

Resolution
Establishing Procedures for the
Receipt and Scheduling of Landmark List Nominations

WHEREAS Baltimore County law requires that the Landmarks Preservation Commission (LPC) shall:

- Compile a Register of structures “that the Commission considers to be of significant historical, architectural, archeological or cultural value,” (§ 32-7-301), and
- Select structures from the Register for public hearing on their qualification to be included (with their historic environmental setting) on the Landmarks List (§ 32-7-302 (c))

WHEREAS the traditional practice has been that a nomination of a structure to the Landmarks List is presented in one of the Commission’s regular monthly meetings, at which point the Commission votes to schedule the requisite public hearing at a subsequent meeting (two months later); and

WHEREAS this procedure, with its initial vote merely for the *scheduling* of a later hearing, is not required in County law, and often causes uncertainty and confusion as proponents or opponents of Landmark listing may seek, prematurely, to give substantive testimony on the structure’s historic significance at a point in the process that is simply procedural; and

WHEREAS the LPC’s professional staff is fully qualified to exercise authority delegated by the Commission for reviewing Landmark nominations to determine the likelihood that a nominated property could, after hearing by the Commission’s opinion, be determined eligible for the Landmarks List;

NOW, THEREFORE, BE IT RESOLVED that the Baltimore County Landmarks Preservation Commission hereby adopts the following procedures for the receipt and review of nominations to the Landmarks List and the scheduling of nominations for public hearing by the Commission:

1. Nominations shall be submitted (in the required number of copies) to the Commission’s Secretary who, in consultation with the Chief of the Preservation Services Section, shall review the nominations and advise the person or organization submitting the nomination either:
 - a. That the nomination is accepted for hearing by the Commission and that a public hearing has been scheduled on the date set in accordance with the notification and posting requirements in County law; or

- b. That the nomination is not acceptable because of unsuitability or insufficiency, along with information about how the insufficiency might be remedied.
2. The authority to accept a nomination includes the authority to add structures to the County Register. Additions to the Register may be reversed by vote of the Commission at the time of the public hearing.
3. If the Secretary does not accept a nomination, the nominator shall have the right to appear at the Commission's next scheduled meeting to request reconsideration by the Commission. Upon request, the Secretary shall provide, to the Commission members, copies of the submitted nomination materials.
4. For each accepted nomination, the Secretary shall provide written notice, not less than 45 days before the hearing, to the property's owner (as identified in the State tax records) regarding the scheduled hearing and the owner's opportunity to testify, along with information about the Landmark process and the consequences and benefits of Landmark listing. A copy of the notice shall also be sent to each Commission member and to the nominator.
5. In addition to the written notice, the Secretary shall arrange for the posting on the property, in accordance with the time limits specified in § 32-7-302 (c) (2), of the required sign giving public notice of the hearing.

AND, BE IT FURTHER RESOLVED that, having been passed by the affirmative vote of at least seven members of the Commission, this Resolution shall take effect immediately.

DULY ADOPTED by vote of the Commission,
this 12th day of January, 2006

ATTEST:

/s/ Vicki Nevy
Vicki Nevy
Administrator/Secretary

TD:td