

ORDINANCE NO. 3-95

WEST CALN TOWNSHIP HISTORICAL COMMISSION ORDINANCE

An Ordinance to create an Historical Commission in order to record the history of West Caln Township; its significant architectural, historic and natural sites within the boundaries of the Township; to study Historic District creation; to provide for the appointment of members of said Commission; to establish the organization and responsibilities of said Commission and to provide for the appropriation of funds to the said Commission.

Section 1. Creation.

Pursuant to the powers granted by the Second Class Township Code, a Commission is hereby created to be known as the West Caln Township Historical Commission. The West Caln Historical Commission has been organized to promote the educational, cultural and economic welfare of West Caln Township by protecting and preserving the historic structures and sites, monuments, streets, neighborhoods of the Township.

Section 2. Membership.

The said Commission:

- a. Shall consist of seven (7) members who shall be residents of the Township.
- b. Shall be appointed by the Board of Supervisors.
- c. Shall be appointed for a term of three (3) years, except that the terms of (i) two (2) of the members first appointed

shall be for one (1) year, (ii) two (2) of the members first appointed shall be for two (2) years, and (iii) three (3) of the members first appointed shall be for three (3) years, respectively. Thereafter, the members will serve for three (3) year staggered terms as of January 1 of each year.

d. A vacancy on the said Commission shall be filled by the Board of Supervisors for the unexpired term.

e. The Commission shall have the right to make recommendations to the Board of Supervisors for proposed appointees to the Commission to fulfill full or unexpired terms.

Section 3. Compensation.

The members of the Historical Commission shall serve without compensation, although they may be reimbursed for expenses necessary to carry out the objectives of the Commission when those expenses are deemed necessary and appropriate and approved by the Board of Supervisors in advance of such expenditures.

Section 4. Removal of Members.

The Board of Supervisors may, after a duly advertised public hearing, remove any members of the Commission from office for any of the following reasons: inefficiency, neglect of duty, change of residence, absence, malfeasance in office or conflict of interest.

Section 5. Organization.

The said Commission shall elect its own chairman and create and fill such other offices as it deems proper and necessary. The Commission may make and alter its rules of procedure consistent with the ordinances of the Township and the

laws of the Commonwealth. It shall keep records of its resolutions, transactions, findings and determinations, and such records shall be a public record except when prejudicial to a negotiation and therefore not in the public interest. A majority of the Commission shall constitute a quorum, and action taken at any meeting shall require the affirmative vote of the majority.

Section 6. Duties.

- a. To record the Township's history and its significant architectural, historic and natural sites.
- b. To gather documentary evidence, illustrations, photographs and all other appropriate materials which will establish architecture and sites as significant and worthy of preservation.
- c. To prepare specific reports for the Board of Architectural Review upon request, provided that such a Board is created by the Board of Supervisors pursuant to the Act of June 13, 1961, P. L. 282, No. 167.
- d. To cooperate with all Township officials and agencies in relation to the preservation and restoration of historic structures and sites, including the possible acquisition and use of the same by the Township.
- e. To consider, promote, and with the approval of the Board of Supervisors, to apply for technical and financial assistance from all appropriate local, Township, County, State, Federal and other agencies, and conservation and environmental organizations, in connection with the preservation of significant

architecture, natural and historic sites within the Township, and to report all related action to the Board of Supervisors.

f. To prepare and submit a yearly budget to the Board of Supervisors for sums deemed necessary to carry out the duties and objectives of the Historic Commission, on or before November 1 of the preceding year. Funds shall be allocated to the Commission as the Board of Supervisors shall determine in its sole discretion.

g. To prepare a yearly report of activity by January 1 of each year, for presentation to the Board of Supervisors.

h. To review all plans or proposals for subdivisions and land developments submitted to the Township pursuant to the Pennsylvania Municipalities Planning Code, as amended, Act 170 of 1988, that contain any buildings, structures, sites, objects and districts that are fifty (50) years old or older or that contain any feature of historic, architectural, cultural, archaeological, educational and aesthetic merit, and to make recommendations to the Planning Commission and the Board of Supervisors concerning the approval of such subdivisions and land developments. Such recommendations shall be made within the time constraints contained in the Municipalities Planning Code, as amended and such recommendations shall be advisory only.

i. In conjunction and cooperation with the Board of Supervisors, the Planning Commission, the Zoning Officer and other interested Township officials, to study the feasibility of creating Historic Districts within the Township in accordance with and pursuant to the Act of the June 13, 1961, P. L. 282, No. 167, as amended, entitled "Historic Districts".

Section 7. Types of Historical Landmarks and Areas to be included.

As used in this ordinance, a landmark, building or neighborhood shall be considered to be of historical significance and subject to the terms of this ordinance, if such area, building or site has particular historical, architectural or cultural significance in the community, if the building or site or area is particularly identified with any historic personage or historic event, if a building has significance as a representative of a period style of architecture, and hence is valuable for study, if a building is a notable work of a master builder, designer or architect whose individual genius influenced his era, or if the building has significance for any reasons of local, state or national history.

Section 8. Appropriations.

The Board of Supervisors may appropriate from the general Township funds, such funds as the Board shall determine in its sole discretion as may be necessary and available for the work of the Historical Commission in the year for which the appropriation is made.

Section 9. Severability.

If any section, paragraph, subsection, clause or provision of this ordinance shall be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole or of any part thereof.

Section 10. Effective Date.

This ordinance shall become effective on June 18, 1995
as provided by law.

WEST CALN TOWNSHIP
BOARD OF SUPERVISORS

By: [Signature]
Chairman

By: [Signature]
Supervisor

By: _____
Supervisor

Attest:
[Signature]
Secretary