

National Park Service U.S. Department of the Interior

NATIONAL REGISTER
LINKS

- About Us »
- NR Fundamentals »
- How to List a Property »
- Weekly List »
- Database / Research »
- Publications »
- Guidance »
- Frequently Asked Questions »
- Features / What's New »
- Sample Nominations »
- Preservation Links »
- Contact Us »
- For Travelers »
- For Teachers »
- Search

Text Sizes

CONNECT WITH US

- National Register
- Facebook
- Flickr

NATIONAL PARK
SERVICE

- Facebook
- iTunes
- Twitter
- YouTube

National Register of Historic Places Program: Frequently Asked
Questions

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

Frequently Asked Questions

What is the National Register of Historic Places?
What are the results of listing?
What are the restrictions, rules, and regulations for historic property owners?
Can I modify, remodel, or renovate, my historic house?
How do I apply for grant money or tax credits?
How do I get a plaque?
How do I get a copy of the file you have on a property?
How is a property listed in the National Register of Historic Places?
How can I update information for a property that is already listed?
I am pretty sure that a property is listed, but I cannot find it in your database, why is that?
How do I contact you, what is your address?
How old does a property have to be to qualify for listing?
I want to know if a property is listed, how can I do that?
I am a member of the National Trust for Historic Preservation, what can you do for me?
I want to use the photographs in your files, is it copyrighted?

What are the definitions of some of the terms and acronyms you use?
What is the difference between a National Park, a National Monument, a National Memorial, a National Historical Park, etc?
What is the preferred method of citation for a National Register of Historic Places nomination file?
These FAQs never answer my question, I still have a question

What is the National Register of Historic Places?
The National Park Service administers the National Register of Historic Places. The National Register is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. National Register properties have significance to the history of their community state, or the nation. Nominations for listing historic properties come from State Historic Preservation Officers, from Federal Preservation Officers for properties owned or controlled by the United States Government, and from Tribal Historic Preservation Officers for properties on Tribal lands. Private individuals and organizations, local governments, and American Indian tribes often initiate this process and prepare the necessary documentation. A professional review board in each state considers each property proposed for listing and makes a recommendation on its eligibility. National Historic Landmarks are a separate designation, but upon designation, NHLs are listed in the National Register of Historic Places if not already listed.
You can find more information in our About Us section. You can find more information on the National Historic Landmarks program at their website.

What are the results of listing?
In addition to honorific recognition, listing in the National Register has the following results for historic properties:

Consideration in planning for Federal, Federally licensed, and Federally assisted projects: -- Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties either listed in or determined eligible for listing in the National Register. The Advisory Council oversees and ensures the consideration of historic properties in the Federal Planning process.

Eligibility for certain tax provisions -- Owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings. This credit can be combined with a straight-line depreciation period of 27.5 years for residential property and 31.5 years for nonresidential property for the depreciable basis of the rehabilitated building reduced by the amount of the tax credit claimed. Federal tax deductions are also available for charitable contributions for conservation purposes of partial interests in

historically important land areas or structures.

Consideration of historic values in the decision to issue a surface mining permit where coal is located in accordance with the Surface Mining Control Act of 1977; and

Qualification for Federal grants for historic preservation, when funds are available.

Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that no Federal monies are involved.

You can find more information on the results of being listed on our [results page](#).

What are the restrictions, rules, regulations for historic property owners?

From the Federal perspective (the National Register of Historic Places is part of the National Park Service), a property owner can do whatever they want with their property as long as there are no Federal monies attached to the property. You can find this on our website at:

http://www.nps.gov/history/nr/national_register_fundamentals.htm

However, before this occurs, you can, or the property owner should contact the State historic preservation office (SHPO.) The SHPO is the state agency that oversees historic preservation efforts in their state. There may be state or local preservation laws that they should be aware of before they undertake a project with a historic property.

You can find contact information for the SHPOs at:

<http://www.nps.gov/history/nr/shpolist.htm>

If Federal monies are attached to the property then any changes to the property have to allow the Advisory Council on Historic Preservation (www.achp.gov) to comment on the project.

You can also read a copy of the National Register of Historic Places code of Federal regulations at:

<http://www.nps.gov/history/nr/regulations.htm>

You can also find general information for owners at:

http://www.nps.gov/history/nr/national_register_fundamentals.htm

Can I modify, remodel, or renovate, my historic house?

From the Federal perspective (the National Register of Historic Places is part of the National Park Service), a property owner can do whatever they want with their property as long as there are no Federal monies attached to the property. You can find this on our website at:

http://www.nps.gov/history/nr/national_register_fundamentals.htm

However, before this occurs, you can, or the property owner should contact the State historic preservation office (SHPO.) The SHPO is the state agency that oversees historic preservation efforts in their state. There may be state or local preservation laws that the owner should be aware of before they undertake a project with a historic property.

You can find contact information for the SHPOs at:

<http://www.nps.gov/history/nr/shpolist.htm>

If Federal monies are attached to the property then any changes to the property have to allow the Advisory Council on Historic Preservation (www.achp.gov) to comment on the project.

You can also read a copy of the National Register of Historic Places code of Federal regulations at:

<http://www.nps.gov/history/nr/regulations.htm>

You can also find general information for owners at:

http://www.nps.gov/history/nr/national_register_fundamentals.htm

How do I apply for grant money or tax credits?

The National Register of Historic Places does not have a grant program ourselves. However, Heritage Preservation Services (a different division of the National Park Service, Cultural Resources Program) does have a tax credit program that may be of assistance to you. The website for the tax credit program is:

<http://www.nps.gov/history/hps/tps/tax/index.htm>

Additionally, sometimes State historic preservation offices may have state run programs that could help. You can find contact information for the SHPOs at <http://www.nps.gov/history/nr/shpolist.htm>

How do I get a plaque?

