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# Historical Structure

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Historical Structure

## Public Acts of 1989 Chapter 416

**SECTION 1.** No owner may demolish any residential structure which meets all of the following criteria unless the county or municipal legislative body, as provided herein, approves by majority vote such demolition:

- (1) The residential structure was originally constructed before 1865;
- (2) The residential structure is reparable at a reasonable cost; and
- (3) The residential structure has a historical significance besides age itself, including but not limited to uniqueness of architecture, occurrence of historical events, notable former residents, design by a particular architect, or construction by a particular builder.

If such property is located within the boundaries of a municipality, the municipal legislative body shall approve the demolition and no such county approval shall be required. If such property is located outside the boundaries of a municipality, the county legislative body shall approve the demolition.

If approval is not granted, the county or municipality shall proceed with a condemnation proceeding as provided in Tennessee Code Annotated, Title 29, Chapter 17, or purchase the property in question within a reasonable period of time which shall not exceed ninety (90) days.

**SECTION 2.** This act shall apply in any county having a population of more than three hundred thousand (300,000) according to the 1980 Federal Census or any subsequent Federal Census and shall be inapplicable to such residential structures within the right-of-way of projects administered by the Department of Transportation whenever a determination has been made that such structures are of historical significance and plans for their disposition or preservation have been coordinated with and concurred in by the State Historic Preservation Officer of the Tennessee Historical Commission.

**SECTION 3.** This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 22, 1989.

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