

## RESOLUTION

### Establishing Procedures and Principles on Requests for Postponement of Items Scheduled for Action by the Landmarks Preservation Commission

WHEREAS Baltimore County law assigns various responsibilities to the Landmarks Preservation Commission (LPC) including: (i) conducting public hearings and voting to place structures on the Landmarks List; (ii) conducting public hearings and voting to delineate the boundaries of proposed County Historic Districts; (iii) voting on approval or denial of applications to alter or demolish Landmark structures; (iv) voting on approval or denial of applications for every kind of new construction or the alteration of existing structures in County Historic Districts; and (v) advising the Hearing Officer on alterations to properties on the Maryland Inventory of Historic Properties or the Baltimore County Register; and

WHEREAS, to fulfill its responsibilities, the Commission meets in open public session on the second Thursday of each month; and

WHEREAS, to facilitate public awareness of the Commission's pending business, a Preliminary Agenda for each meeting is posted on the County government's website in the week before each meeting; and

WHEREAS the business on the Agenda may be of interest not only to the owners of the properties involved but also to the owners of neighboring properties as well as to citizens and organizations interested in recognizing and protecting the County's historic physical heritage; and

WHEREAS there appears lately to be an increasing trend by owners of properties scheduled on the Agenda to request postponement of action by the LPC; and

WHEREAS these requests for postponement too often have stated little if any justification, and often have not even been made until the time of the meeting; and

WHEREAS citizens and community representatives who have arranged to attend the meetings for offering testimony to the Commission may be substantially inconvenienced by the Commission's late acceptance of requests for postponements, thereby undermining

public confidence in the integrity and timeliness of the LPC's decision-making procedures; and

WHEREAS it is common practice in judicial and administrative proceedings that requests for postponement are strictly scrutinized for the sufficiency of their justification;

NOW, THEREFORE, BE IT RESOLVED that the Baltimore County Landmarks Preservation Commission hereby adopts the following procedures and principles for deciding on requests for postponements on items that have, by prior vote of the Commission or by the operation of County law, been scheduled on the Preliminary Agenda of an LPC meeting:

1. The requesting party shall make any request for postponement, in writing addressed to the Commission, as early as possible.
2. A postponement will be granted *only* by vote of the Commission.
3. In accordance with County law, the vote shall be taken in open meeting of the Commission and shall not pass with less than seven affirmative votes.
4. Before granting a request, the Commission must find that the request is justified by good and sufficient reasons or by circumstances of an unusual or extraordinary nature.
5. Notwithstanding the decision to grant a postponement, the Commission may, at the Chairman's discretion, allow testimony on the item to be presented by any person or representative who attends the meeting in reliance upon the published Preliminary Agenda, and the Commission may consider such testimony when acting on the matter in any subsequent meeting.

DULY ADOPTED by vote of the Commission  
this \_\_\_\_ day of \_\_\_\_\_, 2005

ATTEST:

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Vicki Nevy,  
Administrator/Secretary

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