

8.04. Easements to preserve historic, archeological or architectural significance.

(A) Subject to any requirements of [a county or municipal corporation] A LOCAL JURISDICTION governing the acquisition of easements, [the] A HISTORIC DISTRICT COMMISSION OR HISTORIC PRESERVATION commission may acquire easements in connection with individual sites or structures, or with sites or structures located in or adjacent to a locally designated historic district.

(B) [Such] THE easements ACQUIRED BY A HISTORIC DISTRICT COMMISSION OR HISTORIC PRESERVATION COMMISSION may grant to the commission, the residents of the historic district, and the general public the right to ensure that any [site or any structure and] SITE, STRUCTURE, OR surrounding property [upon which it] ON WHICH THE EASEMENT is applied is protected, in perpetuity, from changes [which] THAT would affect [its] THE historic, archeological, or architectural significance OF THE SITE, STRUCTURE, OR SURROUNDING PROPERTY.

DRAFTER'S NOTE: In subsection (a) of this section, the defined term "local jurisdiction" is substituted for the former reference to "county or municipal corporation" for consistency throughout the article.

8.05. Application for permission to construct, alter, reconstruct, move or demolish.

(A) Before [the construction, alteration, reconstruction, moving, or demolition of any site or structure is made] A PERSON MAY CONSTRUCT, ALTER, RECONSTRUCT, MOVE, OR DEMOLISH A SITE OR STRUCTURE LOCATED WITHIN A DESIGNATED DISTRICT [within the county or municipal corporation] OF A LOCAL JURISDICTION, if any exterior changes are involved which would affect the historic, archeological, or architectural significance of [a] THE site or structure [within a designated district], any portion of which is visible or intended to be visible from a public way, the person[, individual, firm, or corporation proposing to make the construction or change] shall file AN APPLICATION with the HISTORIC DISTRICT COMMISSION OR HISTORIC PRESERVATION commission [an application for permission to construct, alter, reconstruct, move; or demolish the site or structure].

(B) [Every such] AN application FILED UNDER SUBSECTION (A) OF THIS SECTION shall [be referred to and considered] BE CONSIDERED by the HISTORIC DISTRICT COMMISSION OR HISTORIC PRESERVATION commission and [accepted] APPROVED or rejected by the commission.

(C) [An] AN APPLICANT MAY NOT RESUBMIT AN application [which] THAT is identical to a rejected application [shall not be resubmitted within a period of one] FOR 1 year after the rejection.

(D) [No] THE LOCAL JURISDICTION MAY NOT GRANT A permit for [any such] A change UNDER THIS SECTION [may be granted] until the HISTORIC DISTRICT COMMISSION OR HISTORIC PRESERVATION commission has acted [thereon as hereinafter provided] ON THE APPLICATION AS PROVIDED UNDER § 8.06 OF THIS SUBTITLE.