Many sites listed in the National Register arrange for a commemorative plaque. Unfortunately the National Register of Historic Places does not issue plaques as a result of listing; rather we leave it up to the individual owners if they are interested in having one. If you do not have a local trophy/plaque store that you prefer, we know of several companies that advertise in Preservation Magazine that offer the type of plaques that you may be interested in. We recommend that you contact your [State historic preservation office](#) to see if they have a preferred plaque style or wording. **We are not endorsing, authorizing, recommending, or implying any connection to any one company over another, including any company not listed here.** We are merely aware that these companies sell plaques. Properties listed in the National Register of Historic Places are not required to have plaques.

All-Craft Wellman Products, Inc.
4839 East 345th Street
Willoughby, OH 44094
www.all-craftwellman.com
Phone: 800-340-3899
Fax: 440-946-9648

Atlas Signs and Plaques

Enterprise Drive
Lake Mills, WI 53551
920-648-5647
<http://www.atlassignsandplaques.com>

Artistic Bronze
13867 NORTHWEST 19TH AVENUE
MIAMI, FLORIDA 33054
800.330.PLAQ (7525) 305.681.2876 FAX
<http://www.artisticbronze.com/>

Blue Pond Signs
4460 Redwood Hwy #9
San Rafael, CA 94903
Phone: (415) 507-0447
Fax: (415) 507-0451
<http://www.bluepondsigns.com/custom-plaques.html>

Eagle Sign & Design Inc.
901 E. Liberty St.
Louisville, KY 40204
888-561-0007
<http://www.eaglesign.com/>

Equestrian Forge
222 S King St
Leesburg, VA 22075
703-777-2110

Erie Landmark Company
637 Hempfield Hill Road
Columbia, PA 17512
1-800-874-7848
<http://www.erialandmark.com>

Franklin Bronze Plaques
191 Howard Street Franklin, PA 16323
Toll Free: 866-405-6623
Ph: 814-346-7205 Fax: 814-346-7047
<http://www.franklinbronzeplaques.com/>

Healy Plaques
P.O. Box 4
60 New River Road
Manville, RI 02838
1-800-995-0981
<http://www.healyplaques.com/>

Impact! Signs
26 E Burlington St
La Grange, IL 60525
708-469-7178
www.impactsigns.com/bronze-plaque
sales@impactsigns.com

Metallic Arts
914 North Lake Road
Spokane Valley, Washington 99212
Ph: 1-800-541-3200
Fx: 1-509-483-1759
<http://www.metallicarts.com>

Southern California Bronze Co.
2515 So. Broadway
Los Angeles, CO 90007
213-746-8046
www.socalbronze.com

(If your company sells these types of plaques,
contact us
and let us know.)

As far as phrasing is concerned, the National Register has no formal requirements or suggestions, but here are a few typical and accurate examples:

This property has been listed in the National Register of Historic Places by the United States Department of the Interior.

or

(Historic name of your house) has been listed in the National Register of Historic Places by the United States

Department of the Interior.

You may want to indicate that the property is part of the historic district. In that case you may prefer:

This property is part of the Cool Spring Park Historic District, listed in the National Register of Historic Places by the United States Department of the Interior.

or

The (historic name) House, part of the Cool Spring Park Historic District, has been listed in the National Register of Historic Places by the United States Department of the Interior.

How do I get a copy of the file you have on a property?

We are currently digitizing our records and making them available online in our database at:

<http://nhrp.focus.nps.gov/natreghome.do?searchtype=natreghome>

For properties that have not been digitized and put into the database you can request a copy by [e-mailing us](#).

Please be sure to include your name, mailing address, the historic name of the property, its location, including the State and County. If the property is in a historic district, please include the name of the district.

Depending upon our work schedules and how many requests we receive our turnaround time for copy requests is about 3 weeks.

How is a property listed in the National Register of Historic Places?

The way a property gets listed in the National Register of Historic Places is that the forms and documentation go to the State historic preservation office (SHPO) of the state where the property is located. The SHPO can take one of several options: reject the property, ask for more information, list the property just with the state, or send the forms to us for listing in the National Register of Historic Places. Once we receive the forms, we conduct a similar review process.

You can read our page on Listing a Property at:

http://www.nps.gov/history/nr/national_register_fundamentals.htm

You can find contact information for the SHPOs at:

<http://www.nps.gov/history/nr/shpolist.htm>

How can I update information for a property that is already listed?

In order to update information in our file on a historic property the new information first has to go to the SHPO, and then from them to us. This process helps to ensure that the State and the National Register of Historic Places have the same information. So, if you feel that the information in the file needs to be updated, you should contact the SHPO to see what needs to be done there.

You can find contact information for the SHPOs at:

<http://www.nps.gov/history/nr/shpolist.htm>

I am pretty sure that a property is listed, but I cannot find it in your database, why is that?

The property could be within a historic district. A historic district is: a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Unfortunately, our database does not include every address within historic districts. If you know the name of a historic district that the property is in, we can look in the file and verify that it is a contributing resource in the district. You can also contact the State historic preservation office (SHPO) of the state where the property is listed. The SHPO is the state run agency that oversees historic preservation efforts in the state. They should be able to tell you what district the property is in.

The way a property gets listed in the National Register of Historic Places is that first all of the forms and paperwork go to the SHPO, then they decide if they want to send it to us at the National Register. So the SHPO is more local and more familiar with the properties, and may have information on the property if it is listed with the state, but not with us.

How do I contact you, what is your address?

