

ORDINANCE NO: 634

**AN ORDINANCE OF THE TOWN OF EASTON AMENDING SECTION 11-5 OF THE TOWN CODE MINIMUM LIVABILITY CODE PROVISIONS REGARDING HISTORIC STRUCTURES**

Introduced By: \_\_\_\_\_

**WHEREAS**, the Town of Easton is authorized to enact ordinances for the enhancement of the health, comfort and convenience of the citizens of the Town of Easton; and

**WHEREAS**, the Town of Easton is authorized by §12-203 of the Public Safety Article of the Maryland Annotated Code to have in force a minimum livability code that substantially conforms to the Minimum Livability Code adopted by the State; and

**WHEREAS**, the Town of Easton has enacted the “Minimum Housing Standards Code” and the “International Property Maintenance Code 2009” as the Town’s minimum livability code and has codified the same as Chapter 11 Article 1 of the Town Code; and

**WHEREAS**, the Town wishes to modify the provisions of the Minimum Housing Standards Code with respect to historic structures.

**NOW, THEREFORE**, the Town of Easton hereby ordains that:

**Section 1.** Chapter 11, Article I, § 11-5.2.4 of the Easton Town Code is hereby repealed and reenacted with amendments, to read as follows:

**§ 11-5.2.4 Chapter 1. Scope and Administration.** Delete Section 102.6 Historic Buildings and replace with the following: (Ordinance 634 effective \_\_\_\_\_, historical reference 526 and 569)

**102.6 Historic structures.** Except as provided in 102.6.1 below, the provisions of this code shall not be mandatory for existing structures designated as historic when such structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

**102.6.1 Exteriors.** The provisions regarding exteriors including, but not limited to Chapter 1 and Chapter 3 specifically sections 108, 109, 301, 302, 303, 304, 306, 307.2, 308, and 309 shall apply to all historical property, to maintain the historic value of the structure and premise.

**102.6.2 Maryland Building Rehabilitation Code.** The provisions of the Maryland Building Rehabilitation Code (MBRC) shall apply to all historic structures that undergo repair, alteration, addition, change of occupancy, and/or relocation, as those terms are defined in §12-1001 of the Public Safety Article of the Maryland Annotated Code and the Code of Maryland Regulations (COMAR) 05.16.01 or corresponding future provisions thereof.

**102.6.3 Historic District Commission.** All notices and orders, that require building applications and permits, will require the property owner to appear before the Historic District Commission.

For the purposes of this section historic property means any property or structure that is listed in the National Register of Historic Places or determined as a contributing element to a National Register Historic District, or one of the following;

1. Designated as a contributing local resource by survey of a recognized Historian and or the Easton Historic District Commission
2. Determined to be eligible for listing on the National Register of Historic Places by the Governor’s Consulting Committee and the State Historic Preservation Officer.
3. Determined to be eligible for listing on the National Register of Historic Places by the Keeper of the National Register of Historic Places.

**Section 2.** In accordance with Article II Section 9 of the Easton Town Charter, this ordinance shall become effective twenty (20) calendar days after approval by the Mayor or passage of this ordinance by the Council over the Mayor’s veto.

Malone -  
Leshar -  
Wendowski -  
Cook -  
Ford -

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

John F. Ford, Town Council President

Delivered to the Mayor by me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Kathy M. Ruf, Town Clerk

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APPROVED:  
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Date: \_\_\_\_\_

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Robert C. Willey, Mayor

EFFECTIVE DATE: \_\_\_\_\_, 2013.