

**CHAPTER 4 - DIVISION OF ARCHIVES AND HISTORY**

**SUBCHAPTER 4G - HISTORIC PRESERVATION SECTION**

**SECTION .0100 - REPORTS ON SPECIAL APPROPRIATIONS**

<b>07 NCAC 04G .0101</b>	<b>GENERAL PURPOSE</b>
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<b>07 NCAC 04G .0106</b>	<b>HEARING</b>
<b>07 NCAC 04G .0107</b>	<b>RECOMMENDATIONS</b>
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*History Note:* Authority G.S. 121-12(c),(d); 143B-62(1)e,(3);  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. February 1, 1985.

**SECTION .0200 - ACQUISITION OF HISTORIC SITES**

<b>07 NCAC 04G .0201</b>	<b>RELATIONSHIP TO STATEWIDE PROGRAM</b>
<b>07 NCAC 04G .0202</b>	<b>HISTORICAL AUTHENTICITY</b>
<b>07 NCAC 04G .0203</b>	<b>HISTORICAL SIGNIFICANCE</b>
<b>07 NCAC 04G .0204</b>	<b>CRITERIA WHERE RECONSTRUCTION PROPOSED</b>
<b>07 NCAC 04G .0205</b>	<b>HISTORICAL NATURE REQUIRED</b>
<b>07 NCAC 04G .0206</b>	<b>FINANCING AND SIMILAR PROBLEMS</b>
<b>07 NCAC 04G .0207</b>	<b>ADDITIONAL CRITERIA</b>

*History Note:* Authority G.S. 121-4(8); 121-9(b); 121-11; 121-12(c); 143B-62(1)d,(2)e;  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. February 1, 1985.

**SECTION .0300 - APPROVAL OF MEMORIALS FOR ACCEPTANCE**

<b>07 NCAC 04G .0301</b>	<b>PURPOSE</b>
<b>07 NCAC 04G .0302</b>	<b>STATEWIDE HISTORICAL SIGNIFICANCE</b>
<b>07 NCAC 04G .0303</b>	<b>NO MEMORIAL WITHIN 25 YEARS OF DEATH</b>
<b>07 NCAC 04G .0304</b>	<b>ARTISTIC QUALITY</b>
<b>07 NCAC 04G .0305</b>	<b>MEMORIALS TO BE COMPATIBLE WITH SURROUNDINGS</b>
<b>07 NCAC 04G .0306</b>	<b>COMMISSION WILL COOPERATE IN PLANNING</b>
<b>07 NCAC 04G .0307</b>	<b>RIGHT OF COMMISSION TO REMOVE MEMORIAL</b>
<b>07 NCAC 04G .0308</b>	<b>PRESENTATION OF MEMORIAL PROPOSALS TO COMMISSION</b>
<b>07 NCAC 04G .0309</b>	<b>DEADLINE FOR SUBMISSION OF PROPOSALS</b>

*History Note:* Authority G.S. 100-2; 100-3; 143B-62(1)d,(2)e;  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. February 1, 1985.