You can contact us

via

e-mail

Staff Contacts

General Phone: 202-354-2211

Contact to ask for information specifically on a listed property: e-mail: [nr_reference \[at\] nps.gov](mailto:nr_reference@nps.gov)

Mail -- If you mail something to us you can use:

Employee Name (or National Register of Historic Places Reference)

National Park Service

Department of the Interior

1849 C St., NW (2280)

Washington, DC 20240-0001

however, everything that goes through the C St. address will be irradiated (due to the anthrax scare shortly after 9/11), so if you are providing something that may be damaged (especially photographs), you can mail them via paid courier -- like Federal Express, UPS, etc. and use:

Employee Name (or National Register of Historic Places Reference)

National Park Service

1201 Eye Street, NW (2280)

Washington, DC 20005

How old does a property have to be to qualify for listing?

Generally, properties eligible for listing in the National Register are at least 50 years old. Properties less than 50 years of age must be exceptionally important to be considered eligible for listing. We have a bulletin on nominating properties that are less than 50 years old. [Guidelines for Evaluating and Nominating Properties That Have Achieved Significance Within the Past Fifty Years](#)

I want to know if a property is listed, how can I do that?

Please look at the NRIS, the National Register Information System, our database of properties listed in the National Register of Historic Places. The NRIS is on our website at: <http://www.nps.gov/history/nr/research/> You can search by state and/or county and/or city. The NRIS is arranged by the historic name of the property. If you know the address of the property, but not the historic name, you will have to look at each listing in the county and/or city.

I am a member of the National Trust for Historic Preservation, what can you do for me?

Nothing that we wouldn't do for anyone else. The National Register of Historic Places is not the National Trust for Historic Preservation. We have worked together on various projects in the past, but we are completely separate organizations. We are a Federal agency, supported by your tax dollars, we do not have any membership fees, etc. The National Trust for Historic Preservation is a private nonprofit organization with more than 270,000 members. You can visit their homepage for more information at: <http://www.preservationnation.org>.

I want to use the photographs in your files, is it copyrighted?

Please see our page on [content and copyright](#).

What are the definitions of some of the terms and acronyms you use?

Bulletin 16A "How to Complete the National Register Registration Form" includes a [glossary of terms](#) that the National Register of Historic Places uses to evaluate historic properties.

What is the preferred method of citation for a National Register of Historic Places nomination file?

National Register of Historic Places, property name, town, county, state, reference number.

Example:

National Register of Historic Places, Lamesa Farm Workers Community Historic District, Los Ybanez, Dawson County, Texas, National Register #93000771.

What is the difference between a National Park, a National Monument, a National Memorial, a National Historical Park, etc?

The numerous designations within the National Park System sometime confuse visitors. The NPS has a [page that defines the many different designations](#) that exist.

Quicklinks

[Search the National Register Database](#)

[Find out what we listed this past week](#)

[What's New / Features](#)

**Find Out About: [Rawlings, Marjorie Kinnan, House and Farm Yard](#)**

Discover the rural Florida home and eccentric community that inspired Marjorie Kinnan Rawlings best-selling novels, like *The Yearling*, and well-known sketches.

**nps.gov**

[Site Index](#) [Frequently Asked Questions](#) [Contact Us](#) [Disclaimer](#) [Accessibility](#)
[World Heritage](#) [Privacy](#) [FOIA](#) [Notices](#) [DOI](#) [USA.gov](#) [No Fear Act](#) [Diversity](#)

EXPERIENCE YOUR AMERICA™

Last Updated: 08/12/2014 1:00 PM

82-367 Connecticut Environmental Protection Act

Public Act 82-367 directs that the provisions of Sections 22a - 15 through 22a - 19, inclusive, of the Connecticut Environmental Protection Act, which permit legal recourse for the unreasonable destruction of the state's natural resources such as air, water, and soil, shall also be applicable to historic structures and landmarks. Structures and landmarks are defined as those properties that are listed or under consideration for listing as individual units on the National Register of Historic Places or which are a part of a district listed or under consideration for listing on said National Register and which have been determined by the State Historic Preservation Board to contribute to the historic significance of such district.

Sec. 22a-15. Declaration of policy. It is hereby found and declared that there is a public trust in the air, water and other natural resources of the state of Connecticut and that each person is entitled to the protection, preservation and enhancement of the same. It is further found and declared that it is in the public interest to provide all persons with an adequate remedy to protect the air, water and other natural resources from unreasonable pollution, impairment or destruction.

Sec. 22a-16. Action for declaratory and equitable relief against unreasonable pollution. The Attorney General, any political subdivision of the state, any instrumentality or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization or other legal entity may maintain an action in the superior court for the judicial district wherein the defendant is located, resides or conducts business, except that where the state is the defendant, such action shall be brought in the judicial district of Hartford, for declaratory and equitable relief against the state, any political subdivision thereof, any instrumentality or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization or other legal entity, acting alone, or in combination with others, for the protection of the public trust in the air, water and other natural resources of the state from unreasonable pollution, impairment or destruction provided no such action shall be maintained against the state for pollution of real property acquired by the state under subsection (e) of section 22a-133m, where the spill or discharge which caused the pollution occurred prior to the acquisition of the property by the state.

