

ORDINANCE NO. ~~84~~-2018
WEST VINCENT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING ARTICLE XXIV OF THE TOWNSHIP ZONING ORDINANCE, HISTORIC PRESERVATION OVERLAY DISTRICT, ESTABLISHING THE WEST VINCENT TOWNSHIP HISTORICAL COMMISSION, PROVIDING FOR THE MEMBERSHIP PROCESS, ORGANIZATION, MEETING REQUIREMENTS, COMPENSATION, APPROPRIATION, RESPONSIBILITIES, AND REMOVAL OF MEMBERS.

WHEREAS, the Board of Supervisors has met the procedural requirements of the Second Class Township Code, 53 P.S. § 65101, *et seq.*, for the adoption of the proposed ordinance;

WHEREAS, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens;

WHEREAS, the Board of Supervisors desires to amend Article XXIV of the Township Zoning Code, Historic Preservation Overlay District in order to establish the West Vincent Township Historical Commission;

WHEREAS, the Board of Supervisors of West Vincent Township has met the procedural requirements of 53 P.S. § 10101, *et seq.*, the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing; and

WHEREAS, the Township, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of West Vincent Township will be served by this amendment of the West Vincent Township Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors for West Vincent Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

SECTION ONE. ORDINANCE AMENDMENT. ARTICLE XXIV OF THE WEST VINCENT TOWNSHIP ZONING ORDINANCE, ENTITLED “HISTORIC PRESERVATION OVERLAY DISTRICT” IS HEREBY AMENDED TO ADD A NEW SECTION 2401.1, WHICH SHALL READ AS FOLLOWS:

Section 2401.1 WEST VINCENT TOWNSHIP HISTORICAL COMMISSION

- A. **Establishment.** There is hereby established a commission to be named the “West Vincent Township Historical Commission.”
- B. **Membership.** The West Vincent Township Historical Commission shall consist of a minimum of five members and ~~up to seven members~~ appointed by the Board of Supervisors of West Vincent Township. At the inception of the West Vincent Township Historical Commission, the members' terms shall be staggered as follows: one member shall serve one year; one member shall serve two years; one member shall serve three years; one member shall serve four years; and one member shall serve five years. Thereafter, the terms shall be for five years. The Supervisors shall fill a vacancy for the duration of an unexpired term.
- C. **Organization.** The West Vincent Township Historical Commission members shall elect annually a Chairman, who will direct the activities of the Commission, a Vice Chairman and a Secretary. A majority of the current members shall constitute a quorum.
- D. **Meetings and Records.** Public meetings will be held on a regular basis to conduct the business of the West Vincent Township Historical Commission. An agenda of each public meeting shall be available for inspection prior to the meeting. The West Vincent Township Historical Commission shall keep records of its meetings and activities and submit copies of meeting minutes no later than 30 days from the meeting date. The West Vincent Township Historical Commission will submit an annual report to the Board of Supervisors in the first quarter of the year.
- E. **Compensation.** The members of the West Vincent Township Historical Commission shall serve without compensation, although they may be reimbursed for expenses necessary to carry out the objectives of the West Vincent Township Historical Commission when those expenses are deemed necessary and appropriate and approved by the Board of Supervisors in advance of such expenditures.
- F. **Appropriations.** The Board of Supervisors may appropriate from the general Township funds such funds as may be necessary and available for the work of the West Vincent Township Historical Commission in the year for which the appropriation is made. Within the limits of such funds,

the West Vincent Township Historical Commission may employ staff or contract for clerical, consulting, or other technical services. Aside for such appropriations, the West Vincent Township Historical Commission may request the assistance of Township staff and consultants when appropriate.

