

# HOW TO COMPLETE THE ANTIQUITIES PERMIT APPLICATION

## Historic Buildings and Structures

State Antiquities Landmarks (SALs) are designated by the Texas Historical Commission (THC) and receive legal protection under the Antiquities Code of Texas (Texas Natural Resources Code, Chapter 191) and Rules of Practice and Procedure in the Texas Administrative Code, Title 13, Chapter 26. This designation stipulates that a property cannot be removed, altered, damaged, salvaged, or excavated without a permit from the THC.

Please see our [website](#) for [additional information](#) on the Antiquities Code of Texas and State Antiquities Landmark designation. You may download the [Antiquities Permit Application for Historic Buildings and Structures](#) under State Antiquities Landmarks. Please contact the Division of Architecture at 512.463.6094 with any questions regarding the permitting process.

**To request a Historic Buildings and Structures Permit,  
please include the following information on the Antiquities Permit Application  
or as attachments.**

### General Project information

#### 1. Property Name and Location

Provide the name of the SAL-designated property and identify its location, including county; when possible, provide a complete street address or nearest intersection for the property. If the name of the property has changed from the time of designation, you may include the current name in parenthesis following the historic name.

#### 2. Project Name

Indicate the project name or provide a brief description of the project work, such as exterior rehabilitation, window repair, or roof replacement. If the SAL-designated property is a historic district that contains multiple features within its boundaries, also include the name of the particular building, structure, object, or site where work will be performed, such as restoration of Building 1 or construction of walking path on parade ground.

#### 3. Applicant (Owner or Controlling Agency)

Provide contact information for the owner or controlling agency responsible for the SAL-designated property.

The name of the owner's representative and mailing address are required, and inclusion of an email address and phone number is strongly encouraged. If minor additional information is needed, staff may follow up via email or phone to ensure timely review of the permit application.

Per Rule §26.20: Application for Historic Buildings and Structures Permits, only the controlling agency, organization, or political subdivision having administrative control over a publicly owned landmark or the owner of a privately owned landmark may apply for and be issued a permit.

#### 4. Architect or Other Project Professional

Provide contact information for the architect or other project professional for the proposed project. The name of representative in charge of the project and mailing address are required, and inclusion of an email address and phone number is strongly encouraged. If minor additional information is needed, staff may follow up via email or phone to ensure timely review of the permit application.

Per Rule §26.4: Professional Qualifications and Requirements, the project architect must be a licensed architect who has had full-time experience in a supervisory role on at least one historic preservation project. The project architect must be involved, at a minimum, in 25 percent of the time required to develop plans and specifications

and manage project work under the permit, and must prepare the required completion report. Other professionals, such as a preservation specialist, engineer, or landscape architect, may fulfill this role based on the scope of the project work. The contractor may fulfill this role if there is no other project professional and the project scope of work is limited to the demonstrated professional expertise of the contractor. If requested by THC staff, the professional personnel must submit a resume demonstrating the required education and experience.

## 5. Construction Period

Indicate the anticipated start and end dates for the project on the application form. These dates will form the basis for the permit period. Staff will include time in the permit period sufficient for preparation of the required completion report. Permits may be issued for any length of time between six months and 10 years.

## Permit Category

Please select the category that best describes the proposed work. Pick only one category. Preservation, rehabilitation, restoration, and reconstruction are treatments for historic properties defined and described in greater detail by the [National Park Service](#). Other options are architectural investigation, hazard abatement, relocation, demolition, and new construction. See Rule §26.22: Historic Buildings and Structures Permit Categories for more detailed explanations.

- **Preservation** is the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a cultural resource.
- **Rehabilitation** is the act or process of making possible a compatible use for a property through repair, alterations, or additions, while preserving those portions or features of the property which convey its historical, architectural, or cultural values.
- **Restoration** is the act or process of accurately depicting the form, features, and character of a property and its setting as it appeared at a particular period of time by means of the removal of features from later periods in its history and reconstruction of missing features from the restoration period.
- **Reconstruction** is the act or process of depicting, by means of new construction, the exact form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.
- **Architectural Investigation** includes testing, investigation, or selective demolition to determine changes to a property over time.
- **Hazard Abatement** includes testing, remediation, or abatement to address lead paint, asbestos, or other hazardous materials.
- **Relocation** is the act of moving a property from its current site to a new location.
- **Demolition** is the destruction of all or part of a property.
- **New Construction** includes the construction of an addition to a historic building or freestanding new construction within the designated SAL boundaries.

## Attachments

For all projects, please attach the following:

- **Written description of the proposed project.** Describe the full scope of work, and provide justification for the selected permit category.
- **Project documents (plans, specifications, etc.).** If plans and specifications were not prepared due to the limited project scope, a written proposal or other documentation describing the project should be provided.
- **Photographs of the property showing areas of proposed work.** Photographs should comprehensively document all areas of proposed work sufficient for review of the proposal. Prints should be at least 4" by 6", color, and may be taken with a 35 mm or digital camera. Digital photographs should have a resolution of at least 300 pixels per inch and may be printed on an inkjet or laser printer on high-quality paper.

Additional material may be included as needed to fully describe the proposed work.