Sec. 22a-16a. Supplemental environmental projects or financial contributions in lieu of penalty for environmental violations. In any action brought by the Attorney General under section 22a-16 or under any provision of this title which provides for a civil or criminal penalty for a violation of such provision, the court, in lieu of any other penalties, damages or costs awarded, or in addition to a reduced penalty, damages or costs awarded, may order the defendant (1) to provide for the restoration of any natural resource or the investigation, remediation or mitigation of any environmental pollution on or at any real property which resource or property are unrelated to such action, (2) to provide for any other project approved by the Commissioner of Energy and Environmental Protection for the enhancement of environmental protection or conservation of natural resources, (3) to make a financial contribution to an academic or government-funded research project related to environmental protection or conservation of natural resources, or (4) to make a financial contribution to the Special Contaminated Property Remediation and Insurance Fund established under section 22a-133t provided the total aggregate

amount of all contributions to said fund under this section shall not exceed one million dollars per fiscal year. No defendant carrying out any order under this section may claim or represent that its expenses in so doing constitute ordinary business expenses or charitable contributions or any other type of expense other than a penalty for a violation of the environmental laws.

Sec. 22a-17. Defense. Appointment of master or referee. (a) When the plaintiff in any such action has made a prima facie showing that the conduct of the defendant, acting alone, or in combination with others, has, or is reasonably likely unreasonably to pollute, impair or destroy the public trust in the air, water or other natural resources of the state, the defendant may rebut the prima facie showing by the submission of evidence to the contrary. The defendant may also prove, by way of an affirmative defense, that, considering all relevant surrounding circumstances and factors, there is no feasible and prudent alternative to the defendant's conduct and that such conduct is consistent with the reasonable requirements of the public health, safety and welfare. Except as to the aforesaid affirmative defense, nothing in this section shall be construed to affect the principles of burden of proof and weight of the evidence generally applicable in civil actions.

(b) The court before which such action is brought may appoint a master or referee, who shall be a disinterested person and technically qualified, to take testimony and make a report to the court in the action. The costs of such appointment may be apportioned to the parties if the interests of justice require.

Sec. 22a-18. Powers of court. (a) The court may grant temporary and permanent equitable relief, or may impose such conditions on the defendant as are required to protect the public trust in the air, water and other natural resources of the state from unreasonable pollution, impairment or destruction.

(b) If administrative, licensing or other such proceedings are required or available to determine the legality of the defendant's conduct, the court in its discretion may remand the parties to such proceedings. In so remanding the parties the court may grant temporary equitable relief where necessary for the protection of the public trust in the air, water and other natural resources of the state from unreasonable pollution, impairment or destruction and the court shall retain jurisdiction of the action pending completion of administrative action for the purpose of determining whether adequate consideration by the agency has been given to the protection of the public trust in the air, water or other natural resources of the state from unreasonable pollution, impairment or destruction and whether the agency's decision is supported by competent material and substantial evidence on the whole record.

(c) If the agency's consideration has not been adequate, and notwithstanding that the agency's decision is supported by competent material and substantial evidence on the whole record, the court shall adjudicate the impact of the defendant's conduct on the public trust in the air, water or other natural resources of the state in accordance with sections 22a-14 to 22a-20, inclusive.

(d) Where, as to any administrative, licensing or other proceeding, judicial review thereof is available, the court originally taking jurisdiction shall maintain jurisdiction for purposes of judicial review.

(e) The court may award any person, partnership, corporation, association, organization or other legal entity which maintains an action under section 22a-16 or intervenes as a party in an action for judicial review under section 22a-19, and obtains declaratory or equitable relief against the defendant, its costs, including reasonable costs for witnesses, and a reasonable attorney's fee.

Sec. 22a-19. Administrative proceedings. (a) In any administrative, licensing or other proceeding, and in any judicial review thereof made available by law, the Attorney General, any political subdivision of the state, any instrumentality or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization or other legal entity may intervene as a party on the filing of a verified pleading asserting that the proceeding or action for judicial review involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state.

(b) In any administrative, licensing or other proceeding, the agency shall consider the alleged unreasonable pollution, impairment or destruction of the public trust in the air, water or other natural resources of the state and no conduct shall be authorized or approved which does, or is reasonably likely to, have such effect as long as, considering all relevant surrounding circumstances and factors, there is a feasible and prudent alternative consistent with the reasonable requirements of the public health, safety and welfare.

LOCAL HISTORIC DISTRICTS

Sec. 7-147a. Historic districts authorized. Definitions.

(a) As used in this part:

“Altered” means changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed;

“erected” means constructed, built, installed or enlarged;

“exterior architectural features” means such portion of the exterior of a structure or building as is open to view from a public street, way or place;

“building” means a combination of materials forming a shelter for persons, animals or property;

“structure” means any combination of materials, other than a building, which is affixed to the land, and shall include, but not be limited to, signs, fences and walls;

“municipality” means any town, city, borough, consolidated town and city or consolidated town and borough;

“appropriate” means not incongruous with those aspects of the historic district which the historic district commission determines to be historically or architecturally significant.

(b) Any municipality may, by vote of its legislative body and in conformance with the standards and criteria formulated by the Department of Economic and Community Development, establish within its confines an historic district or districts to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.

(c) The legislative body of any municipality may make appropriations for the purpose of carrying out the provisions of this part.

Sec. 7-147b. Procedure for establishment of historic district.

Prior to the establishment of an historic district or districts, the following steps shall be taken:

(a) The legislative body shall appoint or authorize the chief elected official of the municipality to appoint an historic district study committee for the purpose of making an investigation of a proposed historic district or districts. The legislative body of a municipality which proposes to establish more than one district may establish more than one committee if the proposed districts are not contiguous to each other nor to any existing historic district. Each committee established under the provisions of this section shall consist of five regular and three alternate members who shall be electors of the municipality holding no salaried municipal office. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the committee. If a regular member of such committee is absent or has a conflict of interest, the chairman of the committee shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

(b) The historic district study committee shall investigate and submit a report which shall include the following:

(1) An analysis of the historic significance and architectural merit of the buildings, structures, places or surroundings to be included in the proposed historic district or districts and the significance of the district as a whole;

(2) a general description of the area to be included within the district or districts, including the total number of buildings in each such district or districts listed according to their known or estimated ages;

(3) a map showing the exact boundaries of the area to be included within the district or districts;

- (4) a proposed ordinance or proposed ordinances designed to create and provide for the operation of an historic district or districts in accordance with the provisions of this part;
- (5) such other matters as the committee may deem necessary or advisable.

