

original appointments and all such appointments shall be for the unexpired term only. The Board shall elect a President from among its members.

- b. *Powers and Duties.* The Board of Health shall have the power and authority to adopt ordinances relating to the protection of the health of Borough residents, shall employ necessary personnel and fix their salaries, and shall have under its jurisdiction the Bureau of Vital Statistics of the Borough, the Health Officer and such other employees necessary to carry out its duties. The Board of Health shall have all the jurisdiction conferred upon boards of health by R.S. 26. (1972 Code §2-11)

2-7.6 Historic Preservation Commission.

- a. *Established.* There shall be an Historic Preservation Commission in the Borough consisting of five (5) members and two (2) alternate members who shall be appointed by the Mayor pursuant to N.J.S.A. 40:55D-107 et seq.
- b. *Members; Terms.* The Historic Preservation Commission shall include at least one (1) member of each of the following classes: Class A - a person who is knowledgeable in building design and construction architectural history and who may reside outside the Borough; and Class B - a person who is knowledgeable with a demonstrated interest in local history and who may reside outside the Borough. Those regular members who are not designated as Class A or Class B shall be designated as Class C. Class C members shall be citizens of the Borough and shall hold no other municipal office, position or employment except for membership on the Planning Board or Board of Adjustment. Alternate members shall meet the qualifications of Class C members. The Mayor shall appoint all members of the Commission and shall designate at the time of appointment the regular

members by class and the alternate members as "Alternate No. 1" and "Alternate No. 2".

The terms of the members first appointed to the Historic Preservation Commission shall be so determined that to the greatest practicable extent, the expiration of the term shall be distributed, in the case of regular members, evenly over the first four (4) years after their appointment, and in the case of alternate members, evenly over the first two (2) years after their appointment. The initial term of a regular member shall not exceed four (4) years and initial term of an alternate member shall not exceed two (2) years. Thereafter, the term of a regular member shall be for four (4) years, and the term of an alternate member for two (2) years. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only. Notwithstanding any other provision herein, the term of any member of the Historic Preservation Commission who is also on the Planning Board or Board of Adjustment shall be limited to the term of membership on the Planning Board or Board of Adjustment.

The Historic Preservation Commission shall elect a Chairman and Vice-Chairman from its members and elect a Secretary who may or may not be a member of the Historic Preservation Commission and who may or may not be a municipal employee.

Alternate members may participate in discussions of the proceedings, but may not vote except in the absence or disqualification of a Class C member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

- c. *Expenses and Costs.* The Borough Council shall make provision in its budget and appropriate funds for the expense of the Historic Preservation Commission. The Historic Preservation Commission may employ,

contract for and fix the compensation of experts and other staff and services as it shall be necessary. The Commission shall obtain its legal counsel from the Borough Attorney at the rate of compensation determined by the governing body. Expenditures of the Historic Preservation Commission shall not exceed, exclusive of gifts or grants, the amount appropriated by the Borough Council for the Commission's use.

- d. *Responsibilities.* The Historic Preservation Commission shall have the responsibility to:
1. Prepare a survey of historic sites of the Borough.
 2. Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan and on the implications for preservation of historic sites of any other Master Plan elements.
 3. Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program.
 4. Advise the Planning Board and Board of Adjustment on applications for development in any historic zoning districts or historic sites designated on the Zoning or Official Map or in any component element of the Master Plan.
 5. Provide written reports on the application of any zoning ordinance provisions concerning historic preservation.
 6. Carry out such other advisory, educational, and informational functions as will promote historic preservation in the Borough.
- e. *Quorum.* Three (3) members of the Commission shall constitute a quorum for the conduct of official business.

f. *Establishment of Historic districts.*

1. Establishment of Districts. It is hereby established that four (4) historic districts, to be known as the First Street Historic District, Main Street Historic District, Front Street Historic District and Browns Point Historic District, and as further described by lot and block numbers on the Schedules A, B, C, and D attached hereto¹ and made a part hereof.
2. Purpose. These districts are created for advisory purposes only, and do not constitute an amendment for supplement to the zoning ordinances of the Borough of Keyport. The purpose of the creation of these districts is to promote the educational, cultural, economic and general welfare of the Borough through the preservation of historic buildings and structures and of places and districts through the development and maintenance of appropriate settings for such buildings, structures, places and districts which impart to residents and visitors alike a distinct aspect of the Borough which serve as visible reminders of historical and cultural heritage of the Borough, State and the nation. The creation of these historic districts is intended to:
 - (a) Safeguard the heritage of the Borough by preserving resources within the Borough which reflect elements of its cultural, social, economic and architectural history;
 - (b) Encourage the continued use of historic landmarks and to facilitate their appropriate reuse;

¹ Editor's Note: Schedules A, B, C and D, referred to herein may be found in Chapter XIX, Historic Districts.

- (c) Promote appreciation of historic districts for education, pleasure and the welfare of the local population;
 - (d) Maintain and develop an appropriate and harmonious setting for the historic and architecturally significant buildings, structures, and districts within the Borough;
 - (e) Foster beautification and private reinvestment;
 - (f) Discourage unnecessary demolition of historic resources;
 - (g) Encourage the proper maintenance and preservation of historic districts;
 - (h) Enhance the visual and aesthetic character and diversity of the Borough;
 - (i) Promote the conservation of historic districts and to invite voluntary compliance.
3. Historic Preservation Review—Certificate of Appropriateness.
- (a) Within the historic districts designated by the attached schedules, copies of applications or approvals by the Zoning Board of Adjustment or the Planning Board shall be promptly forwarded to the Historic Preservation Commission by the Administrative Officer of the appropriate Board. Where an application or approval is found by the Zoning Board of Adjustment or the Planning Board to require Commission review, the applicant shall be required to submit an application for Certificate of Appropriateness to the Historic Preservation Commission. As part of this application, the Commission may require the submission of such materials as are rea-

