

**Ordained August 27, 2013**

**Chapter 4 Building and Building Regulations, Article II – Building Code, Division 2 – Demolition of Historic Buildings,**

**Sec. 4-32. - Demolition of buildings or structures in the Warren Voluntary Historic District; Demolition Defined.**

In order to preserve the historic fabric of the Town of Warren, no main or principal building or structure, as defined in Sec. 32-130 of this Code, on any lot or parcel of land located within the following described Warren Voluntary Historic District (“WVHD”), bounded and described as follows: Beginning at a point from the Warren-Barrington Bridge, extending southerly along the shore of the Warren River, to Bridge Street, easterly along Bridge Street to Main Street, then northerly on Main Street to the East Bay Bicycle Path, then northeasterly along the east Bay Bicycle Path to the shore of the Warren River, then southerly to the point and place of the beginning, and including all properties fronting on either side of the boundary streets and the East Bay Bicycle path, shall be demolished unless the Town Council has granted a waiver to demolish the main or principal building or structure.

**Sec. 4-33. - Review of demolition applications by the Warren Voluntary Historic District Commission and the Town Council.**

Any application for a demolition permit for a principal building or structure, under this chapter, shall be referred by the building official to the Warren Voluntary Historic District Committee (“WVHDC”) for review at a meeting with public participation. The WVHDC shall prepare a report for the Town Council, discussing the historical value of the building or structure, the effect of the proposed demolition on the building or structure’s historical value, and the conditions, if any, for granting a waiver set out in Sec. 4-35 of this Code. The WVHDC shall also include in the report any recommendations for the principal building or structure to replace the principal building or structure to be demolished in accordance with Sec. 32-151(b) of this Code. The WVHDC shall prepare the report and transfer it to the Town Council within thirty (30) days from the date the application is received by the building official.

Following receipt of the report, the Town Council will review the report at the next regularly scheduled Town Council meeting, and shall vote to approve, approve with conditions or deny the application for a demolition permit by applying the standards set out in Sec. 4-34 of this Code.

**Sec. 4-34 Exterior Alterations of Main or Principal Building Structures**

A. The Building Official shall refer any application for a building permit within the district to the WVHDC that includes the alteration or removal of any historical exterior component or feature of any principal building or structure, under this chapter, that is of historic value or otherwise changes or affects the historic character of the principal building or structure. Building permits to replace siding, windows or roofs shall not be referred to the WVHDC, unless in the opinion of the Building Official, the proposed new siding, windows or roof will affect the

historic character of the principal business or structure. The Building Official shall consult with the Warren Town Planner in determining the historical components of these applications.

B. The WVHDC shall review the permit at a meeting with public participation. The WVHDC shall issue a certificate of approval stating that the work to be performed, or the proposed alterations, will not affect the historic value of the principal building or structure, or refer the matter along with a report to the Town Council for a hearing set forth in Sec. 4-35 of this chapter upon a finding that the work to be performed, or the proposed alterations, will affect the historic value of the principal building or structure within thirty (30) days from the date the building permit application is received by the building official.

C. Applications to the Warren Planning Board and the Warren Zoning Board within the District that affect the historic exterior components or features of any principal building or structure shall be referred to the WVHDC for review and recommendation. The WVHDC shall review the application and file a written report with the respective board within thirty (30) days of the date the Application is received, and in accordance with the provisions set forth in subsections A & B of this section.

**Sec. 4-35. - Conditions for granting a waiver to alter or demolish.**

In the case of a main or principal building or structure located in the Warren National Waterfront Historic District, the Town Council may grant a waiver to alter or demolish a building or structure only upon a finding that at least one of the following exists:

- (1) Retention of such building or structure constitutes a hazard to public safety which hazard cannot be eliminated by economic means available to the owner; or
- (2) Preservation of such building or structure would cause undue or unreasonable financial hardship to the owner; taking into account the financial resources available to the owner including sale of the building or structure to any purchaser willing to preserve such building or structure; or
- (3) Preservation of such building or structure would not be in the best interest of the community. Any property owner seeking a waiver to demolish or alter a main or principal building or structure in the Warren Waterfront Historic District shall also be required to make a showing to the Town Council that the proposed demolition or alteration complies with all of the requirements of the State Building Code.

**Sec. 4-36. - Violations and penalties.**

Any person or property owner who shall violate any provision of this division shall, upon conviction, be punished in accordance with section 1-8 of the Warren Town Code.