(c) The historic district study committee shall transmit copies of its report to the Department of Economic and Community Development, the planning commission and zoning commission, or the combined planning and zoning commission, of the municipality, if any, and, in the absence of such a planning commission, zoning commission or combined planning and zoning commission, to the chief elected official of the municipality for their comments and recommendations. In addition to such other comments and recommendations as it may make, the Department of Economic and Community Development may recommend either approval, disapproval, modification, alteration or rejection of the proposed ordinance or ordinances and of the boundaries of each proposed district. Each such commission, board or individual shall deliver such comments and recommendations to the committee within sixty-five days of the date of transmission of such report. Failure to deliver such comments and recommendations shall be taken as approval of the report of the committee.

(d) The historic district study committee shall hold a public hearing on the establishment of a proposed historic district or districts not less than sixty-five nor more than one hundred thirty days after the transmission of the report to each party as provided in subsection (c) of this section, except that, if all such parties have delivered their comments and recommendations to the committee, such hearing may be held less than sixty-five days after the transmittal of the report. The comments and recommendations received pursuant to subsection (c) of this section shall be read in full at the public hearing.

(e) Notice of the time and place of such hearing shall be given as follows:

- (1) Written notice of the time, place and purpose of such hearing, postage prepaid, shall be mailed to the owners of record of all real property to be included in the proposed historic district or districts, as they appear on the last-completed grand list, at the addresses shown thereon, at least fifteen days before the time set for such hearing, together with a copy of the report of the historic district study committee or a fair and accurate synopsis of such report. A complete copy of the report, a copy of all recommendations made under subsection (c) of this section, a map showing the boundaries of the area to be included in the proposed district and a copy of the proposed ordinance shall be available at no charge from the town clerk during business hours or shall be mailed, upon request, to any owner of record of real property in the proposed historic district or districts with the notice of the hearing; and
- (2) by publication of such notice in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two days, the first not more than fifteen days nor less than ten days and the last not less than two days before such hearing.

(f) The historic district study committee shall submit its report with any changes made following the public hearing, along with any comments or recommendations received pursuant to subsection (c) of this section, and such other materials as the committee may deem necessary or advisable to the legislative body and the clerk of the municipality within sixty-five days after the public hearing.

(g) The clerk or his designee shall, not later than sixty-five days from receipt of such report, mail ballots to each owner of record of real property to be included in the proposed district or districts on the question of creation of an historic district or districts, as provided for in sections 7-147a to 7-147k, inclusive. Only an owner who is eighteen years of age or older and who is liable, or whose predecessors in title were liable, to the municipality for taxes on an assessment of not less than one thousand dollars on the last-completed grand list of the municipality on real property within the proposed district, or who would be or would have been so liable if not entitled to an exemption under subdivision (7), (8), (10), (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or (49) of section 12-81, may vote, provided such owner is the record owner of the property, thirty days before the ballots must be returned. Any tenant in common of any freehold interest in any land shall have a vote equal to the fraction of his ownership in said interest. Joint tenants of any freehold interest in any land shall vote as if each joint tenant owned an equal, fractional share of such land. A corporation shall have its vote cast by the chief executive officer of such corporation or his designee. No owner shall have more than one vote.

(h) The form of the ballot to be mailed to each owner shall be consistent with the model ballot prepared by the Historic Preservation Council of the Department of Economic and Community Development established pursuant to section 10-409. The ballot shall be a secret ballot and shall set the date by which such ballots shall be received by the clerk of the municipality. The ballots shall be mailed by first class mail to each owner eligible to vote in such balloting at least fifteen days in advance of the day on which ballots must be returned. Notice of balloting shall be published in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the day on which the ballots must be returned. Such ballot shall be returned to the municipal clerk, inserted in an inner envelope which shall have endorsed on the face thereof a form containing a statement as follows: "I, the undersigned, do hereby state under the penalties of false statement that I am an owner of record of real property to be included in the proposed historic district and that I am, or my predecessors in title were, liable to the municipality for taxes on an assessment of not less than one thousand dollars on the last grand list of the municipality of real property within the district, or who would be or would have been so liable if not entitled to an exemption under subdivision (7), (8), (10), (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or (49) of section 12-81." Such statement shall be signed and dated. Any person who intentionally falsely signs such ballot shall be guilty of false statement as provided in section 53a-157b. The inner envelope, in which the ballot has been inserted by the owner, shall be returned to the municipal clerk in an outer envelope endorsed on the outside with the words: "Official ballot". Such outer envelope shall also contain, in the upper left corner of the face thereof, blank spaces for the name and return address of the sender. In the lower left corner of such outer envelope, enclosed in a printed box, there shall be spaces upon which the municipal clerk, before issuance of the ballot and envelopes, shall inscribe the name, street and number of the elector's voting residence and the date by which the ballot must be returned, and before issuance the municipal clerk shall similarly inscribe such envelope with his name and address for the return thereof. All outer envelopes shall be serially numbered. The ballots shall be returned to the municipal clerk by the close of business on the day specified, and such clerk shall compare each ballot to the list of property owners to whom such ballots were mailed to insure that each such ballot has been properly signed and returned.

