

Ordinance No. 810-22

An Ordinance to Amend Chapter 246  
of the Bel Air Town Code entitled Historic Preservation

WHEREAS, the Board of Town Commissioners has determined that historic preservation efforts are desirable and necessary to maintain the Town's traditional character; and

WHEREAS, the State of Maryland has modified existing referenced legislation regarding regulations for Historic Preservation; and

WHEREAS, the Town recognizes the need to modify the Town Code to be consistent with the Annotated Code of Maryland; and

WHEREAS, the requirements for a quorum should be revised to indicate a majority of commissioners constitutes a quorum.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Bel Air Board of Town Commissioners that Chapter 246 of the Bel Air Town Code be amended to read as follows:

*The Bel Air Town Code is hereby amended to clarify the need for a quorum in Section 246-03, to read as follows:*

**§ 246-3 Historic Preservation Commission.**

- A. Creation. There is hereby created a commission to be known as the "Historic Preservation Commission."
- B. Membership. The Historic Preservation Commission shall have a membership of not fewer than five nor more than seven persons. A majority of members of the Historic Preservation Commission shall be residents of **the Town of** Bel Air. Each member **shall have** ~~should possess~~ a demonstrated **special** interest,

specific knowledge or professional or academic training in: ~~such fields as~~ history, architecture, architectural history, planning, archaeology, anthropology, curation, conservation, landscape architecture, historic preservation, urban design, or **a** related discipline. At least two members of the Historic Preservation Commission shall possess professional or academic training in one or more of the above-listed fields in accordance with the minimum professional requirements of the United States Department of the Interior for certifying local governments under 36 CFR **Part** 61.

- C. Historic Preservation Commission membership qualification criteria. The requirement for Historic Preservation Commission membership under the category of demonstrated special interest may be satisfied either by formal training in one or more of the fields listed in Subsection B of this section or active membership in a preservation-related organization. The requirement for membership under the category of specific knowledge may be satisfied by formal postsecondary education, employment or practical experience in one or more of the ~~above-listed~~ fields **listed in Subsection B**. The requirement for Historic Preservation Commission membership under the category of professional or academic training may be satisfied by, at a minimum, two years' experience as a professional or a bachelor's degree in one or more of the ~~above-listed~~ fields **listed in Subsection B**.
- D. Terms. The members shall be appointed by the Board of Town Commissioners for terms of three years, except that in making the initial appointments, some appointments shall be established for less than three years in order that as these initial terms expire all appointments ~~shall be for three years and~~ shall not expire at the same time. Members of the Historic Preservation Commission are eligible for reappointment.
- E. Vacancy. ~~Any vacancy in the membership of the Historic Preservation Commission caused by the expiration of a term, resignation, death, incapacity to discharge duties, removal for cause, or any other reason shall be filled for a new term, or for the remainder of the term for which there is a vacancy, as the case may be, in the same manner as provided herein for the appointment of the initial~~

~~members of the Historic Preservation Commission.~~ Any vacancy on the Historic Preservation Commission shall be filled by the **Board of Town Commissioners** ~~appointing authority within 60 days.~~ In the case of **the** expiration of **a** term, a member may continue to serve until the member's successor is appointed. ~~Unexcused absence at three or more consecutive meetings shall be cause for removal, and the Board of Town Commissioners may remove a member for cause.~~

- F. Officers. The Historic Preservation Commission shall select from its membership a Chairperson and a Vice Chairperson. The Chairperson and Vice Chairperson shall serve a term of one year, shall perform such duties as the Historic Preservation Commission may prescribe and shall be eligible for reelection.
- G. Compensation. The members of the Historic Preservation Commission shall serve without compensation but **may shall** be reimbursed for necessary expenses incurred in the performance of their duties.
- H. Meetings. The Historic Preservation Commission shall hold such regular meetings and hearings as necessary to discharge its duties, but not less than quarterly. The Historic Preservation Commission shall hold special meetings at the call of the Chairperson or of any three members of the Historic Preservation Commission.
- I. Rules of procedure; quorum. The rules of procedure shall also be available for public inspection. **Three A majority of** members shall constitute a quorum.

*The Bel Air Town Code is hereby amended by adding the proper state code referenced in Section 246-09, to read as follows:*

**§ 246-9 Appeals.**

~~In the event that~~ **A**ny party **is** aggrieved by a decision of the Historic Preservation Commission, ~~the party~~ has the right to appeal to the **Circuit Court of Harford County as authorized by Section 4.08(f) of Article 66B of the Annotated Code of Maryland. An appeal to the Circuit Court shall be taken in accordance with Rules 7-201 through 7-211 of Title 7 Chapter 200 of Maryland Rules of Procedure. In the alternative, the party may**

~~appeal to the~~ Bel Air Board of Appeals as authorized by **the Land Use Section 8.15** of Article ~~66B~~ of the Annotated Code of Maryland. An appeal to the Board of Appeals shall be taken in accordance with **Article V Section 15.03.A** of the Town of Bel Air Development Regulations. Appeals must be filed within 30 days from the date of the Historic Preservation Commission's decision.

AND BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_\_, 2022.

INTRODUCTION:

PUBLIC HEARING:

ENACTMENT:

EFFECTIVE:

AYES:

NAYES:

ABSENT:

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Kevin M. Bianca, Chair  
Board of Town Commissioners

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Michael Krantz, Town Clerk