

construction, [alteration, or reconstruction] RECONSTRUCTION, OR ALTERATION will not materially impair the historic, archeological, or architectural significance of the site or structure, the commission[ shall reject] SHALL:

(I) REJECT the [application, filing] APPLICATION; AND

(II) FILE a copy of its rejection with the building inspector [by whatever name known] of the [county or municipal corporation] LOCAL JURISDICTION.

(b) [If an application is submitted for construction, reconstruction, or alteration, or for the moving or demolition of a site or structure that the commission considers to be of unusual importance and no economically feasible plan can be formulated, the] THE HISTORIC DISTRICT COMMISSION OR HISTORIC PRESERVATION commission shall have [ninety] 90 days from the [time] DATE THAT it concludes that [no] AN economically feasible plan [can] CANNOT be formulated UNDER THIS SECTION to negotiate with the owner and other parties [in an effort] to find a means of preserving the site or structure.

DRAFTER'S NOTE: In subsection (a)(2) of this section, the defined term "local jurisdiction" is substituted for the former reference to "county or municipal corporation" for consistency throughout the article.

#### 8.10. Same — Approval under certain circumstances.

[In the case of] IF a site or structure IS considered to be valuable for its historic, archeological, or architectural significance, [the] A HISTORIC DISTRICT COMMISSION OR HISTORIC PRESERVATION commission may approve [the] proposed construction, reconstruction, alteration, moving, or [demolition] DEMOLITION, despite the fact THAT the changes come within the provisions of § 8.09 of this [subtitle] SUBTITLE, if:

(1) The site or structure is a deterrent to a major improvement program which will be of substantial benefit to the [county or municipal corporation] LOCAL JURISDICTION; OR

(2) [Retention] THE RETENTION of the site or structure [would cause] WOULD:

(I) CAUSE undue financial hardship to the owner; or

[(3)] (II) [The retention of the site or structure would not be to] NOT BE IN the best interests of a majority of persons in the community.

DRAFTER'S NOTE: In item (1) of this section, the defined term "local jurisdiction" is substituted for the former reference to "county or municipal corporation" for consistency throughout the article.

#### 8.11. Rules and regulations for HISTORIC DISTRICT commission meetings; meetings to be public; right to appear and be heard.

(A) [The] A HISTORIC DISTRICT COMMISSION OR HISTORIC PRESERVATION commission shall adopt [such] THOSE rules and regulations [as may be] necessary for the proper transaction of [its] THE COMMISSION'S business.