(i) If two-thirds of all property owners voting cast votes in the affirmative, the legislative body of the municipality shall by majority vote take one of the following steps:

- (1) Accept the report of the committee and enact an ordinance or ordinances to create and provide for the operation of an historic district or districts in accordance with the provisions of this part;
- (2) reject the report of the committee, stating its reasons for such rejection;
- (3) return the report to the historic district study committee with such amendments and revisions thereto as it may deem advisable, for consideration by the committee. The committee shall submit an amended report to the legislative body within sixty-five days of such return. The committee need not hold a public hearing other than the one provided for in subsection (d) of this section, notwithstanding any changes in its report following such hearing, unless the legislative body has recommended a change in the boundaries of the proposed district or districts. The legislative body of the municipality may authorize another ballot of the owners within a proposed district or districts to be cast, other than the balloting provided for in subsection (g) of this section, notwithstanding any changes in the proposed ordinance following such balloting, if the boundaries of the proposed district in which the owners' property is situated are changed.

(j) Any ordinance, or amendment thereof, enacted pursuant to this part, which creates or alters district boundaries, shall contain a legal description of the area to be included within the historic district. The legislative body, when it passes such an ordinance, or amendment thereof, shall transmit to the municipal clerk a copy of the ordinance or amendment thereof. Such ordinance, or amendment thereof, shall be recorded in the land records of the municipality in which such real property is located and indexed by the municipal clerk in the grantor index under the names of the owners of record of such property.

Sec. 7-147c. Historic district commission.

(a) Once an historic district has been established, the historic district study committee shall cease to exist and thereafter an historic district commission shall perform all the functions of the committee relative to the new district and to administering the provisions of this part.

(b) The historic district commission may from time to time, by following the procedure for creation of an historic district provided for in section 7-147b, suggest that an historic district be enlarged or that additional districts be created. Where additional property is to be included within an existing district, the owners of such additional property shall vote pursuant to subsection (g) of section 7-147b.

(c) Notwithstanding the provisions of section 7-147b, the legislative body of the municipality may enact amendments to the ordinance or ordinances of an historic district established pursuant to this part if such amendments do not involve changing district boundaries or the creation of new districts. No amendment shall be enacted until the substance of such amendment has first been submitted to the historic district commission having jurisdiction over the district affected for its comments and recommendations and either its comments and recommendations have been received or sixty-five days have elapsed without receipt of such comments and recommendations. The historic district commission may suggest amendments to the legislative body.

(d) The historic district commission established under the provisions of this part shall consist of five regular and three alternate members, who shall be electors of the municipality in which the district is situated holding no salaried municipal office. The ordinance shall provide that one or more of the members or alternates of the historic district commission shall reside in an historic district under the jurisdiction of the commission, if any persons reside in any such district and are willing to serve on such commission. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the commission. If a regular member of said commission is absent or has a conflict of interest, the chairman of the commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. The method of appointment shall be fixed by ordinance. The appointments to membership in the commission shall be so arranged that the term of at least one member shall expire each year, and their successors shall be appointed in like manner for terms of five years. Vacancies shall be filled for the unexpired term and in the same manner as the original appointment. The commission shall elect annually a chairman, a vice-chairman and a clerk from its own number. Each member and alternate shall continue in office until his successor is duly appointed. All members and alternates shall serve without compensation. Any member or alternate may be appointed for another term or terms.

(e) The historic district commission shall adopt rules of procedure not inconsistent with the provisions of this part. The commission may adopt regulations not inconsistent with the provisions of this part to provide guidance to property owners as to factors to be considered in preparing an application for a certificate of appropriateness.

(f) The historic district commission shall keep a permanent record of its resolutions, transactions and determinations and of the vote of each member participating therein.

(g) A copy of any ordinance creating an historic district adopted under authority of this part, amendments to any such ordinance, maps of any districts created under this part, annual reports and other publications of the historic district commission and the roster of membership of such commission shall be transmitted to the Department of Economic and Community Development. The historic district commission shall also file with the department at least once every year a brief summary of its actions during that year, including a statement of the number and nature of certificates of appropriateness issued, any changes in the membership of the commission and any other information deemed appropriate by the historic district commission.

(h) The historic district commission may accept grants and gifts, employ clerical and technical assistance or consultants and incur other expenses appropriate to the carrying on of its work, subject to appropriation by the municipality or receipt of such grants or gifts and may expend the same for such purposes.

(i) A municipality which has more than one historic district may establish more than one historic district commission if the districts are not contiguous.

(j) Any historic district commission established under this section may, unless prohibited by charter, ordinance or special act:

- (1) Make periodic reports to the legislative body;
- (2) provide information to property owners and others involving the preservation of the district;
- (3) suggest pertinent legislation;
- (4) initiate planning and zoning proposals;
- (5) cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation;
- (6) comment on all applications for zoning variances and special exceptions where they affect historic districts;
- (7) render advice on sidewalk construction and repair, tree planting, street improvements and the erection or alteration of public buildings not otherwise under its control where they affect historic districts;
- (8) furnish information and assistance in connection with any capital improvement program involving historic districts;
- (9) consult with groups of experts.

Sec. 7-147d. Certificate of appropriateness: Parking areas.

(a) No building or structure shall be erected or altered within an historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the historic district commission and approved by said commission.

(b) No building permit for erection of a building or structure or for alteration of an exterior architectural feature within an historic district and no demolition permit for demolition or removal of a building or structure within an historic district shall be issued by a municipality or any department, agency or official thereof until a certificate of appropriateness has been issued. A certificate of appropriateness shall be required whether or not a building permit is required.

(c) The historic district commission may request such plans, elevations, specifications, material and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of property after such demolition or removal, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application. The style, material, size and location of outdoor advertising signs and bill posters within an historic district shall also be under the control of such commission. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure.

