

**EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020-241

“Ordinance Amendments re: Historical Commission”

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, CHAPTER 1 (ADMINISTRATION AND GOVERNMENT), PART 5 (HISTORICAL COMMISSION), SECTION 1-501 (DEFINITIONS) TO ADD A DEFINITION FOR “HISTORIC RESOURCES MAP”; TO AMEND SECTION 1-503 (MEMBERSHIP), SUBSECTION 1 TO REDUCE THE MINIMUM NUMBER OF HISTORICAL COMMISSION MEMBERS FROM SEVEN TO FIVE; TO AMEND SECTION 1-505 (ORGANIZATION; MEETINGS; CONDUCT OF BUSINESS), SUBSECTION 3 TO CLARIFY HISTORICAL COMMISSION MEETINGS ARE PUBLIC AND HELD MONTHLY AT THE TOWNSHIP BUILDING; TO AMEND SECTION 1-506 (POWERS AND DUTIES), SUBSECTION 1 TO CLARIFY THE HISTORICAL COMMISSION ROLE IN PUBLIC HEARINGS AND SPECIFY ADDITIONAL POWERS TO MAINTAIN AN UPDATED HISTORIC RESOURCES LIST, TO ADVISE THE BOARD OF SUPERVISORS AND ZONING HEARING BOARD ON CONDITIONAL USE, SPECIAL EXCEPTION AND VARIANCE REQUESTS AFFECTING HISTORIC RESOURCES, AND TO PERFORM THE DUTIES ASSIGNED UNDER CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 3 (PLAN PROCESSING AND CONTENT) AND CHAPTER 27 (ZONING), PART 12 (HISTORIC RESOURCE PROTECTION STANDARDS); AND TO AMEND CHAPTER 27 (ZONING), PART 12 (HISTORIC RESOURCE PROTECTION STANDARDS), TO ELIMINATE THE PROVISIONS OF SECTION 27-1204 (EAST COVENTRY TOWNSHIP HISTORICAL COMMISSION) INsofar AS THEY ARE DUPLICATIVE OF CHAPTER 1 (ADMINISTRATION AND GOVERNMENT), PART 5 (HISTORICAL COMMISSION).

The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN** as follows:

SECTION I. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 1 (Administration and Government), Part 5 (Historical Commission), Section 1-501 (Definitions), is hereby amended to add a definition for “Historic Resources Map” as follows:

HISTORIC RESOURCES MAP – A map adopted in accordance with Chapter 27 showing historic properties and their respective classifications.

SECTION II. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 1 (Administration and Government), Part 5 (Historical Commission), Section 1-503 (Membership), Subsection 1 is hereby amended to delete the word “seven” appearing in such subsection and to add the word “five” in its place.

SECTION III. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 1 (Administration and Government), Part 5 (Historical Commission), Section 1-505 (Organization; Meetings; Conduct of Business), Subsection 3 is hereby amended and restated in its entirety, as follows:

3. All regular and special meetings of the Historical Commission shall be public pursuant to public notice and held in the Township Building. The Historical Commission shall conduct a minimum of one meeting per month.

SECTION IV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 1 (Administration and Government), Part 5 (Historical Commission), Section 1-505 (Organization; Meetings; Conduct of Business), Subsection 6 is hereby amended to add the words “of the Commission” after the words “appoint members” appearing in the first sentence of such subsection.

SECTION V. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 1 (Administration and Government), Part 5 (Historical Commission), Section 1-506 (Powers and Duties), Subsection 1 is hereby amended to delete the words “the Part” appearing in the third line of such subsection and to add the words “this Part” in its place.

SECTION VI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 1 (Administration and Government), Part 5 (Historical Commission), Section 1-506 (Powers and Duties), Subsection 1, Paragraph J is hereby amended and restated in its entirety, as follows: “J. Conduct public meetings and recommend public hearings to the Board of Supervisors.”

SECTION VII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 1 (Administration and Government), Part 5 (Historical Commission), Section 1-506 (Powers and Duties), Subsection 1, is hereby amended to renumber existing Paragraph “K” as new Paragraph “N” and to add new Paragraphs “K”, “L” and “M”, as follows:

K. Maintain an updated list, which clearly identifies buildings, sites, structures, objects and districts, and their respective classifications, on the Historic Resources Map.

L. Submit written recommendations to the Board of Supervisors or Zoning Hearing Board on requests for conditional uses, special exceptions or variances affecting historic resources. The Historical Commission is advisory only and shall not be a party in quasi-judicial proceedings.

M. Perform the duties and responsibilities assigned to the Historical Commission as set forth in Part 3 of the Subdivision and Land Development Ordinance (Chapter 22) and in Part 12 of the Zoning Ordinance (Chapter 27).

SECTION VIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 27 (Zoning), Part 12 (Historic Resource Protection Standards), Section 27-1204 (East Coventry Township Historical Commission), is hereby amended to delete such section in its entirety and to add a new Section 27-1204 entitled “East Coventry Township Historical Commission” as follows:

§ 27-1204. East Coventry Township Historical Commission.

The creation, purpose, membership, organization and operation of the East Coventry Township Historical Commission shall be as set forth in Chapter 1, Part 5 of the East Coventry Township Code of Ordinances. In addition to the powers and duties enumerated in Chapter 1, Part 5, the Historical Commission shall perform the duties and responsibilities assigned to it as set forth in this Part 12.

SECTION IX. – Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION X. – Failure to Enforce not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION XI. – Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION XII. – Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, this 10th day of August, 2020.

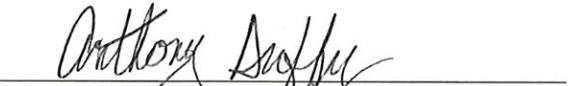
Attest:



David G. Kraynik, Secretary

EAST COVENTRY TOWNSHIP

By:



Anthony Duffy, Chairman

NOTICE

NOTICE is hereby given that the Board of Supervisors of East Coventry Township, at its public meeting on August 10, 2020 at the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will consider and could vote to adopt an Ordinance amending the Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 1 (Administration and Government), Part 5 (Historical Commission), Section 1-501 (Definitions) to add a definition for “Historic Resources Map”; to amend Section 1-503 (Membership), Subsection 1 to reduce the minimum number of Historical Commission members from seven to five; to amend Section 1-505 (Organization; Meetings; Conduct of Business), Subsection 3 to clarify Historical Commission meetings are public and held monthly at the Township Building; to amend Section 1-506 (Powers and Duties), Subsection 1 to clarify the Historical Commission role in public hearings and specify additional powers to maintain an updated historic resources list, to advise the Board of Supervisors and Zoning Hearing Board on conditional use, special exception and variance requests affecting historic resources, and to perform the duties assigned under Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), and Chapter 27 (Zoning), Part 12 (Historic Resource Protection Standards); and to amend Chapter 27 (Zoning), Part 12 (Historic Resource Protection Standards) to eliminate the provisions of Section 27-1204 (East Coventry Township Historical Commission) insofar as they are duplicative of Chapter 1 (Administration and Government), Part 5 (Historical Commission).

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Pottstown Mercury*, 24 North Hanover Street, Pottstown, Pennsylvania 19464, the Chester County Law Library, 201 West Market Street, Suite 2400, West Chester, Pennsylvania 19380-0989 and the East Coventry

Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465, where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

**MARK A. HOSTERMAN, ESQUIRE
WISLER PEARLSTINE, LLP**

Solicitor for East Coventry Township