

INDIANA CERTIFIED LOCAL GOVERNMENT PROCEDURES

**Administered by the
Indiana Department of Natural Resources,
Division of Historic Preservation and Archaeology**

2026

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Section 1: Introduction

Since its initial enactment in 1966 and through several amendments, the National Historic Preservation Act (54 U.S.C. 300100 et seq.) has provided the statutory framework for the national historic preservation partnership. Federal, State, Tribal, and local governments have well-defined and significant roles in the identification, evaluation, designation, and protection of prehistoric and historic sites and properties. The Certified Local Government (CLG) program is the primary way through which qualified and interested local governments may participate in the national historic preservation partnership.

These procedures describe how the CLG program operates in the State of Indiana. This program is administered by the Department of Natural Resources, Division of Historic Preservation and Archaeology, which is designated as the State Historic Preservation Office (SHPO). The program elevates communities with existing preservation commissions and functions to a higher level of federal and state recognition. CLG communities are a critical component of the federal-state-local preservation partnership, including playing an important role in the review of National Register nominations within their jurisdiction. CLG communities also gain a significant competitive advantage when seeking federal grant funds administered by the SHPO. Participating communities must meet routine reporting requirements for the SHPO and are eligible to receive training and technical assistance from the SHPO.

Throughout this document, all references to numbers of days shall be understood to mean calendar days, and not business days, unless otherwise noted.

Section 2: Authority

The CLG program in Indiana is operated in accordance with the National Historic Preservation Act (54 U.S.C. 300100 et seq.); Code of Federal Regulations, Title 36, Part 61 (36 CFR 61) "Procedures for State, Tribal, and Local Government Historic Preservation Programs"; and the Historic Preservation Fund Grants Manual, June 2007 Release.

Indiana State Law IC 14-21-1 authorizes the Department of Natural Resources to qualify the State to participate in the Department of the Interior preservation program and to promulgate state rules. Indiana State Law IC 36-7-11 governs the creation, duties, and procedures of local historic preservation commissions.

Section 3: Definitions

- (A) "Certified Local Government" or "CLG" means any local government certified by the Indiana State Historic Preservation Officer and the National Park Service as meeting requirements set forth in this rule and federal regulations set forth in 36 CFR 61.6.
- (B) "Chief Elected Local Official" means a mayor, president of a town board of trustees, president of a board of county commissioners, or any other elected head of a local government.
- (C) "Department" or "DNR" means the Indiana Department of Natural Resources.
- (D) "Department of the Interior" means the Department of the Interior of the federal government, including bureaus such as the National Park Service, authorized to carry out the National Historic Preservation Act of 1966.
- (E) "Deputy State Historic Preservation Officer" means the Director of the Division of Historic Preservation and Archaeology within the Department of Natural Resources.
- (F) "Designation" means the identification and registration of properties for protection that meet the criteria established by the State or the locality for significant historic and prehistoric resources within the jurisdiction of a local government.
- (G) "Director" means the Director of the Department of Natural Resources, who is also the State Historic Preservation Officer and is designated by Indiana law IC 14-21-1-19 to supervise the Indiana historic preservation program.
- (H) "Division" or "DHPA" means the Division of Historic Preservation and Archaeology within the Department of Natural Resources.

