

ST. MAARTEN RESOLUTION
AB 2004, No. 14

GENERAL ISLAND RESOLUTION of September 14, 2004 concerning the execution of Articles 7, paragraph two and 14, paragraph two of the Island Ordinance Monuments (Island Resolution Monuments Registry).

The Executive Committee of the Island Territory of St. Maarten,

Having taken into consideration Articles 7, paragraph two and 14, paragraph two of the Island Ordinance Monuments;

Decides:

That it is necessary to establish the following General Island Resolution:

ARTICLE 1

1. The public registers mentioned in Articles 7, paragraph one and 14, paragraph one of the Island Ordinance Monuments come together to form a single register that will be referred to as: the Monuments Registry.
2. The Monuments Registry consists of the collection of registry pages and relevant information regarding protected monuments and cityscapes and townscapes.
3. The collection of information meant in paragraph two can be stored in digital form.

ARTICLE 2

The registry page whereby a protected monument or a protected cityscape or townscape is noted in the Monuments Registry is in accordance with the example that is included as an addendum to this Resolution.

ARTICLE 3

1. On a registry page, the following with regards to a protected monument or cityscape or townscape is noted:
 - (a) the date of the notation in the Monuments Registry;
 - (b) a description of the monument or cityscape or townscape;
 - (c) the monumental value;
 - (d) a description of the general interest that justifies the assignment as protected monument or cityscape or townscape;
 - (e) in as far as it concerns a protected cityscape or townscape, the zoning regulations that apply to that cityscape or townscape.
2. The registry page indicates whether a monument is a moveable or an immoveable object.
3. In as far as it concerns an immoveable monument, the registry page also notes:
 - (a) the local indication,

- (b) the Land Registry indication
 - (c) the date of notification to the Land Registry of the registration with the Monuments Registry.
4. In as far as it concerns a moveable monument, the registry page also notes:
- (a) In as far as known to the Executive Committee, the name, given names and address of the owner and, if applicable, the person entitled to a limited right;
 - (b) The location of the monument at the time of registration.

ARTICLE 4

With regards to a moveable monument the registry page notes the place or places that it can be moved to on the basis of a permit as meant in Article 5, paragraph one of the National Monuments Ordinance.

ARTICLE 5

1. The head of the Department of General Affairs is designated as manager of the Monuments Registry and is responsible for its upkeep.
2. The manager of the Monuments Registry executes the actions on behalf of the Island Council regarding the registering and removal of protected monuments or cityscapes or townscapes and the addition, amendment and removal from the registry of information regarding protected monuments or cityscapes or townscapes.

ARTICLE 6

1. The manager of the Monuments Registry immediately makes the changes to it that the Executive Committee officially or upon the request of an interested party has decided on and removes the monuments or cityscapes or townscapes that the Executive Committee, having heard the Monuments Council, has decided on.
2. The changes meant in the first paragraph concern:
 - a. Correcting incorrect or incomplete information regarding a protected monument or cityscape or townscape;
 - b. Changes to or made to the protected monument, including the date of the change and in as far as known the reason for it;
 - c. Changes to the circumstances that were determinative to assign the status of protected monument or cityscape or townscape.
3. The manager of the Monuments Registry immediately makes the changes to the zoning regulations concerning cityscapes or townscapes after the Island Ordinance whereby the changes are implemented comes into effect.
4. The manager of the Monuments Registry immediately makes the changes to the Land Registry indication or Land Registry naming of a monument after the Land Registrar has notified the Executive Committee of such.

ARTICLE 7

1. The Monuments Registry can be reviewed by the public during office hours in an area furnished for this purpose in the Department of General Affairs or an area to be made known by the Executive Committee.
2. With regards to the compensation of the costs for the Island Territory in providing copies from the Monuments Registry to interested parties, the Resolution Public Nature of Administration St. Maarten applies.

ARTICLE 8

1. The Monuments Registry is managed in such a way that it is sufficiently protected against loss, damage, destruction, removal and fire damage.
2. The Department of Public Housing, Development Planning and Environment maintains a register of copies of all the documents in the Monuments Registry.

ARTICLE 9

This Resolution is referred to as: Island Resolution Monuments Registry.

ARTICLE 10

This Resolution comes into effect as per the date after that of its proclamation.

As decided in the public meeting of September 14, 2004.

The Secretary,
J. Dovale-Meit

The Chairman,
F.E. Richards

I proclaim this Island Resolution on this day, September 20, 2004.

The Lieutenant Governor,
F.E. Richards