

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION
Policy and Procedures Manual

SUBJECT: PHYSICAL PLANT

Policy 1003.5 – Designation of heritage property and removal, demolition, or substantial alteration of University System property.

Adopted: June 21, 1985; Revised: November 18, 1999

I. Board policy

The identification of University System property for consideration as heritage property under Montana law shall be done pursuant to this policy. Property not so identified may not be designated as heritage property.

Prior to the removal, demolition, or substantial alteration of any property owned by the Montana University System or any of the units, the entity planning such removal, demolition, or substantial alteration shall comply with the provisions of this policy. Sales of heritage real property are governed by Policy 1003.6 and not covered by this policy.

II. Procedure

A. The Commissioner of Higher Education, working with campus presidents and chancellors, shall identify heritage properties. If the Commissioner, with the concurrence of the campus president or chancellor, believes that property identified as heritage property should be submitted to the Historic Preservation Review Board for addition to the state inventory, the Commissioner shall so recommend to the Board of Regents. If the Regents concur, the Regents shall submit the recommendation to the Review Board for approval or disapproval pursuant to 22-3-422, MCA. Regardless of the decision the campuses shall continue to comply with the requirements of subsection (2) of this policy so long as the property continues to be identified as heritage property by the System.

B. If the property is identified by the Commissioner as heritage property pursuant to subsection (A), it is then necessary to comply with the remainder of this policy. If the property is not identified as heritage property, then such determination constitutes compliance with this policy, and subject to compliance with other applicable policies, the removal, demolition, or substantial alteration may proceed.

If property is identified as heritage property, the following steps shall be taken;

1. The historic preservation office within the Montana Historical Society shall be notified of the planned action and be permitted 15 working days to comment.
2. If there is a local historical society, the society shall be notified of the planned action and be permitted 15 working days to comment.
3. At the building or construction site, a notice of the planned action shall be given for a 2-week period, followed by a 15-working-day period for public comment. Notice shall also be given in a paper of local circulation three times during a 2-week period, followed by a 15-working-day period for public comment.
4. The comments shall be examined, and all comments, including those opposing the planned action or suggesting alternatives, shall be considered. The planned actions may then be implemented or modified.
5. The historic preservation office shall be notified of the final plan of action.

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6. Consideration shall be given to alternatives to the removal or demolition of property identified as heritage property. In plans involving substantial alteration, consideration shall be given to alternatives that would permit the property to retain its heritage property characteristics.

History:

Item 44-002-R0784, Removal, demolition or substantial alteration of University System buildings as revised June 21, 1985 and November 18, 1999 (Item 104-103-R0999).