

TOWNSHIP OF MONTCLAIR

ORDINANCE AMENDING SECTION 347-135.B OF THE HISTORIC PRESERVATION ORDINANCE OF THE TOWNSHIP OF MONTCLAIR REGARDING THE MORATORIUM ON APPLICATIONS FOR ALTERATION OR DEMOLITION OF BUILDINGS AND STRUCTURES

December 11, 2007

BE IT ORDAINED by the Council of the Township of Montclair, in the County of Essex, that Section 347-135.B of the Township Code (“the Historic Preservation Ordinance”) be and is hereby amended as follows:

B. Procedures for designation. Proposals to designate a property as historic pursuant to this article may be made by the Township Council, the Commission, the Planning Board or by the verified application of the owner(s) or authorized agent(s) of the individual property to be designated or, in the case of a proposed district, by the verified application of 10% of the owners of record or persons residing within the district or by verified application of any organization with a recognized interest in historic preservation, in accordance with the following procedures:

(1) [no change]

(2) Moratorium on applications for alteration or demolition.

(A) No application to alter or demolish any feature of a Potentially Historic Building or Structure, as defined in Section 347-173 of this Code, shall be approved by the Construction Official or other municipal agency unless and until the requirements of Section 347-173 have been satisfied.

(B) No application for a permit to construct, alter or demolish any structure or other feature of a proposed landmark or property located within a proposed landmark district filed subsequent to the date that an application has been filed or a resolution adopted to initiate designation of the proposed landmark or landmark district shall be approved by the administrative officer or other municipal agency without review by the Commission of such applications and the granting of a certificate of appropriateness. Commission review of such applications shall be conducted as if the property related to such applications had already been designated as a landmark property or district and thereby are subject to the same criteria, standards and procedures which govern similar applications concerning properties designated as landmarks or properties within landmark districts. After the expiration of 180 days from the date of the initial filing of the designation proposal with the Commission, the permit application may be

approved without Commission review in accordance with the relevant provisions of the Code of the Township of Montclair.

NEW LANGUAGE UNDERLINED – DELETED LANGUAGE STRICKEN

RECORD OF COUNCIL VOTE											
COUNCILORS	YES	NO	ABS	N.V.	AB	COUNCILORS	YES	NO	ABS	N.V.	AB
Freier						Mayor Remsen					
Lang						Schlager					
Mattox						Deputy Mayor Tobin					
Michaelson											
X - Indicate Vote ABS - Abstain N.V. - Not Voting AB – Absent											

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance adopted as introduced by the Council of the Township of Montclair, in the County of Essex, at its meeting held on _____, 2008.

 Linda S. Wanat
Clerk of the Township of Montclair, NJ