sonably required for it to render a decision on the application. This application shall accompany the application for development when it is referred to the Historic Preservation Commission for review and must be complete in order to be considered. The Historic Preservation Commission shall review such applications and make such written reports, comments, and/or recommendations to the respective Board as the Commission may deem appropriate to support its decision to either grant or deny a Certificate of Appropriateness for the proposed project. The reports, comments and/or recommendations made by the Commission and its decision to grant or deny a Certificate of Appropriateness shall be advisory only, and shall not be binding upon the Zoning Board of Adjustment or the Planning Board. The Zoning Board of Adjustment or Planning Board may in their discretion take official action on an application prior to receipt of a decision, written report, commend and/or recommendation from the Historic Preservation Commission.

- (b) The Construction Code Official shall promptly forward to the Historic Preservation Commission a copy of all applications for construction or building permits for work on a facade of a structure facing a public right-of-way within a historic district. Where an application or approval is found by the Construction Code Official to require Commission review, the applicant shall be required to submit an application for Certificate of Appropriateness to the Historic Preservation Commission. As part of this application, the Commission may require

the submission of such materials as are reasonably required for it to render a decision on the application. This application shall accompany the application for development when it is referred to the Historic Preservation Commission for review and must be complete in order to be considered. The Historic Preservation Commission shall review such applications and make such written reports, comments, and/or recommendations to the respective Board as the Commission may deem appropriate to support its decision to either grant or deny a Certificate of Appropriateness. The Historic Preservation Commission shall have a period ending on the fourteenth day after the filing of the building or construction permit application to deliver a written report, comment and/or recommendation to the Construction Code Official. The report, comment and/or recommendation made by the Historic Preservation Commission to the Construction Code Official shall be advisory only, and is not binding upon the Construction Code Official or the applicant. The Construction Code Official shall endeavor to obtain a written report from the Historic Preservation Commission prior to the issuance of any construction or building permits affecting the facade facing a public right-of-way in a historic district, but in no event shall the Construction Official delay the issuance of a permit to an applicant beyond the twenty (20) day time period set forth in the Uniform Construction Code adopted by the State of New Jersey. The Construction Code Official may, in his discretion, issue for construction or building permits for work on a facade facing a public

right-of-way within a historic district prior to receiving a written report, commends and/or recommendations from the Historic Preservation Commission.

(Ord. #12-87, §2-18; Ord. #2-89; Ord. #27-91, §I; Ord. #14-96, §1)

CHAPTER XIX
HISTORIC DISTRICTS

19-1 HISTORIC DISTRICT SCHEDULES.

Pursuant to subsection 2-7.6 of these Revised General Ordinances, it is hereby established that four (4) historic districts, to be known as the First Street Historic District, Main Street Historic District, Front Street Historic District, and Browns Point Historic District, and as further described by lot and block numbers on the Schedules A, B, C and D attached hereto and made a part hereof. (Ord. #2-89; Ord. #27-91, §I)

SCHEDULE A

FIRST STREET DISTRICT

Block 93	Lots 1 thru 6 inclusive
Block 94	Lots 6 thru 41 inclusive, and Lots 44 and 45
Block 95	Lots 1 thru 10 inclusive
Block 125	Lots 1 thru 16 inclusive
Block 126	Lots 6 thru 10 inclusive
Block 127	Lot 1 and Lots 12 thru 25 inclusive
Block 128	Lots 3 thru 9 inclusive
Block 135	Lots 1 thru 10 inclusive
Block 136	Lots 28 thru 39 inclusive
Block 138	Lots 1 thru 6 inclusive

SCHEDULE C

FRONT STREET DISTRICT

Block 21.01	Lots 27 thru 63 inclusive
Block 39	Lots 27 thru 48 inclusive
Block 61	Lots 1 thru 33.01 inclusive
Block 62	Lots 1 thru 18 inclusive
Block 79	Lots 1 thru 4 inclusive
Block 80	Lots 5 thru 21 inclusive
Block 81	Lots 1 and 20

SCHEDULE B

MAIN STREET DISTRICT

Block 39	Lots 1, 2, 6, 7, 10, 11, 13.01, 15 thru 19 inclusive, 22, 23 and 24
Block 40	Lots 1 thru 21 inclusive
Block 41	Lots 1 thru 6 inclusive
Block 42	Lots 1 thru 7 inclusive
Block 43	Lots 1 thru 14 inclusive
Block 44	Lots 1 thru 9 inclusive
Block 58	Lot 1 and Lots 10 thru 16 inclusive
Block 59	Lots 1 thru 20 inclusive
Block 60	Lots 1 thru 29 inclusive
Block 63	Lots 1 thru 19 inclusive
Block 64	Lots 1 thru 12 inclusive
Block 77	Lot 1
Block 78	Lots 1 thru 9 inclusive
Block 82	Lots 1, 2, 6 and Lots 14 thru 19 inclusive
Block 83	Lots 1 thru 6 inclusive

SCHEDULE D

BROWNS POINT HISTORIC DISTRICT

Block 16	Lots 19 and 20
Block 17	Lots 2, 3, 4, 6, 7, 8, 10, 11.01, 13, 14, 15.01, 16, 18 and 19
Block 18	2, 3, 6, 7 and 8
Block 19	1 thru 11 inclusive
Block 20	1 thru 4; 7, 8, 10, 11 and 12
Block 21	1 thru 11.01 inclusive
Block 22	1 thru 8; and 12
Block 23	1, 2, 5, 6, 7.01, 8, 9, 10, 13 and 14
Block 26	1, 4, 5, 6, 9 and 10