



Bill No. 23-01

Concerning: Amending Chapter 1-23 of the County Code (Historic Preservation) to exempt certain areas of properties in historic districts from the requirement to obtain a Certificate of Appropriateness

Introduced January 10, 2023

Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_

Enacted: February 7, 2023

Effective: April 8, 2023

Expires: \_\_\_\_\_

Frederick County Code, Chapter 1-23

Section(s) 7

## COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member M.C. Keegan-Ayer

**AN ACT** to: Amending Chapter 1-23 of the County Code (Historic Preservation) to exempt certain areas of properties in historic districts from the requirement to obtain a Certificate of Appropriateness

Date Council Approved: 2/7/2023 Date Transmitted to Executive: 2/16/2023

Executive: Jessica Fitzwater Date Received: 2/16/2023

Approved: ✓ Date: 2/22/23

Vetoed: \_\_\_\_\_ Date: \_\_\_\_\_

Date returned to Council by County Executive with no action: \_\_\_\_\_

By amending:

Frederick County Code, Chapter 1-23 Section(s) 7

Other: \_\_\_\_\_

**Boldface**  
Underlining  
[Single boldface brackets]  
\* \* \*

*Heading or defined term.*  
*Added to existing law.*  
*Deleted from existing law.*  
*Existing law unaffected by bill.*

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2        The County Council of Frederick County, Maryland, finds it necessary and appropriate to  
3    amend Chapter 1-23 of the Frederick County Code (Historic Preservation) to exempt certain areas  
4    of properties in historic districts, which are also under an agricultural preservation easement, from  
5    the requirement to obtain a Certificate of Appropriateness under §1-23-7.

6        NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF  
7    FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby,  
8    amended as shown on the attached Exhibit 1.

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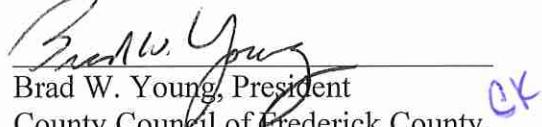
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Brad W. Young, President  
County Council of Frederick County,  
Maryland

CK

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**§ 1-23-7. APPLICATION FOR CERTIFICATE OF APPROPRIATENESS AND COMMISSION REVIEW.**

(A) Application for certificate of appropriateness. Before the construction, alteration, reconstruction, moving, or demolition is undertaken of a designated landmark, site, or structure, or site or structure within a designated district, if an exterior change is involved which would affect the historic, archeological, or architectural significance of a designated landmark, site, or structure, or structure within a designated district, the person, individual, firm, or corporation proposing to make the construction or change shall file an application for a certificate of appropriateness with the Commission for permission to construct, alter, reconstruct, move, or demolish the landmark, site, or structure. Every application shall be referred to and considered by the Commission and accepted or rejected by the Commission. An application which is identical to a rejected application may not be resubmitted within a period of 1 year after the rejection. No certificate of appropriateness shall be granted until the Commission has acted thereon as hereinafter provided.

(B) Application review. \*\*\*\*\*

(C) Commission decision. \*\*\*\*\*

(D) Routine maintenance. Nothing in this chapter shall be taken or construed to prevent maintenance that will have no material effect on the exterior fabric or features of a designated landmark, site, structure, or district, or to prevent customary farming operations or landscaping that will have no material effect on the historic, archeological, or architectural significance of a designated landmark, site, structure, or district.

(E) This section shall not apply to areas within a designated district which have been identified as advisory due to existing agricultural preservation easements.

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Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

\*\*\*\*\* - indicates existing law unaffected by bill.

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