- (I) “Historic Preservation Fund” or “HPF” means the monies awarded annually to the states by the federal government to support state and local preservation programs and activities administered by the Department of the Interior.
- (J) “Historic Preservation Commission” or “Commission” means a board or commission established by a local government under the authority of Indiana law IC 36-7-11-4.
- (K) “Historical / Architectural Site” means any property containing an historically or architecturally significant site, structure, building, or object that may meet the criteria for inclusion in the National Register of Historic Places and/or the Indiana Register of Historic Sites and Structures or that contributes to the overall historic context of the area.
- (L) “Historical / Architectural Survey” means a systematic and comprehensive process of identifying and documenting historical and architectural resources that may meet the criteria for inclusion in the National Register of Historic Places and/or the Indiana Register of Historic Sites and Structures or that contribute to the overall historic context of the area.
- (M) “Inventory” means a list maintained by the local government of all known historical and architectural resources within the local government’s jurisdiction that may meet the criteria for inclusion in the National Register of Historic Places and/or the Indiana Register of Historic Sites and Structures or that contribute to the overall historic context of the area.
- (N) “Local Government” means any county, township, city, town, or other general purpose political subdivision of Indiana that has governmental responsibilities.
- (O) “Local Register” means a list maintained by the local government of historical and/or architectural sites within its jurisdiction that have been designated as local historic districts by the local government.
- (P) “National Park Service” or “NPS” means the federal bureau within the U.S. Department of the Interior authorized to carry out the National Historic Preservation Act of 1966
- (Q) “National Register” means the National Register of Historic Places, which lists districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.
- (R) “National Register nomination” means a National Register of Historic Places Registration Form (NPS Form 100-90 which is available on the Division’s website) and accompanying documentation. A “completed National Register nomination” means a nomination that has been compiled in consultation with Division staff which includes all information required by the Department of the Interior and meets current National Register specifications. A complete nomination has been reviewed by the appropriate CLG and the Division and has been determined to provide adequate documentation for submission to the National Register of Historic Places.
- (S) “Protection” means a local review process under State code or local law for proposed demolition of, changes to, or other action that may affect designated historic properties.
- (T) “Secretary” means the Secretary of the Interior of the federal government.
- (U) “State” means the State of Indiana, including all of its departments, divisions, agencies, and offices.
- (V) “State Historic Preservation Officer” or “SHPO” means the Director of the Department of Natural Resources, who is designated by Indiana law IC 14-21-1-19 to supervise the Indiana historic preservation program.
- (W) “State Register” means the Indiana Register of Historic Sites and Structures, which lists districts, sites, buildings, structures, and objects that are significant in Indiana history, architecture, archaeology, engineering, and culture.
- (X) “State Review Board” means the Indiana Historic Preservation Review Board created by Indiana law IC 14-21-1-20 to review nominations to the National Register of Historic Places and the Indiana Register of Historic Sites and Structures and to advise the Department on matters of historic preservation and archaeology.
- (Y) “Subgrant” means an award of financial assistance made under a grant to an eligible subgrantee by the Division, being the recipient and grantee of federal funds.
- (Z) “Subgrantee” means an agency, institution, organization, or individual to which a subgrant is made by the Division, being the recipient and grantee of federal funds, and which is accountable to the State for the use of awarded federal funds.

Section 4: Requirements for Certified Local Governments

In order to be designated as CLGs, and to maintain that status, local governments in Indiana shall meet the following minimum requirements:

- (A) CLGs shall adopt local legislation for the designation and protection of historic properties and enforce appropriate state and local legislation for the designation and protection of historic properties. CLGs shall meet these requirements in the following ways:
 - (1) The local government must adopt and implement a local preservation ordinance for the designation and protection of historic properties as permitted by Indiana law in IC 36-7-11-4 (see Appendix C) and in accordance with 36 CFR 61 and the National Historic Preservation Act of 1966.
 - (2) The local government must establish a historic preservation commission with power to designate local historic districts and review impacts, alterations, relocations, or demolitions of properties within locally designated historic districts.
 - (3) The local government must adopt procedures, guidelines, and design review evaluation criteria to designate local historic districts and review projects affecting historic districts through impact, alteration, relocation, and demolition. Such evaluation criteria must be consistent with the applicable Secretary of the Interior's Standards for Archeology and Historic Preservation, including the Secretary of the Interior's Standards for the Treatment of Historic Properties.

- (B) CLGs must have an adequate and qualified historic preservation review commission in accordance with Indiana law IC 36-7-11-4 and that commission must be established for at least one (1) year prior to starting the CLG application process.
 - (1) The Commission shall have no fewer than three (3) members and no more than nine (9) members appointed by the chief elected local official.
 - (2) All Commission members shall have a demonstrated interest, competence, or knowledge in historic preservation and reside or be employed within or near the community covered by the local government.
 - (3) To the extent available within the community, the local Commission shall include professional members from the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or other historic preservation-related disciplines, such as urban planning, American studies, art history, or cultural geography. Professionals should meet the minimum qualifications as specified by the Department of the Interior in Appendix A: Professional Qualification Standards.
 - (a) If a local government cannot appoint to its Commission professionals in the disciplines of architecture, history, architectural history, preservation planning, archaeology, or other historic preservation-related disciplines, then the SHPO can waive the requirement for professionals in these disciplines. Before waivers can be granted, the local government must demonstrate good faith efforts to secure the missing professional expertise.
 - (b) Local governments that cannot appoint to their Commission professionals from within the community, and who receive a waiver from the SHPO as described in Section 4(B)(3)(a), must secure the missing expertise outside the community through a contract or other arrangement with a qualified professional or university or preservation organization with qualified professional staff for the review of National Register nominations or other actions that are normally evaluated by a professional.
 - (4) Commission members shall serve staggered three (3) year terms; vacancies on the Commission must be filled within a timely manner.
 - (5) The Commission shall hold regular meetings as often as is necessary to complete the workload in a timely manner, at least monthly, except when it has no business pending. Commission meetings shall be publicized in advance and be made open to the public in accordance with Indiana law IC 5-14-1.5.
 - (6) The Commission shall adopt and operate under written rules of procedure that shall be binding on all members and staff. The rules of procedure shall include a code of conduct, including a

definition of and policy for conflict of interest. The conflict of interest policy shall cover all activities and responsibilities of the Commission.

