

ORDINANCE 2104

AMENDING THE STATE COLLEGE BOROUGH CODIFICATION BY CREATING A NEW CHAPTER XX OF THE CODIFICATION OF ORDINANCES BY ESTABLISHING A LOCAL HISTORIC DISTRICT AND HISTORIC ARCHITECTURAL REVIEW BOARD FOR THE BOROUGH OF STATE COLLEGE.

Be it ENACTED AND ORDAINED by the Borough Council of the Borough of State College, and it is hereby Enacted and Ordained by authority of same, as follows:

An Ordinance of the Borough of State College providing for the establishment of a local historic district and appointment of a Historical Architectural Review Board (HARB) to give recommendations to the Borough governing body (Borough Council) regarding the granting or refusal of Certificates of Appropriateness (COA) for the addition to, demolition of (full, or partial), or razing of any contributing building, or new construction, within the Borough's local historic district and for appeals from such refusals. Alteration of an existing main building will not require a COA.

Section 100 – Legal Authorization

Pursuant to the authority in the Act of June 13, 1961, Public Law 282, No. 167, as amended there are two historic districts in the Borough of State College. The names of these districts are College Heights and Holmes-Foster/Highlands Historic Districts.

This Ordinance shall be known and may be cited as the Borough of State College Historical Architectural Review Board Ordinance.

Section 101 – Purposes

This District is created for the following purposes:

1. Pursuant to Article I, Section 27 of the Pennsylvania Constitution, which states that The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and aesthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustees of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

Now therefore it is the purpose and intent of the Borough of State College to promote, protect, enhance, perpetuate, and preserve historic districts for the economic, educational, cultural, and general welfare of the public through the preservation, protection and regulation of buildings, structures, and areas of historic interest or importance within the Borough; to safeguard the heritage of the Borough by preserving and regulating historic districts which reflect elements of its cultural, social, economic, political, and architectural history; to preserve and enhance the environmental quality of neighborhoods; to strengthen the Borough's economic base by stimulation of the tourist industry; to establish and improve property values; to foster economic development; to foster civic pride in the beauty and accomplishments of the Borough's past; to promote livability, while maintaining community character; to reduce impacts on landfill from demolition of buildings; and to preserve and protect the cultural, historical and architectural assets of the Borough for which the Borough has been determined to be of local, state or national historical and/or architectural significance.

Section 200 – Definitions

For the purpose of this Ordinance, all words used in the present tense include the future tense. All words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the word clearly indicates otherwise. The word "shall" is mandatory. The word "used" includes "designated, intended, built, or arranged to be used".

- A. **Architectural Character** – This visual character of a building which includes but not limited to the shape of the building, the size and placement of openings, the roof materials, slope and presence or absences of dormers, projecting porches or balconies, the width and style of trim, the setting and setback of structures and parking from the public rights-of-way and the material and craftsmanship of the buildings surfaces.
- B. **Alteration** – Any act or process requiring a zoning permit and any other act or process not requiring a zoning permit but specifically listed in this ordinance as a reviewable action, including without limitation the addition, demolition (partial or full) and new construction of any main building. Alteration is not a change in paint color.
- C. **Main Building** – Any structure that is a combination of materials to form a construction for occupancy and/or use for human habitation and is permanently affixed to the land, including manufactured homes. The Borough's local historic district map will identify the main building(s) on each of the parcels. A parcel may contain more than one main building. The Historic Resources Property File will be used to determine the main building(s).
- D. **Building or Demolition Permit** – An approval statement signed by the Zoning Officer authorizing the construction, addition, demolition (partial, or full) or razing of all or a part of any main building listed as a contributing building Borough's Historic Resources Property File, and/or new construction within the boundaries of the local historic district.
- E. **Contributing Building** – The main building identified as "contributing" on the Local Historic District map, and within the Borough's Historic Resources Property File for the College Heights and Holmes-Foster/Highlands National Historic Registered Districts.
- F. **Zoning Permit Application** – The request filed by any person with the Zoning Officer that seeks authorization to construct additions, demolish (partial, or full) or raze all or a part of any building or structure listed in the Borough, or construct a new main building within a local historic district that requires a Certificate of Appropriateness.
- G. **Building Code Inspector** – An individual from the Centre Regional Code Administration or other recognized code professional that is a resident of Centre County who enforces compliance of building and/or fire codes.
- H. **Certificate of Appropriateness (COA)** – The approval statement signed by the Borough Council which certifies to the historical appropriateness of a particular request for the construction of an addition, demolition (partial, or full), razing of all or a part of any main building or structure, or new main building construction, within the Borough's local historic district and authorize the issuance of a zoning permit (if required) for said request.