**SECTION .0400 - POLICIES REGARDING GRANTS-IN-AID FOR HISTORIC PRESERVATION PROJECTS  
AND NONSTATE MUSEUMS**

<b>07 NCAC 04G .0401</b>	<b>MONEY FOR GRANTS-IN-AID</b>
<b>07 NCAC 04G .0402</b>	<b>CONDITIONS OF GRANT</b>
<b>07 NCAC 04G .0403</b>	<b>QUALIFYING FUNDS TO BE IN CASH</b>
<b>07 NCAC 04G .0404</b>	<b>BANK CERTIFICATION</b>
<b>07 NCAC 04G .0405</b>	<b>LOCAL FUNDS RAISED FIRST: EXCEPTIONS</b>
<b>07 NCAC 04G .0406</b>	<b>SOURCE OF QUALIFYING FUNDS</b>
<b>07 NCAC 04G .0407</b>	<b>NORMAL POLICIES</b>
<b>07 NCAC 04G .0408</b>	<b>QUALIFIED PURPOSES</b>
<b>07 NCAC 04G .0409</b>	<b>NO STATE FUNDS FOR OPERATIONS</b>
<b>07 NCAC 04G .0410</b>	<b>PRIOR APPROVAL OF PLANS</b>
<b>07 NCAC 04G .0411</b>	<b>HISTORICAL RESEARCH REPORT</b>
<b>07 NCAC 04G .0412</b>	<b>SPONSORING ORGANIZATION TO CONTRACT</b>
<b>07 NCAC 04G .0413</b>	<b>TWO COPIES OF REPORTS REQUIRED</b>
<b>07 NCAC 04G .0414</b>	<b>TWO COPIES OF FINAL REPORTS REQUIRED</b>
<b>07 NCAC 04G .0415</b>	<b>DRAWINGS AND PHOTOGRAPHS REQUIRED</b>
<b>07 NCAC 04G .0416</b>	<b>BIDDING AND NEGOTIATIONS</b>
<b>07 NCAC 04G .0417</b>	<b>DISBURSEMENT</b>
<b>07 NCAC 04G .0418</b>	<b>STRICT ACCOUNTING REQUIRED</b>
<b>07 NCAC 04G .0419</b>	<b>ALL PLANS MUST BE APPROVED FOR PHASED CONSTRUCTION</b>
<b>07 NCAC 04G .0420</b>	<b>STATEMENT OF NONDISCRIMINATION REQUIRED</b>
<b>07 NCAC 04G .0421</b>	<b>SUMMARY</b>
<b>07 NCAC 04G .0422</b>	<b>SEPARATE ACCOUNTING OF FUNDS</b>
<b>07 NCAC 04G .0423</b>	<b>AUDIT CAN BE REQUIRED</b>
<b>07 NCAC 04G .0424</b>	<b>SPONSOR RESPONSIBLE FOR WORK</b>
<b>07 NCAC 04G .0425</b>	<b>FURTHER INFORMATION</b>
<b>07 NCAC 04G .0426</b>	<b>PROJECT TO BE OPEN</b>

*History Note:* Authority G.S. 121-11; 121-12(c); 143B-62(1)e; 143B-62(2)f;  
 Eff. February 1, 1976;  
 Readopted Eff. December 1, 1977;  
 Amended Eff. April 30, 1980;  
 Repealed Eff. February 1, 1983.

<b>07 NCAC 04G .0427</b>	<b>MONEY FOR GRANTS-IN-AID</b>
<b>07 NCAC 04G .0428</b>	<b>CONDITIONS OF GRANT</b>
<b>07 NCAC 04G .0429</b>	<b>SOURCE OF QUALIFYING FUNDS</b>
<b>07 NCAC 04G .0430</b>	<b>CERTIFICATION OF NONSTATE FUNDS</b>
<b>07 NCAC 04G .0431</b>	<b>LOCAL FUNDS RAISED FIRST: EXCEPTIONS</b>
<b>07 NCAC 04G .0432</b>	<b>QUALIFIED PURPOSES</b>
<b>07 NCAC 04G .0433</b>	<b>EXCLUSIONS</b>
<b>07 NCAC 04G .0434</b>	<b>HISTORICAL RESEARCH/ARCHAEOLOGICAL INVESTIGATION</b>
<b>07 NCAC 04G .0435</b>	<b>SPONSORING ORGANIZATION TO CONTRACT</b>
<b>07 NCAC 04G .0436</b>	<b>STATEMENT OF MAINTENANCE: VISITATION: NONDISCRIMINATION</b>

*History Note:* Legislative Objection Lodged Eff. February 1, 1983;  
 Authority G.S. 121-11; 121-12(c); 143B-62(1)e; 143B-62(2)f;  
 Eff. February 1, 1983;  
 Curative Eff. February 24, 1983;  
 Repealed Eff. February 1, 1985.

**SECTION .0500 - NATIONAL REGISTER: PLAN**

<b>07 NCAC 04G .0501</b>	<b>STATE HISTORIC PRESERVATION OFFICER</b>
<b>07 NCAC 04G .0502</b>	<b>STATE PROFESSIONAL REVIEW COMMITTEE</b>

*History Note:* Authority G.S. 121-8(b); 143B-62(1)b,3; 16 U.S.C. 470a.(a)(1)(1970);  
36 C.F.R. 800.1-.10 (1975); 40 F.R. 5242-5244, 5333 (1975);  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Amended Eff. October 20, 1978;  
Repealed Eff. February 1, 1985.

**07 NCAC 04G .0503 STATE PLAN FOR HISTORIC PRESERVATION**

*History Note:* Authority G.S. 121-8(c); 143B-62(1)c,(3); 16 U.S.C. 470b.(a)(2)(1970);  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. October 20, 1978.

