OF R T MCNAUGHTON'S ALTERATION OF PART OF BLK 1 GRAND RIVER ADD EX THAT PART USED FOR STREET PURPOSES.
- (30) *Masonic Temple, 157 Cortland Street (n.a.)*: N 102 FT OF LOT 6 BLK 2 S RIE (Claire Allen structure).
- (31) *County building (Courthouse), 312 South Jackson Street (1936)*: LOTS 3 & 4 & S 123.89 FT OF E 49.5 FT OF LOT 5 & ALSO S 123.85 FT OF ALLEY LYING BETWEEN SD LOTS 3, 4, & 5 SAME HAVING BEEN VAC BLOCK 3 S R1W (Claire Allen structure).
- (32) *County Health Dept., former TB Sanitorium, 410 Erie Street (n.a.)*: LAND COM AT A PT 269.56 FT N & 182.11 FT E OF THE INTERS OF THE N LN OF ST CLAIR AVE WITH THE ELY LN OF LANSING AVENUE TH E 541.09 FT TO THE 1/4 SECTION LN OF SEC 27 T2S R1W TH S 132 FT TH W 541.09 FT TH N 132 FT TO BEG (Claire Allen structure).
- (33) *Former East Intermediate School, 1210 E. Michigan Avenue (n.a.)*: LAND COM AT INTERS OF NLY LINE OF E MAIN ST WITH E LINE OF HALL & KENNEDY'S ALTERATION OF BLK 2 LOOMIS HOMEWILD ADD TH E 267.8 FT TH N 450 FT TH WLY 387.25 FT TH SLY 440 FT TO BEG W 1/2 OF SE 1/4 SEC 35 T2S R1W (Claire Allen structure).
- (34) *1000-02 West Washington Avenue (n.a.)*: LOT 15 BLK 3 SHOEMAKER'S ADD (Claire Allen structure).
- (35) *1300 West Franklin (n.a.)*: LOTS 14, 15 & 16 EX N 38 FT OF LOT 14 BLK 9 SHOEMAKER'S ADD (Claire Allen structure).
- (36) *Mt. Evergreen Cemetery (1843)*: LAND COM AT THE INTERSECTION OF THE E LINE OF GREENWOOD AVE WITH THE S LINE OF MORRELL ST TH E 310 FT TH S 1600 FT TO THE N LINE OF ROCKWELL ST TH W 1400 FT TO THE E LINE WOODBRIDGE ST TH N ON THE E LINE OF WOODBRIDGE ST 310 FT TH NELY ON THE ELY LINE OF GREENWOOD AVE 1450 FT TO THE PLACE OF BEG MT EVERGREEN CEMETERY.
- (37) *Reynolds Building (Renee de Paris), 149-151 West Michigan Avenue (1865)*: E 60 FT OF LOTS 5 & 6 BLK 1 S RIE.
- (38) *229 South Mechanic Street*: N 1/2 OF LOT 2 BLK 2S R 2E OF THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG.
- (39) *Michigan Central Express Building, Foot of Elizabeth Street (Circa 1892)*: BEGINNING AT AN IRON FOUND ON THE SOUTH LINE OF ELIZABETH STREET OPPOSITE RAILROAD STATION 3983+50; THENCE, SOUTH 37° 12' 22" WEST, 76.54 FEET (RECORD 85 FEET) TO A POINT THAT LIES 20 FEET NORTHERLY OF THE CENTERLINE OF THE NORTHEASTERMOST TRACK OF THE MAIN LINE TRACKS; THENCE, SOUTH 52° 47' 37" EAST, PARALLEL WITH AND 20.0 FEET DISTANT THEREFROM SAID NORTHEASTERMOST TRACK, 143.72 FEET; THENCE, NORTH 37° 12' 22" EAST, 15.00 FEET; THENCE, SOUTH 52° 47' 37" EAST, PARALLEL WITH AND

35.00 FEET DISTANT THEREFROM SAID NORTHEASTERNMOST TRACK, 149.51 FEET TO THE WEST LINE OF VAN DORN STREET; THENCE, NORTH 02° 29' 41" EAST, ALONG SAID WEST LINE, 217.57 FEET TO SAID SOUTH LINE OF ELIZABETH STREET; THENCE, NORTH 87° 30' 19" WEST, ALONG SAID SOUTH LINE, 206.00 FEET TO THE POINT OF BEGINNING, BEING BLOCK NO. 43 IN FORD'S EXTENSION TO THE VILLAGE OF JACKSON IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST, CITY OF JACKSON, MICHIGAN.