- I. **Character-defining features** – The qualities of the main building conveyed by its doors, form, materials, features, spaces, roof line, windows and finishes.
- J. **Completed Application** – A completed permit or Certificate of Appropriateness application is an application which conforms to the submittal criteria for specific historic preservation projects, as determined by this ordinance. A completed application will also include the items outlined in the Contents of the Written Report, fees and an electronic copy of the completed application.
- K. **Demolition** – The dismantling or tearing down of all or part of any main building.
- L. **Design Guidelines** – A set of design parameters for alterations which apply within a historic district. The guidelines are adopted by Borough Council showing instruction with public statements of intent that are used to evaluate the acceptability of a project's design and ensure that additions to, demolition of (partial, or full) and new construction respect the character of designated main buildings and districts.
- M. **Erection** – The result of addition to or construction of a main building.
- N. **Historical Architectural Review Board (HARB)** – The Board that advises the Borough of State College Council on any requests for authorization to construct additions, demolish (either partial or full) and/or new construction of any building within the Borough's local historic district.
- O. **Integrity** – The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's time of construction or inventory.
- P. **Reconstruction** – The act or process of reproducing by new construction the exact form and detail of a vanished building, structure, or object, or a part thereof, as it appeared as a specific period of time but not necessarily of original material.
- Q. **Relocation of Main Building** – The relocation of a main building is permitted but must meet all applicable Borough Zoning Ordinance requirements and is not a reviewable action under this ordinance.
- R. **Replacement in Kind** – Using material to replace a damaged item. It shall match the original items design specification, visibly and functionally.
- S. **Reviewable Action** – Any alteration that can be seen from the front yard(s) and also includes 50% of the building facing the side yard(s) measured from the building front to the 50% mark on the side of the building which may change the architectural character of any contributing main building covered by this ordinance that meets the following list below:
 - i. Additions to the main building
 - ii. Demolition of part or all the main building
 - iii. New construction of a main building within the local historic districts

Section 300 – Delineation of Historic Districts

The Borough's Historic District shall be described in writing in this section and delineated on a map designated as the official Local Historic District Map of the Borough of State College. The map will be supplemented with a listing of properties by address and tax identification number to be called the Individual Properties List.

Copies of the Local Historic District Map of the Borough and Individual Properties List shall be located in the Planning Department of the Borough and made available for public inspection. The official Local Historic District Map shall be the final authority as to the current historic status of a main building and other structures in the Borough.

Section 400 – The Creation and Membership of the Historical Architectural Review Board (HARB).

- A. A Historical Architectural Review Board, hereafter referred to as HARB, is hereby established to be composed of members appointed by the Borough governing body. The membership of HARB shall be as follows:
1. One (1) member shall be a Pennsylvania registered architect;
 2. One (1) member shall be a Pennsylvania licensed real estate broker;
 3. One (1) member shall be a building code inspector;
 4. Four (4) members shall be persons with demonstrated interest, knowledge, ability, experience or expertise in restoration, historic rehabilitation, or neighborhood conservation or revitalization who have interest in the preservation of the Historic District(s) and are property owners who reside in the district.

Members of the HARB identified by 1, 2, and 3 above do not need to be residents of the Borough of State College.

- B. The initial terms of the first member shall be so fixed that no more than 3 members shall be replaced or reappointed during any one calendar year. Vacancies on the HARB shall be filled as soon as possible. No more than two members during a calendar year shall have the same expiration of the term. However, every member shall continue in office after expiration of the term until a successor has been appointed. Their successors shall serve for a term of five (5) years. The position of any member of HARB appointed in this capacity such as a registered architect, a licensed real estate broker, building inspector, etc., who ceases to be so engaged shall be automatically considered vacant. An appointment to fill a vacancy shall be only for the unexpired portion of the term.
- C. It shall be the duty of each HARB member to remain conscious of and sensitive to any possible conflict of interest (including but not limited to financial considerations) that may arise by virtue of his or her membership on the Board. A member, must promptly upon determining a conflict relative to any matter, shall disqualify self from participating, in any manner, publicly or privately, in the presentation, discussion or deliberation of and the voting on and such manner, including temporarily absenting self from the room in which the discussion is being held.