- (7) Each year, a majority of the members of each Commission must attend at least one informational or educational meeting, training session, conference, or activity approved by the Division. Attendance may be in person or virtual and documentation must be provided to the Division as part of the annual report as outlined in Section 6(B)(3).
 - (8) The Commission shall maintain a program to designate local historic districts and review impacts, alterations, relocations, and demolitions of local historic districts, as noted in Section 4(A)(3).
 - (9) The Commission will review all National Register nominations for properties located within the corporate boundaries of the CLG, in accordance with the CLG's agreement noted in Section 4(F).
- (C) CLGs must have a program to conduct a survey and maintain an inventory of historical/architectural resources within their jurisdiction. All 92 counties have been comprehensively surveyed by the Division and that data is maintained in a publicly accessible online database. This satisfies the minimum requirements that the CLG has an inventory of historical/architectural resources within their jurisdiction.
- (1) The initial state-wide archaeological and historical/architectural survey has been completed, and the data is maintained by the Division and is available via an online database. The CLG must adopt a system to provide updates to the Division on the survey data for their jurisdiction annually. These updates shall include noting any significant alterations, demolitions, or relocation of buildings included in the most recent survey data. Minor alterations need not be reported, but alterations that rise to the level of impacting the survey rating and/or National Register eligibility of a property should be documented and submitted to the Division. Current guidance on survey ratings can be found on the Division's website.
 - (2) When completing new surveys, CLGs must notify the Division prior to starting survey work. The Division will work with the CLG to determine if it is prudent to incorporate the new data into the statewide database and, if so, how the Division can help accomplish the transfer of the data.
 - (a) CLGs are encouraged to develop a plan to systematically document properties that have reached forty (40) years of age after completion of the most recent survey data in their jurisdiction in cooperation with the Division and following the most recent survey manual, which is available by contacting the Division.
 - (b) CLG local survey data must be maintained in a public office and public access to the survey must be provided subject to Section 304 of the National Historic Preservation Act (54 USC 307103).
- (D) CLGs shall provide for adequate public participation in their local historic preservation program, including the process of nominating properties to the National Register.
- (1) Commission meetings shall be announced in advance and open to the public, in accordance with Indiana law IC 5-14-1.5. Commission meetings may be held electronically but require written policy per Indiana law IC 5-14-1.5-3.5. A copy of this written policy must be provided to the Division.
 - (2) Written minutes shall be kept of the Commission's proceedings; the minutes must be kept on file and be available to the public subject to Section 304 of the National Historic Preservation Act (54 USC 307103).
 - (3) The Commission's rules of procedure and code of conduct (including conflict of interest provisions) shall be available for public inspection.
 - (4) The Commission shall review and provide comments on National Register nominations as outlined in Section 4(F).
 - (5) The local government shall prepare an annual report that summarizes its activities and the activities of the Commission. The items to be included in the report are identified in Section 6(B).
 - (6) The local government shall review its public participation activities on a yearly basis to confirm compliance with appropriate local, state, and federal regulations, standards, and guidelines.