(40) *317 W. Wesley Street*: BEING A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 3, T3S, R1W, CITY OF JACKSON, JACKSON COUNTY, MICHIGAN. MORE PARTICULARLY DESCRIBED AS: THE WEST 1/2 OF LOT 4, BLOCK 4 SOUTH, RANGE 2 WEST, OF THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURGH.

(Ord. No. 98-14, § 1, 6-16-98; Ord. No. 2001.6, § 1, 2-13-01; Ord. No. 2001.14, § 1, 6-26-01; Ord. No. 2002-7, § 1, 9-10-02; Ord. No. 2003.1, § 1, 2-25-03)

Sec. 13-22. The Under the Oaks Historic District.

The Under the Oaks Historic District is hereby created pursuant to Act No. 169 of the Public Acts of 1970, State of Michigan (MCLA 399.201 et seq.) and shall consist of the following description defined by street segments. Maps of the district are available at the office of the City Clerk, City Hall, 161 West Michigan Avenue, Jackson, Michigan, or at the office of Region 2 Planning Commission, 120 West Michigan Avenue - 16th Floor, Jackson, Michigan during normal business hours. If the district depicted on the maps conflicts with the description as hereinafter provided, the description contained in this chapter shall prevail.

(1) Description:

WEST FRANKLIN STREET: Commencing at a point easterly of South West Avenue at, and including, 745 and 750 West Franklin Street; thence easterly on West Franklin Street to First Street, including all parcels abutting on the north and south sides of West Franklin Street therein; and

WEST WASHINGTON AVENUE: Commencing at a point easterly of South West Avenue at, and including, 766 on the north side of West Washington Avenue, and commencing at, and including, 751 on the south side of West Washington Avenue, thence easterly on West Washington Avenue to First Street, including all parcels abutting on the north and south sides of West Washington Avenue therein; and also including 724 and 725 West Washington Avenue; and

WEST MICHIGAN AVENUE: Commencing at a point between the centerline of South and North West Avenue; thence easterly to First Street, including all parcels abutting on the north and south side of West Michigan Avenue therein; and

WILDWOOD AVENUE AND NORTH: Commencing southeasterly of Edwards Avenue, at a point, and including, 547 Wildwood Avenue; thence southeasterly to the intersection of Wildwood Avenue and Steward Avenue, including all parcels abutting on the south side of Wildwood Avenue; thence north on Steward Avenue to a point, and including 442 Steward Avenue, including all properties abutting on the west side of Steward Avenue; thence westerly 64 feet to the northwest corner of said property; thence south to the centerline of the MCRRC Co. railroad right-of-way; thence northwesterly along the centerline of said right-of-way to the west property line of the Jackson Public Schools

(High School) property, as extended; thence southwesterly along the westerly property line of the Jackson Public Schools property to the centerline of Winthrop Street; thence southwesterly along said centerline to the centerline of Edward Avenue; thence south along said centerline to the centerline of Wildwood Avenue; thence southeasterly along said centerline to point of beginning of said described boundaries, including all properties within the area described herein; and

LYDIA STREET: Commencing at the intersection of Wildwood Avenue and Lydia Street; thence southwest along Lydia Street to the intersection of West Michigan Avenue, including all parcels abutting on the east and west sides of Lydia Street; and

FOURTH STREET: Commencing at the intersection of Fourth Street and West Michigan Avenue; thence south along Fourth Street to the intersection of West Franklin Street, including all parcels abutting on the east and west sides of Fourth Street; and