Section 401 – Powers and Duties of HARB

- A. **Advisory Role** – HARB shall give recommendations to the Borough governing body regarding the advisability of issuing any Certificate of Appropriateness required to be issued in accordance with the said Act of June 13, 1961, as amended in this ordinance.
- B. **Removal of Members** – Any Board member may be removed for misconduct or wrongdoing, unlawful execution of this Act, or failure to perform his or her responsibilities pursuant to this ordinance, or for other just cause by a majority vote of the governing body, but not before he or she has been given the opportunity of a Public Hearing to defend to any alleged infractions of said ordinance.
- C. **Annual Reports** – The members of HARB shall make an annual report to the Borough governing body, which shall be included in the State of Preservation report and can include:
 - 1. any recommendations for the changes in the ordinance;
 - 2. the number and types of cases reviewed;
 - 3. the number of cases for which a Certificate of Appropriateness was either approved or denied;
 - 4. number of HARB meetings which each member attended;
 - 5. a narrative summary describing the state of preservation in the Borough's Historic Districts with recommendations in policy, goals, and objectives for the Borough governing body's consideration.
- D. **Meetings and Records** – Within 30 days of its appointment, the HARB shall meet and elect a Chair and Vice-Chair. The term of the Chair and Vice-Chair shall be one year, and they shall be eligible for re-election.
 - 1. The HARB shall adopt rules for the transaction of its business and shall keep a record of its resolutions; discussions, findings and recommendation, and these records shall be open to the public. These records will be held in the Planning Department Office.
 - 2. For the purpose of taking any official action, there shall be present a quorum, defined as four sitting members.
 - 3. All meetings of the Board shall be conducted in conformity with Pennsylvania's Sunshine Act. All records shall be retained in conformity with applicable record retention regulations as promulgated by the Pennsylvania Historical and Museum Commission.

Section 402 – Additional Powers and Duties of HARB. In addition to the above, HARB shall have the following powers and duties:

- A. The establishment of an appropriate system of markers/house plaques for selected historic sites and main buildings.
- B. To formulate recommendations concerning the preparation and publication of maps, brochures and descriptive material about the Borough, historical and/or architectural sites and main buildings.
- C. To cooperate with and advise the Borough governing body, the Borough's Authorities, Boards and Commissions, property owners and the general public in matters involving historically and/or architecturally significant sites and buildings.
- D. To cooperate with and enlist assistance from the Centre County Historical Society, the Pennsylvania State University, the National Park Service, the National Trust for Historic Preservation, Preservation Pennsylvania, the Pennsylvania Historical and Museum Commission and other agencies, public and private, from time to time, concerned with the preservation of historic sites and buildings.
- E. To advise owners of main buildings regarding rehabilitation, repairs, maintenance methods and technologies, adaptive use, economic and tax incentives and other historic preservation strategies with public outreach initiatives.
- F. To assist from time to time the Design Review Board and Planning Commission on matters related to historic preservation. This includes the review of land development plans involving main buildings as defined by this ordinance. The Board shall advise in advance of the DRB's next regularly scheduled meeting of the historic and architectural significance of the property affected and the effect of the proposed land development on the main building.
- G. To promote public interest in the purpose of this Ordinance by carrying on educational and public relations programs.

Section 500 – Design Guidelines

In determining the recommendations to be made to the Borough governing body concerning the issuance of a Certificate of Appropriateness, the Historical Architectural Review Board (HARB) shall consider only those matters that are pertinent to the preservation of the historical and/or architectural aspect and nature of the building, or structure site, area, or district, certified to have historical significance. The HARB shall consider the Secretary of the Interior's Standards for the Treatment of Historic Properties with adopted Design Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or replacement structures.

The Borough's governing body will adopt Design Guidelines by resolution to assist in interpreting the criteria set forth in this ordinance without amending the ordinance. The Design Guidelines may be periodically reviewed and amended on an as needed basis.

