

Adopted 02/08/21

Resolution Number: 2021-02
Introduced: 02/08/2021
Adopted: 02/08/2021
Effective: xx/xx/2021

**RESOLUTION ESTABLISHING PROCESS FOR OBTAINING PERMITS TO
SEARCH FOR OR REMOVE ARCHEOLOGICAL OR CULTURAL
ARTIFACTS OR FOSSILS**

WHEREAS, The Town Council has enacted Ordinance 2021-13 revising Article I of the Code of Ordinances to, *inter alia*, provide that the Council may adopt resolutions establishing rules and regulations for the use and enjoyment of the Woods and any Town park or land and prohibit searching for or removal of archeological or cultural artifacts or fossils except in accordance with a permit issued by the Mayor; and

WHEREAS, The Town of Washington Grove Historic District was placed on The National Register of Historic Places in April, 1980. Its listing was amended in October, 2020 to accept expanded boundaries and additional documentation. The National Register is a federal program administered in Maryland by the Maryland Historical Trust, and

WHEREAS, Maryland Historical Trust’s “Standards and Guidelines for Archeological Investigations in Maryland” (1994) sets forth “the goals, methods, and required products of the major stages of archeological work in Maryland” as well as “the minimum requirements for the processing and curation of collections and associated reporting,” and

WHEREAS, the Maryland Historical Trust has explained: “Since archeological properties are non-renewable, fragile resources, it is important to undertake investigations according to carefully devised research plans that cause minimal harm to the properties while providing the most critical and significant historical data.” and

WHEREAS, the “Standards and Guidelines” specify that all archeological investigations begin with the formulation of a research plan as defined in the “Standard and Guidelines,” and

WHEREAS, the “Standard and Guidelines,” define artifacts as “... any object which has been made or intentionally modified by human action... [dating] from prehistoric or historic times (i.e. generally at least 50 years ago).”

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Town Council, in accordance with the relevant provisions of Article I of the Code of Ordinances, hereby approve and authorize the following:

1. The Mayor shall adopt a Permit Application Form to be completed by any applicant for a permit required by Article I, Section 15 to search for or remove archeological or cultural artifacts.
2. Those applying for a permit to conduct such archeological investigations must meet the current professional qualification standards for archeologists used by the National Park Service and referenced in the Code of Federal Regulations, 36 C.F.R. Part 61, as well as those established by the State of Maryland, Article 83B, Section 5.618 [g] or successor regulations.
3. Application for the archeology permit required by Article I, Section 15, must include a research plan for conducting an archeological investigation developed in accordance with the Maryland Historical Trust’s “Standards and Guidelines for Archaeological Investigations in Maryland” (1994:56).
4. Applicants preparing the above referenced research design should consult with the Historic Preservation Commission and/or the Town’s Woods Committee or Forestry and Beautification Committee, as appropriate.
5. Archaeological remains retrieved during the archaeological investigation as well as all associated records must be analyzed and curated in accordance with Chapter VI. Processing and Curation of Collections (Artifacts and Records) of the Maryland Historical Trust’s “Standards and Guidelines for Archaeological Investigations in Maryland” (1994:42-53).
6. The Mayor shall adopt a Permit Application Form to be completed by any applicant for a permit required by Article I, Section 15 to search for or remove any fossil.
7. All such Permit Applications shall be accompanied by the fees specified in Article XVI of the Code of Ordinances.

8. Upon receipt of a Permit Application and fees described above, the Mayor shall refer it to the Historic Preservation Commission for its recommendation, and to the Council for approval upon receipt of such recommendation. The Historic Preservation Commission shall include such application on the agenda of its next scheduled meeting and may seek expert advice to assist its recommendation.

Adopted and effective this _____.

Approved by Mayor and Town Council:

Mayor Date

Attest: _____
Town Clerk Date