

ORDINANCE NO. 606

AN ORDINANCE OF THE TOWN OF DENTON AMENDING THE DENTON TOWN CODE CHAPTER 38, TO ADD ARTICLE IV TO CHAPTER 38 REGARDING PROTECTION OF STRUCTURES WITH HISTORIC SIGNIFICANCE.

INTRODUCED BY: _____

WHEREAS, the Town of Denton is authorized by the Maryland Code Ann. Article 23A, § 2 to adopt such ordinances not contrary to the Constitution of Maryland, public general law, or public local law as it deems necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort, and convenience of the citizens of the municipality;

WHEREAS, Article 23A, Section 2(b)(5) of the Annotated Code of Maryland authorizes the Town Council to make reasonable regulations regarding buildings and signs, including a building code and the requirement for building permits;

WHEREAS, the Town of Denton is authorized to provide for the publication and codification of all laws, ordinances, resolutions, or regulations adopted by the municipality; and

WHEREAS, the Town of Denton desires to amend the Town Code by amending Chapter 38 by adding Article IV to address the process for obtaining a building permit or demolition permit for structures with historical significance.

NOW, THEREFORE, the Denton Town Council hereby ordains as follows:

Section 1. Chapter 38 of the Denton Town Code is hereby amended to add the following Article:

Article IV
Structures of Historical Significance
§ 38-13. Definitions

For the purposes of this Article, the following terms will have the following meanings:

(1) “Alteration” means any change to or modification, through public or private action, of any structure of historic significance, including, but not limited to, exterior changes to, or modifications of, a structure or any of its architectural details or visual characteristics, including paint color and surface texture, grading, surface paving, new structures, and the placement or removal of any objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plants, and landscape accessories affecting the historic qualities of the property.

(2) “Demolition means” any act or process that destroys in whole, or in part, a property

(3) The term “Exterior features” includes the architectural style, general design, and general arrangement of the exterior surfaces of any improvement, including but not limited to, the color, kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures to such improvement.

(4) The term “historical significance” includes any building, or structure of particular historic or aesthetic significance or which are identified with historic personages or with important events in local, state, or national history, or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, style or method of construction, or a notable work of construction, or a notable work of a master designer or architect. Any building or structure over fifty (50) years old is presumed to be of historical significance.

(5) “Improvement” means any building, restoration, renovation, repair, structure, landscape feature, structural work of art, fence, gate, wall, or other object constituting a physical betterment of real property, or any part of such betterment.

§ 38-14 Protection of Structures Having Historical Significance

The Town Building Inspector shall not issue any building permit for the alteration the exterior features of, or any demolition permit for, any structure located within the Town’s limits which may have historical significance until the Inspector is satisfied that the structure proposed for alteration or demolition is not eligible for the National Historic Trust Registry, or other public historical registry. The Town’s Building Inspector is entitled to refrain from issuing a building permit for the alteration or demolition permit for sixty (60) days from the date of application to determine the structure’s eligibility on such public historical registry.

Section 2. This ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect seven (7) days from and after the date of its final passage and adoption.

ADOPTED this _____ day of _____, 2010.

DENTON TOWN COUNCIL:

Conway Gregory, Mayor

Robert Clendaniel, Vice-Mayor

Dennis Porter, Councilperson

Agnes Case, Councilperson

Dean Danielson, Councilperson

ATTEST:

Karen L. Monteith
Clerk-Treasurer

Date Introduced _____

Date Amendments Introduced _____

Date Passed _____

Effective Date _____