

West Brandywine Township

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Member

TOWNSHIP OF WEST BRANDYWINE ORDINANCE NO. 95-05

AN ORDINANCE CREATING THE WEST BRANDYWINE TOWNSHIP HISTORICAL COMMISSION IN ORDER TO: LOCATE, NAME AND PRESERVE FOR POSTERITY THE SIGNIFICANT ARCHITECTURAL, NATURAL AND OTHER HISTORICAL 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 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 Brandywine Township Historical Commission.

Section 2. Membership

The said Commission:

- a. shall consist of a minimum of seven members and up to, but not exceeding nine who shall be residents of West Brandywine Township.
- b. shall be appointed by the Board of Supervisors.
- c. shall be appointed for a term of three (3) years, except the terms of;
 - 1). two (2) of the members first appointed shall be for one (1) year
 - 2). two (2) of the members first appointed shall be for two (2) years
 - 3). 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 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 minutes, 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 a meeting shall require the affirmative vote of the majority.

Section 6. Responsibilities

The Commission shall serve in an advisory capacity for historic preservation and to accomplish this purpose, the Commission shall:

a. record the Township's history and its significant architectural, historic and natural sites and maintain a detailed inventory and map(s) of these historic resources including informational data appropriately classified, registration where appropriate including the Chester County Historic Certification and PA Historic Resource Forum.

b. create an awareness of the history of the Township from the native Americans to the present day, including their cultural, agricultural, business, educational and religious endeavors.

c. research and record the history of West Brandywine Township and serve as an advisory resource for owners of historic sites involved with preservation and/or restoration.

d. to cooperate with all Township officials and agencies in relation to the preservation and restoration of historic structure 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 October 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 June 13, 1961, P. L. 282, No. 167, as amended, entitled "Historic Districts".

Section 7. 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 Historical Commission in the year for which the appropriation is made.

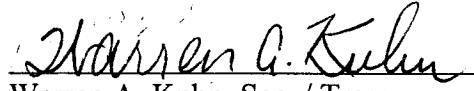
Section 8. Severability

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.

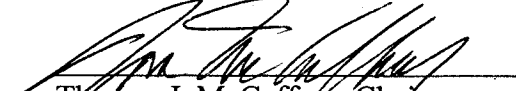
Section 9. Effective Date


This ordinance shall become effective on August 17, 1995 as provided by law.


Attest:

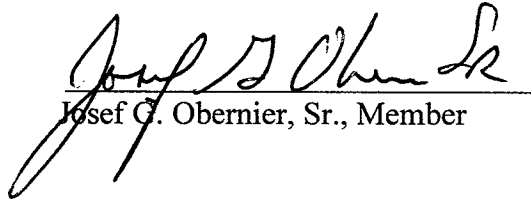

Warren A. Kuhn, Sec. / Treas.

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