In addition, the HARB and governing body, when applicable, shall consider the following when reviewing the following list of reviewable items:

- i. Additions to the main building
 - ii. Demolition of part or all the main building
 - iii. New construction of a main building within the local historic districts
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- A. Broad historical values representing the cultural, political, economic, or social history of the Borough.
 - B. The relationship of the building or structure to historic personages or events.
 - C. Significant architectural types representative of a certain historical period and a style of method of construction.
 - D. The effect of the proposed change upon the general historical and architectural nature of the District.
 - E. The appropriateness of the exterior architectural features which can be seen from a public street and described in this ordinance.
 - F. The general design, arrangement, texture, and material of a building or structure and the relation of such factors to similar features of buildings or structures in the District. Consideration shall be given but not limited to the following:
 1. Proportion of Building Front Facades – Preserving the relationship between the width of the front of the building and the height of the front of the building.
 2. Proportion of Openings within the Building – Preserving the relationship of width to height of windows and doors.
 3. Rhythms of Solids to Voids in the Front Façade – Preserving the relationship between a recurrent alteration of strong and weak architectural elements thereby maintaining a rhythm of solids to voids.
 4. Rhythm of Spacing of Buildings on Streets – Preserving the existing rhythm of recurrent or repeated building masses to spaces between each building.
 5. Rhythm of Entrance and/or Porch Projections – Preserving the existing rhythm of entrances or porch projections to maintain a pedestrian scale.
 6. Relationship of Materials – Preserving the predominant materials of the district such as brick, stone, stucco, wood siding, or other material.
 7. Relationship of Textures – Preserving the predominant textures of the district which may be smooth, such as stucco or rough such as brick with tooled joints or horizontal wood siding or other textures.

8. Relationship of Architectural Details – Preserving character defining features of buildings such as architectural details including but not limited to, cornices, lintels, arches, quoins, balustrades and iron work, chimneys, etc.
9. Relationship of Roof Shapes – Preserving compatible roof shapes such as gable, mansard, hip, flat, gambrel, and/or kinds of roof shapes.
10. Directional Expression of Front Elevation – Preserving the orientation of structural shapes, plan of openings and architectural detail that reflect a predominately vertical, or horizontal character to the building's front façade.
11. Scale – Preserving the scale of the built environment created by the size of units of construction and architectural detail that relate to the size of persons. In addition, preserving building mass units in relation to Borough's local historic district.
12. Modifications – The HARB shall recommend modifications in a manner that will be in harmony with the character of other buildings or structures on the street and/or districts. These modifications will be presented to Borough Council as part of their recommendation.
13. In such rare cases where HARB recommends and the governing body approves demolition of a historic building or structure a good faith effort shall be made by the owner(s) to said building or structure to a proximate site to which the structure may be moved. If moving a building or structure slated to be demolished is economically or practically infeasible, efforts shall be made to salvage architectural features of said building or structure.
14. Financial Feasibility – The Board shall consider the financial feasibility of its recommendations in response to a request for a Certificate of Appropriateness or zoning permit for the addition, demolition (full or partial) or new construction of any main building or structure. Financial feasibility shall be determined by the HARB on the basis of an unreasonable cost for the addition, new construction or replacement in-kind of whole or part of a building or structure.
15. The applicant shall submit a minimum of three (3) estimates from bona fide contractors and/or vendors substantiating his or her claim of the financial feasibility of the addition, new construction or replacement in-kind of whole or part of a building or structure.

Section 501 – Markers, House Plaques and Signs

- A. Historical markers may be reviewed by HARB. House Plaques for contributing buildings must be reviewed and approved by the HARB. All signs must comply with the Borough Sign Ordinance or its successor document.

Section 600 – Application Review Procedure

- A. Upon receipt of a completed application for a zoning permit or a Certificate of Appropriateness for work to be done in the district, the Planning Department shall act

in accordance with the procedures being followed in that office, except those procedures that are modified by the following requirements:

1. The Planning Department shall determine if the application is only for administrative review. If not, the Planning Department shall forward copies of the completed application for a zoning permit together with copies of any plot and building plans and specifications filed by the applicant to HARB.
 2. The Planning Department shall not issue a zoning permit for any addition, new construction or demolition of all or part of any building in the Districts until the Borough governing body has issued a Certificate of Appropriateness. If the Planning Department issues a zoning permit without a COA due to an administrative or clerical error said permit shall be voided.
 3. The Planning Department shall require applicants to submit a sufficient number of additional copies of material required to be attached to a completed application for a zoning permit or Certificate of Appropriateness so that the information needed to make the determination set forth in Section 600 will be available.
 4. The Planning Department shall maintain a record of all such applications and final dispositions of the same.
- B. Timeframe for Board Decisions – Upon receipt of a completed zoning permit or Certificate of Appropriateness application under the jurisdiction of this Ordinance, HARB shall consider such at its next regularly scheduled meeting. The application must be submitted at a minimum fourteen days in advance of the scheduled meeting in order to be considered. The Planning Department will post a schedule of submission deadlines based on the HARB approved meeting schedule.
- C. Notification of Application of HARB Meeting – The owner of record or his or her representative(s) applying for a Certificate of Appropriateness and/or a zoning permit shall be advised of the time and place of said meeting at least ten (10) days before the HARB meeting and be required to appear and explain his or her reasons at the HARB meeting where the application is discussed.
- D. Design Guidelines – In determining both oral and written recommendations to be presented to the Borough Council concerning the issuance of a Certificate of Appropriateness authorizing a permit for the addition, new construction or demolition of all or part of any main building within the Historic District, HARB shall consider the Design Guidelines set forth in Sections 500 and 501, and such design guidelines developed by the HARB pursuant to and congruent with the objectives of this ordinance.
- E. Time Frame for Board Decisions – HARB shall render a decision and recommendations on any application for a Certificate of Appropriateness or zoning permit under its review as soon as possible but no later than 45 working days after the hearing/meeting provided for in Section 401 of the Ordinance and shall submit, in writing to the Borough governing body recommendations concerning the issuance of a Certificate of Appropriateness.