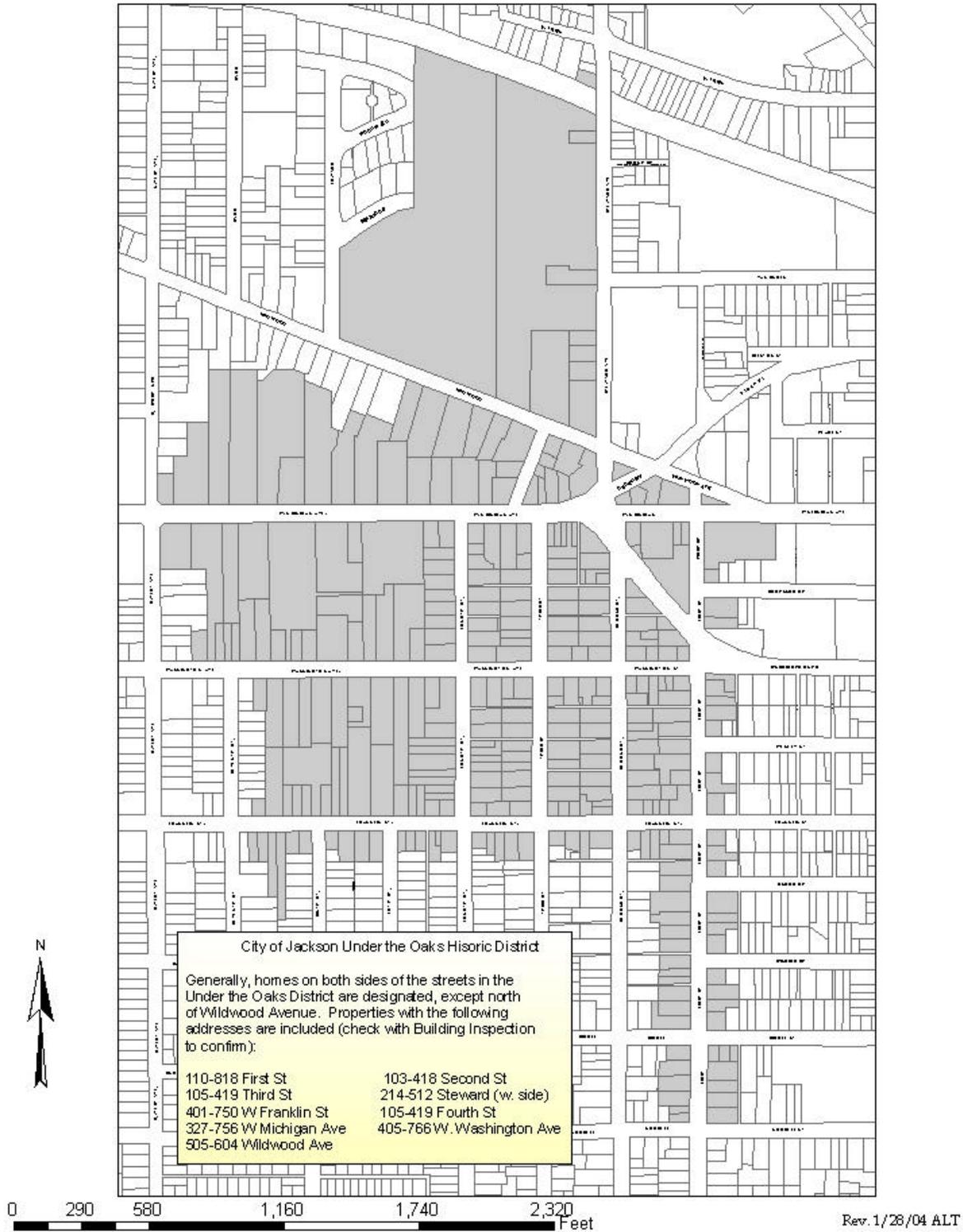
THIRD STREET: Commencing at the intersection of Third Street and West Michigan Avenue; thence south to the intersection of Third Street and West Franklin Street, including all parcels abutting on the east and west sides of Third Street; and

SECOND STREET: Commencing at the intersection of Second Street and Washington Northwest (the connector between West Michigan Avenue and West Washington Avenue); thence south to the intersection of Second Street and West Franklin Street, including all parcels abutting on the east and west sides of Second Street; and

FIRST STREET: Commencing at the intersection of First Street and Wildwood Avenue; thence south to the intersection of First Street and West Morrell Street, including all parcels abutting on the east and west sides of First Street.

