

ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA, AMENDING
CHAPTER 11 ON THE DURATION OF CERTIFICATES OF
APPROPRIATENESS ISSUED UNDER THE SOLEBURY
TOWNSHIP ORDINANCES RELATING TO HISTORIC
DISTRICTS**

WHEREAS, Section 4 of the Historical Districts Act (HDA), 53 P.S. § 8004, authorizes the Township to issue certificates of appropriateness for the erection, reconstruction, alteration, restoration, demolition or razing of buildings, in whole or in part, within historic districts;

WHEREAS, pursuant to the HDA, Solebury Township established rules for the issuance of certificates of appropriateness by the Township. See Solebury Township Code of Ordinances Sections 11-101, et seq.;

WHEREAS, presently, the Solebury Township Code of Ordinances does not provide for an expiration of certificates of appropriateness issued by the Township;

WHEREAS, in addition to the HDA, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. Section 66601);

WHEREAS, the Pennsylvania Second Class Township Code authorizes the Board of Supervisors to enact regulations as may be necessary for the health, safety, and general welfare of the Township and its residents (53 P.S. Section 66506);

WHEREAS, the Board of Supervisors finds it to be in the best interests of the health, safety and general welfare of the Township to include expiration dates on certificates of appropriateness issued by the Township;

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Section 1601 of the Second Class Township Code

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

I. Chapter 11 of the Solebury Township Code of Ordinances is hereby **AMENDED** as follows:

A. AMEND Section 11-113 as follows:

1. RENUMBER and **RECODIFY** existing Section 11-113 as 11-113.1.

2. **ADD** new section 11-113.2 as follows:

2. Expiration of certificates of appropriateness.

A. In those situations where a building permit is issued, pursuant to Township Building Code (Chapter 5, Part 1), which adopts the Uniform Construction Code, including but not limited to, 34 Pa. Code § 403.43(g) and § 403.63(g), within 180 days after the issuance of the certificate of appropriateness for the work requested in the application, the certificate of appropriateness becomes invalid upon the expiration of said building permit.

B. In those situations where no building permit is required or issued, pursuant to Township Building Code (Chapter 5, Part 1), which adopts the Uniform Construction Code, including but not limited to, § 403.43(g) and § 403.63(g), within 180 days after the issuance of the certificate of appropriateness for the work requested in the application, the certificate of appropriateness becomes invalid unless the authorized performance of work begins within 180 days after the issuance of the certificate of appropriateness or if the work authorized by the certificate of appropriateness is suspended or abandoned for 180 days after the work has commenced. Such an applicant may submit a written request for an extension of time to commence work for just cause. The Building Inspector of Solebury Township may grant extensions of time to commence work in writing. Such a certificate of appropriateness may be valid for no more than 2 years from its issue date.

II. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of

the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED AND ENACTED this ____ day of _____, 2021.

BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA

Mark Baum Baicker, Chair

Kevin Morrissey, Vice-Chair

Noel Barrett, Member

John Francis, Member

Robert A. McEwan, Member

Attest:

Catherine Cataldi, Township Secretary