- (E) CLGs must have access to professional preservation staff.
- (1) CLGs must designate a professional in one of the following disciplines to act as a liaison between the local government and the Division: historic preservation, architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or other historic preservation-related disciplines, such as urban planning, American studies, art history, or cultural geography. The designated individual should meet minimum federal professional requirements as defined in Appendix A: Professional Qualification Standards.
 - (2) The designated professional shall either be an employee of the CLG or provide professional services under a written agreement, in which case a copy of the agreement must be provided to the Division. A professional may be the designated liaison for more than one CLG.
 - (3) The designated professional must attend at least one informational or educational meeting, training session, conference, or activity approved by the Division each year.
- (F) Certified Local Governments shall participate in the nomination of properties to the National Register of Historic Places by providing recommendations on nominations for properties within their boundaries. When a nomination for a property within the jurisdiction of a CLG is submitted to the SHPO for consideration, the SHPO will coordinate with the CLG as follows:
- (1) National Register of Historic Places nominations for properties within CLG jurisdictions will be submitted to the SHPO by the applicant. SHPO staff will complete the technical review on the nomination. Once the nomination has passed technical review it will be forward to the CLG for review and comment. The CLG will be provided with a brief form to return to the SHPO with its recommendation as to whether the property should be listed, including the Commission’s opinion on whether the nominated property meets the criteria of the National Register.
 - (2) The commission must provide a reasonable opportunity for public comment on the nomination. At minimum, this includes presentation and discussion of the nomination at a commission meeting. A written notice must be sent by the commission to the property owner(s) indicating the meeting (date, time, and place) when the nomination will be discussed.
 - (3) Following review of the nomination and within 60 days of receiving the SHPO’s initial notification, the chief elected official (or designee) must return the CLG’s form and recommendation to the SHPO.
 - (a) If the SHPO does not receive a recommendation from the CLG within this timeframe, it will proceed with substantive review of the nomination.
 - (b) If the chief elected official and/or the commission recommends that the property be listed in the National Register, the SHPO will proceed with the substantive review of the nomination incorporating any comments from the CLG as needed.
 - (c) If both the commission and chief elected official recommend that the property not be listed, the SHPO will not advance the nomination unless an appeal by the property owner(s) is filed with the SHPO within 30 days of receipt of the recommendation of denial. In such instances, the SHPO will proceed with the nomination process and provide a copy of the CLG’s recommendation and appeal to the National Park Service for consideration with the nomination.
 - (4) The SHPO may request to expedite the CLG’s participation in the nomination process, including shortening the 60-day commenting period, with written concurrence from the CLG if the SHPO’s responsibilities for owner notification and other applicable National Register procedures have been met.

Section 5: Process for Certifying Local Governments

- (A) Indiana can certify local governments only while Indiana has a National Park Service-approved CLG program.
- (B) The chief elected local official shall request certification from the SHPO that the local government meets the requirements to be designated as a CLG. The request for certification shall include the following items:

- (1) A copy of the local historic preservation ordinance and copies of the by-laws, code of conduct, and any other local regulations that are binding on Commission members.
 - (2) Resumes for each Commission member that demonstrate interest, competence, or knowledge in historic preservation, including, where appropriate, professional credentials for members with expertise in fields related to historic preservation. The format of the resumes of professionals must be such that an accurate comparison of the requirements can be made with the Professional Qualifications Standards as published in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. If a Commission lacks one (1) or more of the professionals required in Section 4(B)(3), then the CLG must submit a narrative of attempts to secure the missing expertise from within the community; copies of correspondence documenting the CLG's efforts must be attached to the narrative. The CLG must also indicate how it has arranged to secure the missing technical expertise when it is required.
 - (3) Resume(s) of professional designated staff or the individual who will be supplying the local government with expertise described in Section 4(E). The format of the resume(s) must be such that an accurate comparison of the requirements can be made with the Professional Qualifications Standards as published in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. If the individual is not a full-time employee, then a copy of a contract or letter of agreement securing the services must be included.
 - (4) A list of areas and properties designated as local historic districts.
 - (5) A copy of the procedures, guidelines, and design review evaluation criteria adopted to protect local historic districts.
 - (6) A description as to how the local government will monitor and update the existing survey data in cooperation with the Division as outlined in Section 4(C) above.
- (C) The SHPO shall respond to the chief elected official within sixty (60) days of receipt of an adequately documented request. If the SHPO determines that the request is incomplete or fails to meet minimum requirements, the SHPO will advise the local government, indicating the deficiencies. If the SHPO determines that the local government fulfills the requirements, the SHPO will sign an agreement with the local government, detailing the responsibilities delegated to it; the SHPO will then forward the certification agreement and recommendation for CLG designation to the NPS for review and certification.
- (D) Pursuant to 36 CFR 61, if the NPS does not object within fifteen (15) business days of receipt of the SHPO's recommendation for certification, or otherwise inform the SHPO in writing, the local government will be certified. As a matter of policy, the NPS will always send a written response regarding a local government's certification request.

Section 6: Monitoring Certified Local Governments

- (A) The Division will monitor CLGs to ensure that each local government is fulfilling its responsibilities. Monitoring shall be done using annual reports submitted to the Division, and in-depth program reviews conducted by the Division no less often than once every four (4) years.
- (B) An annual report will be submitted to the SHPO by the CLG covering the previous twelve-month period. The report shall include:
 - (1) Any pertinent information that updates the local government's original CLG application, including any supporting materials or documentation. This would include updates to local regulations and commission documents, such as design guidelines.
 - (2) Resumes for any new Commission members or staff, the names of the current Commission staff person and head of the Commission and their contact information (phone number and e-mail address), and an up-to-date list of Commission members including the date of expiration of their terms.

