

### *3. Exceptions*

- a. **Emergency Demolition for Health and Safety Reasons—The Temporary Demolition Moratorium shall not restrict the Building Commissioner from immediately ordering the demolition of any building in the event of imminent danger to the public's safety or health due to deteriorated conditions. Prior to such demolition the structure shall be inspected by the Building Commissioner, and findings and reasons for immediate demolition shall be recorded in a written report to the Planning Board, Preservation Commission, and Demolition Prevention Committee.**
- b. **Town, State, or Federal Property—The Temporary Demolition Moratorium shall not apply to any buildings owned by the Town of Brookline, the Commonwealth of Massachusetts, the federal government of the United States of America, or any foreign government.**
- c. **Demolition Permits that Have Been Granted—The Temporary Demolition Moratorium shall not apply to any demolition permits that have already been granted as of the effective date of the moratorium.**
- d. **Accident or Disaster—The Temporary Demolition Moratorium shall not apply to demolitions that are the result of fire, accidental catastrophic damage, or a natural disaster. In any such case, demolition will be allowed only if the Building Commissioner declares that the damage is of such an extent that full demolition is necessary.**

### *4. Severability*

**The provisions of this by-law shall be deemed to be severable. Should any of its provisions be held to be invalid or unconstitutional by a court of competent jurisdiction or the office of the Attorney General of the Commonwealth of Massachusetts, the remainder shall continue to be in full force and effect.**

Or act on anything relative thereto.

### **ARTICLE 13**

**Submitted by: Susan M. Roberts TMM Pct. 17, Elton Elperin, Dennis DeWitt**

To see if the Town will (1) amend the Zoning By-law Article 5.09, Design Review, by adding a new Section 5.09(2)(o), and (2) amend the Zoning By-law, Article 4.01, Permitted Uses, by adding a new Section 4.01(3) (d), both as follows:

1. Zoning By-law, § 5.09 Design Review, Section 2
  - (o) Any demolition of a principal structure for which a stay of demolition imposed by the Preservation Commission in accordance with the Town's bylaws has expired without the Preservation Commission having advised the Building Commissioner in writing that the Commission: (i) has found that there is no reasonable likelihood that the building can be preserved, restored, rehabilitated or moved, and (ii) is satisfied with the use, design and improvement of the property following demolition, as stipulated by the Commission.
2. Zoning By-law, § 4.01, Permitted Uses, Section 3
  - (d) The use necessitates the demolition of a principal structure that is subject to § 5.09(2)(o).

Or act on anything relative thereto.

#### **ARTICLE 14**

Submitted by: Alec Lebovitz TMM8 and Mike Toffel TMM8

To see if the Town will amend the Town's General By-laws as follows (language to be added appearing in underline):

#### ARTICLE 4.2 ANNUAL REPORTS

##### SECTION 4.2.7 ASSESSORS' REPORT

The Assessors shall append to their annual report a table of the valuation, real, personal and total, the rate of taxation, and the amount of money raised.

The Assessors shall include in the Town's Annual Report a table listing all real property that is not required to pay property tax and is not government-owned, and for each such property, the amount that would be assessed if the property were required to pay property tax, whether (and when) the Town has requested from the property owner a Payment in Lieu of Tax (PILOT) Agreement or other agreement, the payment amount the Town requested, the proposed or applied tax rate and annual index rate specified in that request or agreement, the payment amount received from the property owner, the percent of the payment requested that was received, the remaining amount requested that was not paid, the most recent date the agreement was issued or amended, and other related information.

or act on anything relative thereto.

#### **ARTICLE 15**

Submitted by: Susan Park TMM17, Bruce Levin TMM17, Wadner Oge TMM15, Cher Duffield TMM10, Ana Otero TMM6, Ariel Soiffer TMM2, Rich Snyder TMM2, Aone Wang TMM8, Alitza Soiffer (high school student)

Article 8.37.4