(d) No area within an historic district shall be used for industrial, commercial, business, home industry or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted to the commission and approved by said commission. The provisions of this section shall apply to the enlargement or alteration of any such parking area in existence on October 1, 1973.

Sec. 7-147e. Application for certificate. Hearing. Approval.

(a) The historic district commission shall hold a public hearing upon each application for a certificate of appropriateness unless the commission determines that such application involves items not subject to approval by the commission. The commission shall fix a reasonable time and place for such hearing. Notice of the time and place of such hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality not more than fifteen days nor less than five days before such hearing.

(b) Unless otherwise provided by ordinance, a majority of the members of the commission shall constitute a quorum and the concurring vote of a majority of the members of the commission shall be necessary to issue a certificate of appropriateness. Within not more than sixty-five days after the filing of an application as required by section 7-147d, the commission shall pass upon such application and shall give written notice of its decision to the applicant. When a certificate of appropriateness is denied, the commission shall place upon its records and in the notice to the applicant the reasons for its determination, which shall include the bases for its conclusion that the proposed activity would not be appropriate. In the notice to the applicant the commission may make recommendations relative to design, arrangement, texture, material and similar features. The commission may issue a certificate of appropriateness with stipulations. Evidence of approval, as referred to in section 7-147d, shall be by certificate of appropriateness issued by the commission. Failure of the commission to act within said sixty-five days shall constitute approval and no other evidence of approval shall be needed.

Sec. 7-147f. Considerations in determining appropriateness. Solar energy systems.

(a) If the commission determines that the proposed erection, alteration or parking will be appropriate, it shall issue a certificate of appropriateness. In passing on appropriateness as to exterior architectural features, buildings or structures, the commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, above-ground utility structures, mechanical appurtenances and the type and texture of building materials. In passing upon appropriateness as to exterior architectural features the commission shall also consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, scale, general design, arrangement, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other buildings and structures in the immediate neighborhood. No application for a certificate of appropriateness for an exterior architectural feature, such as a solar energy system, designed for the utilization of renewable resources shall be denied unless the commission finds that the feature cannot be installed without substantially impairing the historic character and appearance of the district. A certificate of appropriateness for such a feature may include stipulations requiring design modifications and limitations on the location of the feature which do not significantly impair its effectiveness. In passing upon appropriateness as to parking, the commission shall take into consideration the size of such parking area, the visibility of cars parked therein, the closeness of such area to adjacent buildings and other similar factors.

(b) In its deliberations, the historic district commission shall act only for the purpose of controlling the erection or alteration of buildings, structures or parking which are incongruous with the historic or architectural aspects of the district. The commission shall not consider interior arrangement or use. However, the commission may recommend adaptive reuse of any buildings or structures within the district compatible with the historic architectural aspects of the district.

Sec. 7-147g. Variations, permissible when.

Where, by reason of topographical conditions, district borderline situations or because of other unusual circumstances solely with respect to a certain parcel of land and not affecting generally the district in which it is situated, the strict application of any provision of this part would result in exceptional practical difficulty or undue hardship upon the owner of any specific property, the commission in passing upon applications shall have power to vary or modify strict adherence to said sections or to interpret the meaning of said sections so as to relieve such

difficulty or hardship; provided such variance, modification or interpretation shall remain in harmony with the general purpose and intent of said sections so that the general character of the district shall be conserved and substantial justice done. In granting variations, the commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, better fulfill the purposes of said sections. In addition to the filing required by subsection (b) of section 7-147e, the commission shall, for each variation granted, place upon its records and in the notice to the applicant the reasons for its determinations.

Sec. 7-147h. Action by commission to prevent illegal acts.

(a) If any provision of this part or any action taken or ruling made by the historic district commission pursuant to the provisions of said sections or of any regulation or ordinance adopted under said sections has been violated, the commission may, in addition to other remedies, institute an action in the superior court for the judicial district wherein such violation exists, which court shall have jurisdiction to restrain such violation and to issue orders directing that the violation be corrected or removed. Such order may direct the removal of any building, structure or exterior architectural feature erected in violation of said sections or any bylaw or ordinance adopted under said sections or the substantial restoration of any building, structure, or exterior architectural feature altered or demolished in violation of said sections or any regulation or ordinance adopted under said sections. Regulations and orders of the commission issued pursuant to said sections, or to any regulation or ordinance adopted under said sections, shall be enforced by the zoning enforcement official or building inspector or by such other person as may be designated by ordinance, who may be authorized to inspect and examine any building, structure, place or premises and to require in writing the remedying of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation or ordinance adopted under said sections.

(b) The owner or agent of any building, structure or place where a violation of any provision of this part or of any regulation or ordinance adopted under said sections has been committed or exists, or the lessee or tenant of an entire building, entire structure or place where such violation has been committed or exists, or the owner, agent, lessee or tenant of any part of the building, structure or place in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building, structure or place in which any such violation exists, shall be fined not less than ten dollars nor more than one hundred dollars for each day that such violation continues; but, if the offense is wilful, the person convicted thereof shall be fined not less than one hundred dollars nor more than two hundred fifty dollars for each day that such violation continues. The superior court for the judicial district wherein such violation continues or exists shall have jurisdiction of all such offenses, subject to appeal as in other cases. Each day that a violation continues to exist shall constitute a separate offense. All costs, fees and expenses in connection with actions under this section may, in the discretion of the court, be assessed as damages against the violator, which, together with reasonable attorney's fees, may be awarded to the historic district commission which brought such action. Any funds collected as fines pursuant to this section shall be used by the commission to restore the affected buildings, structures, or places to their condition prior to the violation wherever possible and any excess shall be paid to the municipality in which the district is situated.