G. **Responsibilities.** The West Vincent Township Historical Commission shall serve in an advisory capacity on issues related to historic preservation and shall have the following duties and responsibilities in furthering the purposes of this article:

1. Maintain a system for the survey, inventory, and photographic documentation of Historic Resources in the Township that clearly identifies Historic Resources and their respective categories for inclusion on the Historic Site Inventory and Historic Resources Map of the Zoning Ordinance.
2. Make recommendations to the Board of Supervisors concerning revisions to the Historic Site Inventory and Historic Resources Map.
3. Conduct research on Historic Resources, provide information on Historic Resources to the Chester County Planning Commission and Pennsylvania State Historic Preservation Office, and propose the nomination of Historic Resources for inclusion on the National Register of Historic Places and other appropriate lists or programs.
4. Photograph and/or otherwise document ongoing changes to the Township's physical landscape.
5. Maintain a close working relationship with other Township Boards and Commissions and advise them on issues related to Historic Resources and landscapes.
6. Review and advise the Planning Commission and Board of Supervisors on subdivision and land development applications that affect Historic Resources and landscapes in accordance with the requirements and procedures of the Subdivision and Land Development Ordinance and Zoning Ordinance.
7. Review and comment on Historic Resource Impact Studies prepared in accordance with Section 2410 of the Zoning Ordinance.
8. Advise the Zoning Hearing Board and Board of Supervisors on all requests for special exceptions, conditional uses, or variances affecting Historic Resources and landscapes.

9. Advise the Zoning Officer and/or Board of Supervisors on the issuance of permits for special use provisions, relocation, demolition, and actions relative to demolition by neglect with regard to Historic Resources.
10. Establish a library of technical literature, reports, photographs, and other documents relevant to history and historic preservation in West Vincent Township.
11. Undertake and/or support educational and interpretive programming and publications on the history of West Vincent Township and its Historic Resources and landscapes on a regular basis.
12. Promote the appropriate treatment of historic resources on properties within West Vincent Township and provide information, advice, and/or technical assistance on historic preservation to property owners to the extent possible.
13. Consider, promote and, with the approval of the Board of Supervisors, apply for technical and financial assistance from 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.
14. Perform any other lawful activities that shall be deemed necessary to further the purposes of this Article.

H. **Removal of Members.** The Board of Supervisors may, after a duly advertised public hearing, remove any members of the West Vincent Township Historical Commission from office for reasons such as: inefficiency, neglect of duty, change of residence, absence, malfeasance in office or conflict of interest.

SECTION TWO. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION THREE. REVISIONS. The West Vincent Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION FOUR. SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION FIVE. EFFECTIVE DATE. This amendment shall become effective five (5) days after date of adoption.

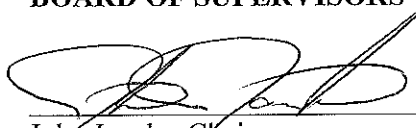
SECTION SIX. FAILURE TO ENFORCE NOT A WAIVER. The failure of West Vincent Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.


ORDAINED AND ENACTED by the Board of Supervisors for West Vincent Township, Chester County, Pennsylvania, this 15th day of October 2018.

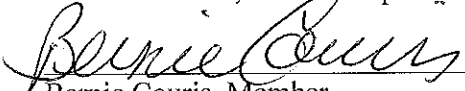
ATTEST:


Kathryn Shillenn, Secretary

**WEST VINCENT TOWNSHIP
BOARD OF SUPERVISORS**


John Jacobs, Chairman



Mike Schneider, Vice Chairperson


Bernie Couris, Member

WEST VINCENT TOWNSHIP ORDINANCE

AN ORDINANCE AMENDING ARTICLE XXIV OF THE TOWNSHIP ZONING ORDINANCE, HISTORIC PRESERVATION OVERLAY DISTRICT, ESTABLISHING THE WEST VINCENT TOWNSHIP HISTORICAL COMMISSION, PROVIDING FOR THE MEMBERSHIP PROCESS, ORGANIZATION, MEETING REQUIREMENTS, COMPENSATION, APPROPRIATION, RESPONSIBILITIES, AND REMOVAL OF MEMBERS.

I attest that this is a true and correct copy of the above referenced West Vincent Township Ordinance that will be the subject matter of a public hearing and immediately thereafter will be considered for enactment at a public meeting on October 15, 2018 by the West Vincent Township Board of Supervisors.



ROBERT M. SEBIA, ESQUIRE
Office of the Solicitor
West Vincent Township, Chester County