- (3) A list of Commission members and staff who attended approved informational or educational meetings, training sessions, conferences, or activities approved by the Division.
 - (4) Restatements by the chief elected local official and the head of the Commission that each fulfills the responsibilities assigned in Section 4(A-G) and will continue to do so.
 - (5) Inventory of updates for the existing survey data (significantly altered, demolished, moved).
 - (6) COA data including the number of applications received, processed and the outcome of those applications (approval, denial, or tabled).
- (C) In-depth program reviews will be conducted by the Division at the offices of the CLG at least once every four (4) years for existing CLGs, unless more frequent reviews are otherwise warranted by extenuating circumstances. New CLGs will have a minor review after one (1) year in the program and then be formally reviewed every four (4) years thereafter. To complete the program review successfully, the CLG must complete their annual report as outlined in Section 6 (B) as well as providing the following information in a format determined by the Division:
- (1) A detailed report for on-going survey efforts and timetable for any planned survey efforts.
 - (2) A list of properties and areas designated as local historic districts during the reporting period.
 - (3) A list of any upcoming National Register nominations that have been discussed with the CLG but not yet received by the Division for review.
 - (4) A summary of general accomplishments to promote preservation and protect local resources.
 - (5) Identification of challenges and any areas where the Division's help may be needed in the future.
- (D) Upon request and during program reviews, the CLG will make available to representatives of the Division all pertinent records of the Commission and its activities.
- (E) At any time, the CLG may consult with the Division regarding a change in delegation of responsibilities to the CLG. If the SHPO concurs with the proposed amendment, the SHPO will submit the amendment to the NPS for review; if the NPS does not object to the amendment within fifteen (15) business days of its receipt, or otherwise inform the SHPO in writing, then the amendment shall be considered approved. As a matter of policy, the NPS will always send a written response regarding an amendment approval request.
- (F) If the Division determines, based on the results of the above monitoring process, that the CLG is failing to perform its duties adequately, the SHPO shall notify the chief elected local official, indicating the deficiencies and suggesting measures to rectify the situation as outlined in Section 7(B).

Section 7: Decertifying Local Governments

- (A) A CLG may request a voluntary decertification at any time. The request must be made in writing by the chief elected local official. Upon receipt of such request, the SHPO will forward a recommendation for decertification to the NPS within thirty (30) days of receipt. If the NPS does not object within thirty (30) days of receipt, the decertification shall be considered approved by the NPS.
- (B) If, at any time, the Division believes that the CLG has failed to perform its duties adequately, the Division shall undertake an in-depth program review as outlined in Section 6(C). If the program review confirms that the CLG is performing inadequately, the SHPO shall notify the chief elected local official in writing, indicating the deficiencies, and suggesting measures to rectify the situation. The Division shall make available technical information and assistance to help the CLG correct deficiencies. The CLG will be given a period of no less than ninety (90) days and no longer than one (1) year to address the deficiencies. If after the period specified by the SHPO, the SHPO determines that there has not been sufficient improvement then the SHPO may recommend decertification to NPS. If the NPS does not object within thirty (30) working days of receipt or otherwise inform the SHPO in writing, then the decertification shall be considered approved by the NPS. As a matter of policy, the NPS will always send a written response regarding a decertification request.

- (C) If decertification is approved by the NPS, and if the CLG is receiving Historic Preservation Fund grant assistance, the Division may conduct financial assistance closeout procedures as specified in the Historic Preservation Fund Grants Manual.
- (D) A community that has been decertified can apply for recertification at a later date but may not do so within one (1) year of being decertified. If the community decides to reapply for certification, it must follow the standard procedures for certification, including submission of all required application materials as outlined in Section 5(B). The community's previous participation in the program, the reasons for its decertification, and the overall strength of the local preservation program will be considered by the SHPO when reviewing the application.