Sec. 7-147i. Appeals.

Any person or persons severally or jointly aggrieved by any decision of the historic district commission or of any officer thereof may, within fifteen days from the date when such decision was rendered, take an appeal to the superior court for the judicial district in which such municipality is located, which appeal shall be made returnable to such court in the same manner as that prescribed for other civil actions brought to such court. Notice of such appeal shall be given by leaving a true and attested copy thereof in the hands of or at the usual place of abode of the chairman or clerk of the commission within twelve days before the return day to which such appeal has been taken. Procedure upon such appeal shall be the same as that defined in section 8-8.

Sec. 7-147j. Exempted acts. Delay of demolition.

(a) Nothing in this part shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district which does not involve a change in the appearance or design thereof; nor to prevent the erection or alteration of any such feature which the building inspector or a similar agent certifies is required by the public safety because of a condition which is unsafe or dangerous due to deterioration; nor to prevent the erection or alteration of any such feature under a permit issued by a building inspector or similar agent prior to the effective date of establishment of such district.

(b) If a building in an historic district is to be demolished, no demolition shall occur for ninety days from issuance of a demolition permit if during such time the historic district commission or the Department of Economic and Community Development is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. During such ninety-day period the municipality may abate all real property taxes. At the conclusion of such ninety-day period, the demolition permit shall become effective and the demolition may occur. Nothing in this section shall be construed to mandate that the owner of such property sell such property or building.

Sec. 7-147k. Prior districts unaffected. Validation of prior creations and actions. Nonprofit institutions of higher education excluded.

(a) The provisions of this part shall in no way impair the validity of any historic district previously established under any special act or the general statutes. Any and all historic districts created under the general statutes, prior to October 1, 1980, otherwise valid except that such districts, district study committees, municipalities or officers or employees thereof, failed to comply with the requirements of any general or special law, and any and all actions of such districts or historic district commission, are validated.

(b) The provisions of this part shall not apply to any property owned by a nonprofit institution of higher education, for as long as a nonprofit institution of higher education owns such property.

VILLAGE DISTRICTS

Sec. 8-2j. Village districts. Compatibility objectives with other uses in immediate neighborhood. Applications. Village district consultant.

(a) The zoning commission of each municipality may establish village districts as part of the zoning regulations adopted under section 8-2 or under any special act. Such districts shall be located in areas of distinctive character, landscape or historic value that are specifically identified in the plan of conservation and development of the municipality.

(b) The regulations establishing village districts shall protect the distinctive character, landscape and historic structures within such districts and may regulate, on and after the effective date of such regulations, new construction, substantial reconstruction and rehabilitation of properties within such districts and in view from public roadways, including, but not limited to,

- (1) the design and placement of buildings,
- (2) the maintenance of public views,
- (3) the design, paving materials and placement of public roadways, and
- (4) other elements that the commission deems appropriate to maintain and protect the character of the village district.

In adopting the regulations, the commission shall consider the design, relationship and compatibility of structures, plantings, signs, roadways, street hardware and other objects in public view. The regulations shall establish criteria from which a property owner and the commission may make a reasonable determination of what is permitted within such district. The regulations shall encourage the conversion, conservation and preservation of existing buildings and sites in a manner that maintains the historic or distinctive character of the district.

The regulations concerning the exterior of structures or sites shall be consistent with:

- (A) The "Connecticut Historical Commission - The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", revised through 1990, as amended; or
- (B) the distinctive characteristics of the district identified in the municipal plan of conservation and development.

The regulations shall provide

- (i) that proposed buildings or modifications to existing buildings be harmoniously related to their surroundings, and the terrain in the district and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification,
- (ii) that all spaces, structures and related site improvements visible from public roadways be designed to be compatible with the elements of the area of the village district in and around the proposed building or modification,
- (iii) that the color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping, and
- (iv) that the removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.

(c) All development in the village district shall be designed to achieve the following compatibility objectives:

- (1) The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district;
- (2) proposed streets shall be connected to the existing district road network, wherever possible;

- (3) open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting;
- (4) locally significant features of the site such as distinctive buildings or sight lines of vistas from within the district, shall be integrated into the site design;
- (5) the landscape design shall complement the district's landscape patterns;
- (6) the exterior signs, site lighting and accessory structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings; and
- (7) the scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.

(d) All applications for new construction and substantial reconstruction within the district and in view from public roadways shall be subject to review and recommendation by an architect or architectural firm, landscape architect, or planner who is a member of the American Institute of Certified Planners selected and contracted by the commission and designated as the village district consultant for such application. Alternatively, the commission may designate as the village district consultant for such application an architectural review board whose members shall include at least one architect, landscape architect or planner who is a member of the American Institute of Certified Planners.

The village district consultant shall review an application and report to the commission within thirty-five days of receipt of the application. Such report and recommendation shall be entered into the public hearing record and considered by the commission in making its decision. Failure of the village district consultant to report within the specified time shall not alter or delay any other time limit imposed by the regulations.

(e) The commission may seek the recommendations of any town or regional agency or outside specialist with which it consults, including, but not limited to, the regional planning agency, the municipality's historical society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

(f) If a commission grants or denies an application, it shall state upon the record the reasons for its decision. If a commission denies an application, the reason for the denial shall cite the specific regulations under which the application was denied. Notice of the decision shall be published in a newspaper having a substantial circulation in the municipality. An approval shall become effective in accordance with subsection (b) of section 8-3c.

(g) No approval of a commission under this section shall be effective until a copy thereof, certified by the commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded in the land records of the town in which such premises are located. The town clerk shall index the same in the grantor's index under the name of the then record owner and the record owner shall pay for such recording.