- F. Should the Board fail to notify the applicant of its decision within 45 working days of its review of the application, it shall be assumed, as a matter of law, that the application is deemed approved, unless the applicant waives the time limit in writing.
- G. Application Disapproval by HARB – If the HARB decided to advise against the granting of a Certificate of Appropriateness, it shall so indicate to the applicant the details of the disapproval. The disapproval shall indicate to the applicant the changes in plans and specifications, if any, which would protect (1) the distinctive historical character of the historic district and (2) the architectural integrity of the building or structure. The HARB shall withhold its report for five (5) days to allow the applicant to decide whether or not to make the suggested changes in his plans and specifications. If the applicant determines that he or she will make the necessary changes, he or she shall so advise the HARB, which shall in turn advise the governing body accordingly.
- H. Contents of Written Report – The written report to Borough Council concerning HARB's recommendations on the issuance of a Certificate of Appropriateness shall set out the findings of fact that shall include but not be limited to the following matters:
1. The exact location of the area in which the work is to be done.
 2. The exterior changes to be made or the exterior characters of the structure to be erected.
 3. A list of the surrounding structures with their general exterior characteristics.
 4. The effect of the proposed change upon the general historic and architectural nature of the district.
 5. The appropriateness of exterior architectural features of the building, which can be seen from a public street.
 6. The general design, arrangement, texture, and material of the building, and the structure and the relation of such factors to similar features of buildings or structures in the district.
 7. The specific recommendations of HARB based on findings of fact as to the issuance by the Borough governing body or its refusal to issue a Certificate of Appropriateness.
- I. Notification of Applicant by the Borough governing body of their consideration upon receipt of the written report from HARB as provided in H of this section, the Borough governing body shall consider at the next regularly scheduled or special meeting, the question of issuing to the Planning Department a Certificate of Appropriateness authorizing a permit for work covered by the application. The applicant shall be advised by the Borough Secretary of the time and place of the meeting at which his application shall be considered. The applicant shall have the right to attend this meeting and be heard as to the reasons for filing this said application.
- J. Design Guidelines – In determining whether or not to certify to the appropriateness of the addition, demolition (partial or full) or new construction all or a part of any building within the local historic district, the Borough governing body shall consider the same

factors as HARB set forth in Section 500 and 501 of this Ordinance and the report of the Board Approval by the Borough Council – If the Borough Council disapproves, a written reason(s) shall be given to the Planning Department, the applicant and to the Pennsylvania Historical and Museum Commission. The disapproval shall indicate what changes in the plans and specifications would meet the condition for protecting (1) the distinctive historical character of the district and (2) the architectural integrity of the building or structure.

Upon receipt of a written disapproval of the Borough Council, the Planning Department shall disapprove the application for a zoning permit and so advise the applicant. The applicant may appeal this disapproval within the time specified by law.

- K. Final Notification by Borough governing body – In either case of approval or disapproval the Borough shall notify the applicant of its decision within five (5) days of its meeting at which the application was considered.
- L. Should the governing body fail to notify the applicant of its decision within 30 working days of its review of the application, it shall be assumed, as a matter of law, that the application is deemed approved, unless the applicant waives the time limit in writing.

