

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 1915**

**AN ORDINANCE AMENDING SECTION 21-6.1 OF THE CODE OF THE
TOWNSHIP OF MAHWAH ENTITLED HISTORIC PRESERVATION**

WHEREAS, the recent code changes to the New Jersey Uniform Construction Code regarding “ordinary maintenance” and “repairs” affect the preservation and protection of historic resources at the local level; and,

WHEREAS, the Township of Mahwah wants to establish a requirement for a Certificate of Appropriateness requirement for work affecting any historic site. .

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah that:

Section 1. Section 21-6.1.b of the Code of the Township of Mahwah entitled Historic Preservation Commission – Definitions is hereby amended by the following additions.

21-6.1.b.6. Certificate of Appropriateness shall mean that the document issued by the Commission which is required before any work may be commenced on any historic landmark or any building, structure, site or object.

21-6.1.b.7. Permit shall mean any required approval, including but not limited to a certificate of appropriateness, construction permit, demolition permit, or zoning permit.

Section 2. Section 21-6.3 of the Code of the Township of Mahwah entitled Reports on Permit Applications is hereby amended by the following addition:

21-6.3.d. A Certificate of Appropriateness (or “CA”) issued by the Commission shall be required before any work is commenced on any historic site or within any historic district, **whether or not a construction permit is required** for such work, including but not limited to the following activities listed below. Work associated with a development application requiring ultimate approval by the Planning Board or Zoning Board of Adjustment is not exempt from this requirement.

A. Changing the exterior appearance of any building, structure, site, object or improvement by addition, reconstruction, alteration, replacement, including but not limited to, the addition or alteration of windows, doors, roofing, fences, signs, awnings, siding, porches, railings, steps, materials, finishes, exterior lighting, solar panels, communication devices, sidewalks, paving or streetscape work.

B. Demolition of any building, structure, site, object or improvement.

C. Relocation of a principal or accessory building, structure, site, object or improvement.

D. Any addition to or new construction of a principal or accessory building, structure, site, object or improvement.

Section 3. All other sections of Section 21-6 of the Code of the Township of Mahwah shall remain unchanged.

Section 4. Severability

If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

Section 5. Repealer

All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 6. Effective Date

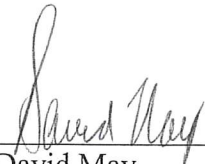
This Ordinance shall take effect as provided by law.

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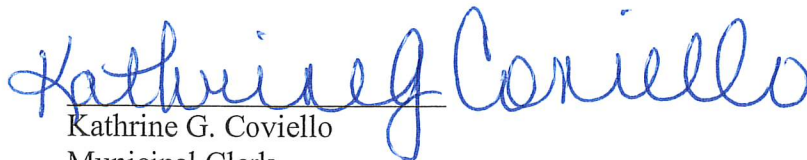
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Dated: October 23, 2020

Attest



David May
Council President



Kathrine G. Coviello
Municipal Clerk

I, Kathrine G. Coviello, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 17th day of September, 2020.



Kathrine G. Coviello, RMC/CMC/MMC
Municipal Clerk