**07 NCAC 04G .0504 PUBLIC SUGGESTIONS FOR NATIONAL REGISTER  
07 NCAC 04G .0505 NOMINATION PROCEDURES  
07 NCAC 04G .0506 REQUESTS FOR REVIEW OF FEDERAL PROPOSALS  
07 NCAC 04G .0507 REVIEW AND PROCESSING  
07 NCAC 04G .0508 PROCEDURE BEFORE REVIEW COMMITTEE**

*History Note:* Authority G.S. 121-8(b); 143B-62(1)g,3; 16 U.S.C. 470a (1970);  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Amended Eff. October 20, 1978;  
Repealed Eff. February 1, 1985.

**07 NCAC 04G .0509 NATIONAL REGISTER NOMINATIONS PRIORITIES**

*History Note:* Authority G.S. 121-8(b); 143B-62(3);  
Eff. October 20, 1978;  
Repealed Eff. February 1, 1985.

**SECTION .0600 - COORDINATION TO SAVE LANDMARKS**

**07 NCAC 04G .0601 NATIONAL REGISTER SENT TO STATE AGENCIES  
07 NCAC 04G .0602 COORDINATIVE MECHANISM  
07 NCAC 04G .0603 STATEMENT TO DIRECTOR  
07 NCAC 04G .0604 EXEMPTION FOR MINOR REPAIRS  
07 NCAC 04G .0605 NOTICE OF EFFECT  
07 NCAC 04G .0606 DEFINITION  
07 NCAC 04G .0607 EFFECT OF FINDING OF EFFECT  
07 NCAC 04G .0608 PROCEDURE AFTER MEETING  
07 NCAC 04G .0609 PUBLIC COMMENT**

*History Note:* Authority G.S. 121-12(a); 143B-62(1)f,(3);  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. February 1, 1985.

**SECTION .0700 - REVIEW OF HISTORIC DISTRICTS**

**07 NCAC 04G .0701 REVIEW OF HISTORIC DISTRICTS  
07 NCAC 04G .0702 REVIEW OF CERTIFICATES OF APPROPRIATENESS  
07 NCAC 04G .0703 REVIEW OF REPORT ON HISTORIC PROPERTIES ORDINANCE**

**07 NCAC 04G .0704 DEPARTMENT INITIATED REVIEW OF CERTIFICATE**  
**07 NCAC 04G .0705 MUNICIPALITY TO PROVIDE ADEQUATE INFORMATION**

*History Note:* Authority G.S. 143B-62(2)f; 160A-395(2); 160A-397; 160A-399.5(2);  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. February 1, 1985.

**SECTION .0800 - ACQUISITION FOR HISTORIC PRESERVATION**

**07 NCAC 04G .0801 PROPOSED PROPERTY TO BE IN OR ELIGIBLE FOR REGISTER**  
**07 NCAC 04G .0802 N.C. HISTORICAL COMMISSION MUST APPROVE ACQUISITION**  
**07 NCAC 04G .0803 NO FUNDS FOR PRESERVATION WITHOUT APPROVAL: EXCEPTION**  
**07 NCAC 04G .0804 PERMANENT PLAN FOR PRESERVATION TO BE PREPARED**  
**07 NCAC 04G .0805 OWNER TO PROVIDE INFORMATION**  
**07 NCAC 04G .0806 DIRECTOR TO ASSESS PROPERTY**  
**07 NCAC 04G .0807 DIRECTOR TO REPORT TO OWNER**  
**07 NCAC 04G .0808 AGREEMENT MAY THEN BE EXECUTED**  
**07 NCAC 04G .0809 SUBMISSION OF PROPOSAL TO HISTORICAL COMMISSION**  
**07 NCAC 04G .0810 PROPOSAL THEN TO BE SUBMITTED FOR STATUTORY APPROVAL**  
**07 NCAC 04G .0811 PRIOR TO FINAL APPROVAL: ADDITIONAL NEGOTIATIONS ALLOWED**  
**07 NCAC 04G .0812 PLAN FOR PRESERVATION MAY BE INSTITUTED**

*History Note:* Authority G.S. 121-9(b); 121-11; 121-12(b),(c); 143B-62(1)d,e,(2)e,(3);  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. February 1, 1985.