Section 700 – Unreasonable Economic Hardship

When a claim of unreasonable economic hardship is made due to the effect of this ordinance, the owner of record must present evidence sufficient to prove that as a result of the HARB's action, he or she is unable to obtain a reasonable return or a reasonable beneficial use from a resource. The owner of record shall submit by affidavit to the Board some or all of the information below at the discretion of the HARB, which shall include but not be limited to the following:

- A. Date the property was acquired by its current owner.
- B. Price paid for the property (if acquired by purchase) and a description of the relationship, if any, between the buyer and the seller of the property.
- C. Mortgage history of the property, including current mortgage and the annual debt service, if any, for the previous two (2) years.
- D. Current market value of the property.
- E. Equity in the property.
- F. Past and current income and expense statements for the past two (2) years.
- G. Past capital expenditures during ownership of current owner.
- H. Appraisals of the property obtained within the previous two years.
- I. Income and property tax factors affecting the property.
- J. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with purchase, offerings for sale, financing or ownership of the property, or state that none was obtained.

- K. All studies commissioned by the owner as to profitable addition, demolition or new construction of any structures or objects on the property for alternative use, or a statement that none were obtained.
- L. Estimate(s) of the cost of the proposed addition, new construction, demolition or razing and an estimate(s) of any additional cost(s) that would be incurred to comply with the recommendations of the Board for changes necessary for it to approve a certificate of appropriateness.
- M. Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture or other.

The Board may require that an applicant furnish additional information relevant to its determination of unreasonable economic hardship.

Should the Board determine that the owner's present return is not reasonable, it must consider whether there are other uses currently allowed that would provide a reasonable return and whether such a return could be obtained through investment in the property for rehabilitation purposes. The Board may choose to recommend to the Borough that special economic incentives be developed to assist the owner of the resource in maintaining it and obtaining a suitable economic return or achieving a reasonable beneficial use.

The Board may seek the assistance of appropriate local, statewide or national preservation organizations in developing solutions which would relieve the owner's economic hardship. If the Board chooses to explore such options, the Board may delay issuing a Certificate of Appropriateness for demolition on the basis of economic hardship for a period of ninety (90) days in addition to time periods otherwise applicable. The property owner may waive the time period if additional time is needed but must provide it in writing.

Should the applicant satisfy the Board that he will suffer an unreasonable economic hardship if a Certificate of Appropriateness is not approved, and should the Board be unable to develop with the Borough or appropriate local, statewide and national preservation organizations, a solution which can relieve the owner's economic hardship, the Board must recommend a Certificate of Appropriateness for demolition.

Section 800 – Notice of Violation

The Planning Department shall serve a written notice of violations on the person in violation of this ordinance which would result in but not be limited to (1) failure to apply for a Certificate of Appropriateness or a zoning permit required for the addition, new construction or demolition of all or part of any main building or structure which can be seen from a public way, and (2) failure to comply with HARB approved work. Such notice shall direct the abatement of said violation.

Section 801 – Enforcement

The Planning Department shall have the authority to institute any proceedings at law or in equity necessary for the enforcement of this Ordinance.

The Planning Department will also request a stop work order from the Centre Region Code Administration office for all work that is in violation of this ordinance.

Section 802 – Penalty

Any person, property owner, occupant, firm or contractor failing to obtain a zoning permit or Certificate of Appropriateness pursuant to this Ordinance shall be in violation of Borough Ordinances. A fine will be established by Borough resolution. After receipt of written notices, the property owner can be fined each day the violation is unabated.

Section 803 – Repealer

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 804 – Severability Clause

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 any part thereof.

Section 805 – Amendments

The provisions of the Ordinance may be amended in the future by the governing body of the Borough after notice and hearing as provided by law.

Section 806 – Effective Date/Certification by Pennsylvania Historical and Museum Commission

Immediately upon the adoption of this Ordinance, the Borough Secretary shall forward a copy thereof to the Pennsylvania Historical and Museum Commission. This Ordinance shall not take effect until:

- (1) the said Commission has certified, by resolution, to the historical significance of the Borough Historical District and
- (2) it has been duly advertised once in the newspaper of general circulation in the Borough as required by law.

Section 807 – Compliance with Borough Ordinances

All other Borough laws and ordinances shall be complied with, including the zoning and subdivision ordinances.

The adoption of this ordinance will be on December 18, 2017. The enactment of this ordinance will not occur before May 31, 2018.

ENACTED AND ORDAINED this 18 day of December, 2017.

ATTEST:

BOROUGH of STATE COLLEGE


 Sharon K. Ergler
 Assistant Borough Secretary

By: 
 Thomas E. Daubert
 President of Council

EXAMINED AND APPROVED as an Ordinance this _____ day of _____, 2017.


 Elizabeth A. Goreham, Mayor