In the case of complex projects, one or more reports may be required with the permit application. Rule §26.23: Reports Relating to Historic Buildings and Structures Permits describes when these reports are required and indicates the minimum report requirements. All application reports must be prepared under the supervision of professionally qualified individuals as specified in Rule §26.4: Professional Qualifications and Requirements. Please provide the following if required based on the project work or at the request of THC staff:

- **Historic structure report.** This report is required when a proposed rehabilitation, restoration, or reconstruction project involves fabricating significant missing architectural or landscape features, recapturing the appearance of a property at one particular period of its history, removing later additions, or significant changes to the building for rehabilitation.
- **Historical documentation.** This report assists in understanding the changes to a historic property over time and may be required at the request of the THC to support work proposed under a permit.
- **Architectural documentation.** Documentation to Historic American Buildings Survey, Historic American Engineering Record, or Historic American Landscapes Survey standards and guidelines must precede any work that will damage, alter, obscure, or remove significant architectural configurations, elements, details, or materials. It must be submitted for rehabilitation and restoration projects that will significantly alter a building, structure, or other cultural resource, and for all relocation and demolition permits.
- **Archeological documentation.** When development or historic preservation treatment of a historic property makes disturbance of the earth unavoidable, the specific areas affected may need to be tested archeologically to determine if the undertaking will disturb or destroy archeological remains, including subsurface features of an aboveground structure.

## Certifications

The applicant and project professional must complete, sign, and date these sections. Please read the certifications thoroughly and contact THC staff with any questions prior to signing and submitting a permit application.

Applicants and their project professionals must be familiar with the Rules of Practice and Procedure for the Antiquities Code of Texas and their responsibilities thereunder. The Rules may be accessed through links from the Antiquities Permits page on our [website](#) or directly via the Secretary of State [website](#).

The primary sections relevant to Historic Buildings and Structures Permits include:

- **Subchapter A: General Provisions**
  - Rule §26.3: Definitions
  - Rule §26.4: Professional Qualifications and Requirements
  - Rule §26.6: Permit Monitoring
- **Subchapter D: Historic Buildings and Structures**
  - Rule §26.20: Application for Historic Buildings and Structures Permits
  - Rule §26.21: Issuance and Restrictions of Historic Buildings and Structures Permits
  - Rule §26.22: Historic Buildings and Structures Permit Categories
  - Rule §26.23: Reports Relating to Historic Buildings and Structures Permits
  - Rule §26.24: Compliance with Rules for Historic Buildings and Structures Permits

Completion reports are required for all Historic Buildings and Structures Permits. The minimum requirements for a completion report are listed in Rule §26.23(b)(4), and a completion report form and sample completion report are [available](#) under State Antiquities Landmarks.

Project professionals must also be familiar with the Secretary of the Interior's Standards for the Treatment of Historic Properties, which must guide the work performed under an Antiquities Permit. The Standards are available on the National Park Service [website](#).

Standard permit terms and conditions included in all permits are listed below. Special conditions may also be included in a permit.

1. The Secretary of the Interior's Standards for the Treatment of Historic Properties (1995 and subsequent revisions) have been adopted by the Commission and shall serve as guidelines for appropriateness of all activities carried out under this permit.
2. This project must be carried out in accordance with the project application approved by the Commission or their duly authorized and empowered representative. Any proposed deviation from the project application must receive the approval of the Commission prior to implementation.
3. If the Permittee fails to comply with any of the Commission's Rules of Practice and Procedure (Texas Administrative Code, Title 13, Chapter 26) or with any of the specific terms of this permit, or fails to properly conduct or complete this project within the allotted time, the Commission may place the permit on hold or cancel the permit. In the case of ongoing projects, work must cease immediately. The Commission will notify the Permittee of such hold or cancellation by certified mail, return receipt requested. Upon notification of cancellation, the Permittee, project sponsor, project architect or engineer, and professional firm shall remove all construction personnel and equipment from the area or site within 24 hours. A permit, which has been canceled, can be reinstated by the Commission if good cause is shown within thirty (30) days.
4. The Permittee, Architect, or anyone else under contract to the Permittee in the conduct of the activities hereby authorized, must comply with all laws, ordinances, and regulations of the State of Texas and of its political subdivisions including, but not limited to, the Antiquities Code of Texas.
5. Any duly authorized and empowered representative of the Commission may, at any time, visit the site and examine the permit, construction documents, and work.
6. This permit may not be assigned by the Permittee in whole or in part to any other individual, organization, institution, or corporation.
7. The Permittee shall have a copy of this permit available at the site of the project during all working hours.
8. **Hold Harmless:** The Permittee hereby expressly releases the State, and agrees that Permittee will hold harmless, indemnify, and defend (including reasonable attorney's fees and costs of litigation) the State, its officers, agents, and employees in their official and/or individual capacities from every liability, loss, or claim for damages to persons or property, direct or indirect, of whatsoever nature arising out of, or in any connection with, any of the activities covered by this permit.
9. **Addendum:** The Permittee will abide by any addenda hereto attached.

### Submission

#### Submit the completed permit application and attachments to the THC Division of Architecture.

The permit application may be submitted in hard copy with original signatures to the mailing or physical address below, or electronically with scanned signatures to [hspermit@thc.texas.gov](mailto:hspermit@thc.texas.gov). Attachments, including plans and photographs, must be sent to the mailing address below or delivered to 108 West 16<sup>th</sup> St., Second Floor, Austin, TX 78701. Submit the application at least 60 days prior to the commencement of work or issuance of bid documents. The review period will start upon receipt of complete documentation, including attachments.

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