(Ord. No. 98-14, § 1, 6-16-98)

Under the Oaks Historic District



HISTORIC DISTRICT COMMISSION

Ordinance Adoption Procedure

I. Study Committee

The Historic District Commission appoints a Study Committee. Members of the Committee must contain representation from the Historic District Commission.

II. Purpose

The Committee is required to conduct studies and research and write a report regarding what sites are to be included in the historic district or as historic landmarks and explain the significance of each site.

III. Copies of the Study Committee's report are to be transmitted to:

- A. Local Planning Commission
- B. Michigan Historic Commission
- C. State Advisory Council
- D. Copies to the City Council (for information only – not for comment)

Within sixty (60) days after the report has been transmitted to the three agencies, the Jackson City Planning Commission is required to send their recommendations regarding the report to the Historic District Commission.

IV. Public Hearing is required by the Open Meetings Act

Sixty (60) days after the report has been transmitted to the above agencies, a public hearing must be held by the Historic District Commission. The date can be arranged by contacting the City Manager's office.

Fifteen (15) days prior to the public hearing, public notice must be given to the citizens of Jackson and all property owners to be included in the district or whose property is to be listed as a historic landmark. The notice should include the date, time, place, and purpose of the hearing. It is required that the notice be placed in the local newspaper, City Hall, and the Jackson County Tower Building.

V. City Manager/City Council

After the above procedures have been completed, the Secretary to the Historic District Commission will submit to the City Manager's office a description of the procedures followed and a copy of the report, updated with any recommendations. It will be requested that the Historic Preservation Ordinance be included on the agenda of the next City Council meeting for Council approval.

The requested action of the City Council should also include adoption of the revised Historic Preservation Ordinance, which should include the legal descriptions of each of the properties proposed to be listed as historic landmarks and/or a generalized description of the historic district.

VI. Copies of Record

At least three copies of the revised report and ordinance should be maintained with the Secretary to the Historic District Commission, and it is recommended that copies be sent to the following for information:

- Jackson District Library
- Ella Sharp Museum
- Jackson Citizen Patriot (2)
- Michigan Historic Commission

ORDINANCE NO. 2005-_____

AN ORDINANCE ADDING SECTION 13-23 TO CHAPTER 13, THE HISTORIC PRESERVATION ORDINANCE, OF THE CODE OF ORDINANCES, CITY OF JACKSON, MICHIGAN CREATING A HISTORIC DISTRICT ENTITLED WITHINGTON & COOLEY INDUSTRIAL HISTORIC DISTRICT

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. The report of the Jackson Historic District Commission entitled *Report on Proposed Additional Resources to Chapter 13, Historic Preservation Ordinance, "Withington & Cooley Industrial Historic District,"* dated October 2004, relating to a site known as "Withington & Cooley Industrial Historic District" as defined below, is approved. The Jackson City Council concurs with the findings of fact and the recommendations in that report.

Section 2. The following property is designated a historic district in accordance with the Historic Preservation Ordinance, Chapter 13, Code of Ordinances, City of Jackson, Michigan and accordingly, Chapter 13 is amended to add Section 13-23, as follows:

Sec. 13-23. The Withington & Cooley Industrial Historic District.

The Withington & Cooley Historic District is created pursuant to Act No. 169 of the Public Acts of 1970, State of Michigan (MCLA 399.201 et seq.) and consists of the area described below. Maps of the district are available at the office of the City Clerk, City Hall, 161 West Michigan Avenue, Jackson, Michigan, or at the office of Community Development, City of Jackson, 161 W. Michigan Avenue, Jackson, Michigan, during normal business hours. If the district depicted on the maps conflicts with the below description, the description contained in this chapter prevails.

(1) Description:

NORTH MECHANIC STREET. Beginning at the intersection of the west line of North Mechanic Street and the north line of Ganson Street; thence north approximately 627 feet; thence west approximately 302.23 feet to the easterly line of the Michigan Central RR R/W; thence southeasterly along said RR R/W to the north line of Ganson Street; thence east approximately 232.88 feet to the place of beginning (containing Tax Parcel Numbers 8-2368.1000, 8-2368.4000, 8-2368.3000, 8-236800000, and 8-2368.2000.)

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.