Section 8: Transfer of HPF Grant Funds to Certified Local Governments

- (A) The Division must transfer a minimum of ten (10) percent of the State's annual apportionment of HPF funds to CLGs for HPF-eligible activities.
- (B) CLG status must be conferred by the National Park Service before a local government can receive HPF subgrant funds as a CLG. Communities from which a CLG application has been received and processed but not yet approved by the National Park Service are only eligible to receive HPF subgrant funds as CLGs if the NPS approval is received prior to the award of the subgrant.
- (C) All CLGs are eligible to compete for subgrants; however, certification status does not guarantee that a local government will automatically receive a subgrant award.
- (D) To be eligible to receive HPF subgrants, CLGs must satisfy the following requirements:
 - (1) Adhere to all state and federal program and financial expenditure requirements specified by the Division and the Historic Preservation Fund Grants Manual and maintain CLG status.
 - (2) Maintain adequate financial management systems in accordance with standards in 2 CFR 200 and Grants Management Common Rule regulations set forth in 43 CFR 12, including local competitive procurement procedures that meet the requirements of 43 CFR 12.76.
 - (3) Have a financial management system auditable in accordance with the State Board of Accounts and the Government Accountability Office.
 - (4) Include only direct costs as part of a CLG subgrant. Administrative costs specific to grant-assisted projects may be eligible for reimbursement under subgrant awards only if itemized and included in the original subgrant application.
 - (5) Adhere to any requirements mandated by Congress or NPS regarding the use of such federal funds.
 - (6) Undertake projects that will produce specific and measurable impacts in identifying, developing, promoting, and protecting resources listed in or eligible for inclusion in the National Register.
 - (7) Grant-assisted work must meet the relevant Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation as well as Section 106 (36 CFR 800) and Section 110 (54 U.S.C. 306102) of the National Historic Preservation Act of 1966 (54 U.S.C. 300101 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347).
 - (8) The SHPO cannot waive requirements outlined in Section 8(D)(1-7), even if such a waiver would make many more CLGs eligible to receive subgrants.
- (E) Annually the Division shall adopt funding priorities for HPF subgrants for the next federal fiscal year, with input from the public and the State Review Board. The Division will post all subgrant opportunities and funding priorities on the Division's website, typically no later than August 1st. Any Division-recommended and SHPO-approved uses of funds must be eligible for federal assistance under the guidelines set forth in the Historic Preservation Fund Grants Manual.

- (F) CLGs (and all other applicants) shall have at least sixty (60) days in which to prepare the subgrant application from the time that application materials are first made available to the public until the published deadline for submitting subgrant applications.
- (G) HPF subgrant applications will be considered by the Division on a competitive basis using pre-established evaluation criteria per Section 8(E). The Division shall rank the subgrant applications, and the SHPO will approve applications to be funded based on the rankings. Every effort will be made to fund as many eligible CLGs as possible, given the limitations in Section 8(D)(7) and the fluctuating amount of annual federal funding available for the HPF subgrant program in the State. Upon request, the Division shall make available to the public the ranking and evaluation of all applications and the amounts awarded as subgrants.
- (H) Under the HPF grant program, CLGs and other applicants are typically required by the State to match federal funds with non-federal monies. Matching funds may be in the form of cash, volunteer labor, and in-kind donations of goods and/or professional services. The only exception to the prohibition on using federal funds to match other federal funds is that Community Development Block Grant (CDBG) funds may be used as match on HPF grants, as allowed by the National Historic Preservation Act.
- (I) Receipt of a subgrant in any one fiscal year does not guarantee that a CLG will be awarded a subgrant in a subsequent year. CLG subgrant applications are subject to competitive factors that include performance on past subgrant projects, performance as a CLG, the quality of the subgrant application, and the level of need of the proposed subgrant activities.

Appendix A: Professional Qualification Standards

In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

- (A) **History.** The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:
 - (1) At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historical organization or agency, museum, or other professional institution; or
 - (2) Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

- (B) **Archaeology.** The minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology, or closely related field plus:
 - (1) At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management;
 - (2) At least four months of supervised field and analytic experience in general North American archaeology; and
 - (3) Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the historic period.

- (C) **Architectural History.** The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:
 - (1) At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
 - (2) Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

- (D) **Architecture.** The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time professional experience in architecture, or a state license to practice architecture.

- (E) **Historic Architecture.** The minimum professional qualifications in historic architecture are a professional degree in architecture or a state license to practice architecture, plus one of the following:
 - (1) At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely relate field; or
 - (2) At least one year of full-time professional experience on historic preservation projects.

Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

Appendix B: CLG Application Checklist

A complete application for CLG designation includes a number of parts. To facilitate the approval process, local governments are encouraged to follow the checklist of items below when preparing a CLG application. The chief elected local official must request certification from the SHPO, stating that the local government meets the requirements to be designated as a CLG. The request for certification must include the following items:

- [] A cover letter, signed by the chief elected local official and the head of the Commission, providing written assurance that the local government and Commission will each fulfill their responsibilities under Indiana's Certified Local Government Procedures, Section 4(A-G).
- [] Copies of the following items:
 - [] The local historic preservation ordinance;
 - [] The by-laws of the Commission;
 - [] The code of conduct of the Commission;
 - [] Any other local regulations that are binding on Commission members.
- [] Resumes for each Commission member that demonstrate interest, competence, or knowledge in historic preservation, including, where appropriate, professional credentials for members with expertise in fields related to historic preservation. The format of the resumes of professionals must be such that an accurate comparison with the requirements of the professional qualification standards can be made. If a Commission lacks one (1) or more of the professionals required in Section 4(B)(3), then the CLG must submit a narrative of attempts to secure the missing expertise from within the community; copies of correspondence documenting the CLG's efforts must be attached to the narrative. The CLG must also indicate how it has arranged to secure the missing technical expertise when it is required.
- [] Resume(s) of designated professional staff or the individual who will be supplying the local government with expertise described in Section 4(E). The format of the resume(s) must be such that an accurate comparison with the requirements of the professional qualification standards can be made. If the individual is not a full-time employee, then a copy of a contract or letter of agreement securing the services must be included.
- [] A list of areas and properties designated as local historic districts and a copy of the procedures, guidelines, and design review evaluation criteria adopted to protect local historic districts.
- [] A description as to how the local government will carry out an ongoing program to update the existing survey and a timetable for any planned survey efforts.

A copy of the complete State checklist outlining the federal and state minimum requirements is available from the SHPO.

Appendix C: Indiana Code 36-7-11-4 – Historic Preservation Commissions

**This was the version of Indiana Code 36-7-11-4 at the time this document was revised. While every effort will be made to make sure this appendix is revised with any changes to the code, communities should verify that the language below matches the current code when using this document.

IC 36-7-11-4 Commission; establishment

Sec. 4. (a) A unit may establish, by ordinance, a historic preservation commission with an official name designated in the ordinance. The commission must have not less than three (3) nor more than nine (9) voting members, as designated by the ordinance. The voting members shall be appointed by the executive of the unit, subject to the approval of the legislative body. Voting members shall each serve for a term of three (3) years. However, the terms of the original voting members may be for one (1) year, two (2) years, or three (3) years in order for the terms to be staggered, as provided by the ordinance. A vacancy shall be filled for the duration of the term. In the case of a commission with jurisdiction in a city having a population of more than one hundred thousand (100,000) but less than one hundred ten thousand (110,000), the commission must after June 30, 2001, include as a voting member the superintendent of the largest school corporation in the city.

(b) The ordinance may provide qualifications for members of the commission, but members must be residents of the unit who are interested in the preservation and development of historic areas. The members of the commission should include professionals in the disciplines of architectural history, planning, and other disciplines related to historic preservation, to the extent that those professionals are available in the community. The ordinance may also provide for the appointment of advisory members that the legislative body considers appropriate.

(c) The ordinance may:

- (1) designate an officer or employee of the unit to act as administrator;
- (2) permit the commission to appoint an administrator who shall serve without compensation except reasonable expenses incurred in the performance of the administrator's duties; or
- (3) provide that the commission act without the services of an administrator.

(d) Members of the commission shall serve without compensation except for reasonable expenses incurred in the performance of their duties.

(e) The commission shall elect from its membership a chair and vice chair, who shall serve for one (1) year and may be reelected.

(f) The commission shall adopt rules consistent with this chapter for the transaction of its business. The rules must include the time and place of regular meetings and a procedure for Indiana Code 2019 the calling of special meetings. All meetings of the commission must be open to the public, and a public record of the commission's resolutions, proceedings, and actions must be kept. If the commission has an administrator, the administrator shall act as the commission's secretary, otherwise, the commission shall elect a secretary from its membership.

(g) The commission shall hold regular meetings, at least monthly, except when it has no business pending.

(h) A final decision of the commission is subject to judicial review under IC 36-7-4 as if it were a final decision of a board of zoning appeals.

[Pre-Local Government Recodification Citation: 18-7-22-7.]

As added by Acts 1981, P.L.309, SEC.30. Amended by P.L.7-1987, SEC.168; P.L.227-1997, SEC.3; P.L.158-2001, SEC.2; P.L.170-2002, SEC.157; P.L.126-2011, SEC.64; P.L.119-2012, SEC.200; P.L.127-2017, SEC.184.

IC 36-7-11-4.3 Commission; authority to grant or deny certificate of appropriateness

Sec. 4.3. (a) An ordinance that establishes a historic preservation commission under section 4 of this chapter may authorize the staff of the commission, on behalf of the commission, to grant or deny an application for a certificate of appropriateness.

(b) An ordinance adopted under this section must specify the types of applications that the staff of the commission is authorized to grant or deny. The staff may not be authorized to grant or deny an application for a certificate of appropriateness for the following:

- (1) The demolition of a building.
- (2) The moving of a building.
- (3) The construction of an addition to a building.
- (4) The construction of a new building.

As added by P.L.227-1997, SEC.4.