**07 NCAC 04G .0813 PROPERTY ACQUISITION BY CONDEMNATION**  
**07 NCAC 04G .0814 REPORT OF FEASIBILITY FOR PRESERVATION**  
**07 NCAC 04G .0815 SUBMISSION OF PROPOSAL TO HISTORICAL COMMISSION**  
**07 NCAC 04G .0816 SUBMISSION TO GOVERNOR AND COUNCIL OF STATE**  
**07 NCAC 04G .0817 USE AND DISPOSAL**

*History Note:* Authority G.S. 121-9(d),(e);  
Eff. October 20, 1978;  
Repealed Eff. February 1, 1985.

**SECTION .0900 - LOCAL HISTORICAL MARKER PROGRAM**

**07 NCAC 04G .0901 PURPOSE**  
**07 NCAC 04G .0902 ORGANIZATION**  
**07 NCAC 04G .0903 LIMIT TO LMAC'S**  
**07 NCAC 04G .0904 COMPOSITION OF LMAC'S**  
**07 NCAC 04G .0905 LMAC OFFICERS: MEETINGS: MEMBERSHIP**  
**07 NCAC 04G .0906 DUTIES OF AN LMAC**  
**07 NCAC 04G .0907 APPROVAL OF A MARKER: APPEAL**  
**07 NCAC 04G .0908 NOT TO DUPLICATE STATEWIDE PROGRAM**  
**07 NCAC 04G .0909 NO DUPLICATE MARKERS**  
**07 NCAC 04G .0910 NO MARKING WITHIN 25 YEARS OF DEATH**  
**07 NCAC 04G .0911 NO COMMERCIAL MARKERS**  
**07 NCAC 04G .0912 RESTRICTIONS ON MARKING OF CHURCHES**  
**07 NCAC 04G .0913 MARKING OF CEMETERIES**  
**07 NCAC 04G .0914 ROAD MARKERS**  
**07 NCAC 04G .0915 LIMIT ON MULTIPLE MARKERS FOR INDIVIDUAL**

<b>07 NCAC 04G .0916</b>	<b>ONE MARKER PER SITE</b>
<b>07 NCAC 04G .0917</b>	<b>NO STRUCTURE MARKED TO PRESERVE IT</b>
<b>07 NCAC 04G .0918</b>	<b>DOCUMENTARY PROOF NEEDED</b>
<b>07 NCAC 04G .0919</b>	<b>SHAPE OF MARKER AND MAINTENANCE OF MARKERS</b>
<b>07 NCAC 04G .0920</b>	<b>SIZE OF MARKERS</b>
<b>07 NCAC 04G .0921</b>	<b>COLOR OF MARKER</b>
<b>07 NCAC 04G .0922</b>	<b>PLACEMENT OF MARKER</b>
<b>07 NCAC 04G .0923</b>	<b>SITE TO BE SAFE</b>
<b>07 NCAC 04G .0924</b>	<b>GREAT SEAL NOT TO BE USED</b>
<b>07 NCAC 04G .0925</b>	<b>SPONSOR SHOULD BE IDENTIFIED</b>
<b>07 NCAC 04G .0926</b>	<b>NO MARKERS ON CERTAIN HIGHWAYS</b>
<b>07 NCAC 04G .0927</b>	<b>MAINTENANCE</b>
<b>07 NCAC 04G .0928</b>	<b>REMOVAL</b>
<b>07 NCAC 04G .0929</b>	<b>APPROVAL OF EXACT LOCATION</b>
<b>07 NCAC 04G .0930</b>	<b>BREAKAWAY MARKER</b>
<b>07 NCAC 04G .0931</b>	<b>COST OF MARKER</b>

*History Note:* Authority G.S. 100-2; 121-4(7); 143B-62(1)g,(3);  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. February 1, 1985.

#### **SECTION .1000 - HISTORIC PRESERVATION AND CONSERVATION AGREEMENTS**

<b>07 NCAC 04G .1001</b>	<b>GRANTOR-GRANTEE SPECIFICATIONS</b>
<b>07 NCAC 04G .1002</b>	<b>AGREEMENT CONDITIONS</b>
<b>07 NCAC 04G .1003</b>	<b>SPECIAL PROVISIONS FOR ARCHAEOLOGICAL SITES</b>
<b>07 NCAC 04G .1004</b>	<b>TRANSFERAL OF PRESERVATION/CONSERVATION AGREEMENTS</b>

*History Note:* Authority G.S. 121-2; 121-4; 121-9(d); 121-22; 121-23; 121-35;  
Eff. December 31, 1980;  
Repealed Eff. February 1, 1985.