IC 36-7-11-4.6 Commission; acquisition and disposition of property

Sec. 4.6. An ordinance that establishes a historic preservation commission under section 4 of this chapter may:

- (1) authorize the commission to:
 - (A) acquire by purchase, gift, grant, bequest, devise, or lease any real or personal property, including easements, that is appropriate for carrying out the purposes of the commission;
 - (B) hold title to real and personal property; and
 - (C) sell, lease, rent, or otherwise dispose of real and personal property at a public or private sale on the terms and conditions that the commission considers best; and
- (2) establish procedures that the commission must follow in acquiring and disposing of property.

As added by P.L.227-1997, SEC.5

Appendix D: Indiana Code 5-14-1.5-3.5 – Electronic Meetings

**This was the version of Indiana Code 5-14-1.5-3.5 at the time this document was revised. While every effort will be made to make sure this appendix is revised with any changes to the code, communities should verify that the language below matches the current code when using this document to update local procedures.

IC 5-14-1.5-3.5 Electronic meetings of political subdivisions; statutory authorization required

Sec. 3.5. (a) This section applies only to a governing body of a public agency of a political subdivision, other than a governing body of an airport authority, a department of aviation, or a conservancy district as set forth in section 3.6 of this chapter.

(b) Subject to subsection (i), a member of the governing body of a public agency who is not physically present at a meeting of the governing body may participate in a meeting by any electronic means of communication that does the following:

- (1) Allows all participating members of the governing body to simultaneously communicate with each other.
- (2) Allows the public to simultaneously attend and observe the meeting. However, this subdivision does not apply to a meeting held in executive session.

Subject to subsection (i), a governing body member who participates in the meeting by an electronic means of communication shall be considered present for purposes of establishing a quorum but may participate in any final action taken at the meeting only if the member can be seen and heard.

(c) A technological failure in an electronic means of communication that disrupts or prevents:

- (1) the simultaneous communication between a member who is not physically present at the meeting and the governing body; or
- (2) a member of the public who is not present at the meeting from attending and observing the meeting; does not prevent the governing body from conducting the meeting or affect the validity of an action taken by the governing body at the meeting if the sum of the governing body members physically present at the meeting and the governing body members participating by electronic communication without technological failure satisfy the quorum and (if a final action is taken) the voting requirements of the governing body.

(d) The governing body shall adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication. The governing body may establish procedures that are more restrictive than the procedures established by this section. The policy adopted under this section may include:

- (1) limiting the number of members who may participate by electronic communication in any one (1) meeting;
- (2) limiting the total number of meetings that the governing body may conduct in a calendar year by electronic communication; and
- (3) requiring a member, except in the case of a meeting called to deal with an emergency under section 5(d) of this chapter, who plans to attend a meeting by any electronic means of communication to notify the presiding officer within a certain period of time before the meeting, as specified by the governing body, so that arrangements may be made for the member's participation by electronic communication.

(e) The memoranda prepared under section 4 of this chapter for a meeting in which a member participates by an electronic means of communication must:

- (1) state the name of each member of the governing body who:
 - A) was physically present at the place where the meeting was conducted;
 - B) participated in the meeting by using any electronic means of communication; and
 - C) was absent; and
- (2) identify the electronic means of communication by which:
 - A) members of the governing body participated in the meeting; and
 - B) the public attended and observed the meeting, if the meeting was not held in executive session.

(f) All votes taken during a meeting under this section must be taken by roll call vote.

(g) At least fifty percent (50%) of the members of the governing body must be physically present at a meeting.

(h) A member of the governing body may not attend more than fifty percent (50%) of the governing body's meetings in a calendar year by means of electronic communication, unless the member's electronic participation is due to:

- (1) military service;
- (2) illness or other medical condition;
- (3) death of a relative; or
- (4) an emergency involving actual or threatened injury to persons or property.

(i) A member of a governing body may not participate in a meeting of the governing body by electronic communication if the governing body is attempting to take final action to:

- (1) adopt a budget;
- (2) make a reduction in personnel;
- (3) initiate a referendum;
- (4) establish or increase a fee;
- (5) establish or increase a penalty;
- (6) use the governing body's eminent domain authority; or
- (7) establish, raise, or renew a tax.

(j) A governing body may not prohibit a member of the governing body from attending consecutive meetings by electronic communication. A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member shall physically attend at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to:

- (1) military service;
- (2) illness or other medical condition;
- (3) death of a relative; or
- (4) an emergency involving actual or threatened injury to persons or property.

As added by P.L.134-2012, SEC.11. Amended by P.L.154-2016, SEC.1; P.L.88-2021, SEC.5; P.L.107-2021, SEC.1; P.L.137-2021, SEC.22.