

**RIDLEY PARK BOROUGH**  
**HISTORIC DISTRICT ORDINANCE**

**ORDINANCE #1193**

**Revised September, 2010**

## **Ordinance Created and Defined – PA 167**

Whereas, the Borough of Ridley Park recognizes that preservation of our historic resources is vital to the welfare of our community, and contributes to the education and culture of our citizenry, the Borough, under and by virtue of the authority granted by the Historic District Act, Act of June 13, 1961, P.L. 282, No. 167, as amended, 53 PA Cons. Stat. Ann. Sec. 8001 et seq. (1990), does hereby enact an ordinance: to revise and consolidate Ordinance # 1070 and Ordinance #1170 which creates and defines historic districts in the Borough of Ridley Park, Delaware County, Pennsylvania; establishes the boundaries of the districts; creates the Historical Architectural Review Board (HARB), defines the scope and regulations of the Historical Architectural Review Board; requires a Certificate of Appropriateness prior to permitting any alteration, construction, demolition, erection, razing, reconstruction, rehabilitation, or restoration, other than ordinary maintenance as herein defined, of a building, or structure or part of a building in a Ridley Park Historic District.

# **RIDLEY PARK BOROUGH HISTORIC DISTRICT ORDINANCE**

## Table of Contents

Section 1.	Title
Section 2.	Intent and Purpose
Section 3.	Definition
Section 4.	Provisions
Section 5.	Boundaries
Section 6.	Composition and Creation of HARB
Section 7.	Duties and Powers of HARB
Section 8.	Application Procedure for Certification of Appropriateness
Section 9.	Design Guideline and Evaluation Criteria
Section 10.	Economic Hardship
Section 11.	Actions by the HARB – procedures for certification
Section 12.	Reporting requirements for HARB
Section 13.	Actions by the Borough Council
Section 14.	Structural and maintenance standards
Section 15.	Enforcement
Section 16.	Penalties
Section 17.	Appeals
Section 18.	Severability and partial invalidity
Section 19.	Amendments
Section 20.	Repealer
Section 21.	Effective date
Appendix	Maps of Historic Districts

## **Section 1. Title**

This Ordinance shall be known as the Ridley Park Borough Historic District Ordinance.

## **Section 2. Intent and Purpose**

The Historic Districts in Ridley Park are created for the following purposes:

- A. To encourage the preservation and protection of Historic Sites and Historic Architectural Resources.
- B. To emphasize the richness of our past as evidenced by buildings, archeological remains, and other historic resources which contribute to the character, culture and historical architectural heritage of the Borough of Ridley Park and the Commonwealth of Pennsylvania.
- C. To encourage that new buildings and developments be harmonious with existing historic and architecturally significant buildings.
- D. To promote adaptive reuse rather than demolition of buildings in the Historic District.
- E. To strengthen the economy of the Borough by stabilizing and improving property values within the Historic District.
- F. To preserve the exterior architectural character of buildings/structures as visible from any public street or way.
- G. To maintain and protect the residential character and spirit of the community. No provision of this Ordinance shall be construed as promoting the development of commercial tourism activity within the Borough of Ridley Park.

## **Section 3. Definitions**

As used in this chapter, the following terms shall have the meanings indicated.

- A. Alteration – any substantial change to a part of a building visible from a public way, excluding changes of paint color, siding material, and window replacement.
- B. Building – any enclosed or open structure which is a combination of materials to form a construction for occupancy, shelter and/or other functional use.

- C. Building Permit – an approval statement signed by the Building Inspector authorizing the construction, alteration, reconstruction, restoration, demolition, or razing of all or a part of any building or structure.
- D. Building Permit Application – the request filed by any person with the Building Inspector that seeks authorization to construct, alter, reconstruct, restore, demolish, or raze all or a part of any building or structure.
- E. Certificate of Appropriateness – The approval statement signed by the Borough Council and the HARB which certifies the appropriateness of a particular request for the construction, alteration, reconstruction, restoration, demolition, or razing of all or a part of any building or structure within the Historic District.
- F. Building Inspector – the officer of the Borough of Ridley Park designated by the Borough Council as the individual who issues the permit for the construction, alteration, reconstruction, restoration, demolition, or razing of all or a part of any building or structure.
- G. Construction – any or all work necessary for the erection of any building or structure from a combination of materials which form safe and stable structures.
- H. Demolition – the dismantling or tearing down of all or part of any building or structure and all operations incidental thereto.
- I. Exterior Architectural Character – The physical appearance of a building and its relationship to neighboring buildings.
- J. Fences – Structures meant to confine, enclose, bar from entry or view, divide or mark a boundary.
- K. HARB – The Historical Architectural Review Board is the agency appointed by the Borough Council for the purpose of reviewing an application for a Certificate of Appropriateness and determining if the proposed work is in compliance with the ordinance. According to the Historic District Act, Act of June 13, 1961, P.L. 282, No. 167, as amended, 53 P.S. § 8001, et.seq., this board may also be referred to as the Board of Historical Architectural Review (BHAR).
- L. Historic District – That region of the Borough declared historically significant by the Pennsylvania Historical and Museum Commission in accordance with Act 167 as above stated.
- M. Maintenance – Requirements necessary to meet the Minimum Standards of Maintenance criteria as described in Section 14 hereof.

- N. Planning Commission – The Ridley Park Planning Commission which advises the governing body on planning and planning related matters.
- O. Public Street or Right of Way – An access way which includes all State Roads and Highways; all dedicated roads maintained by the Borough; all roads for which the offer of a deed of dedication has been made; and all private roads over which the general public has the right of access.
- P. Reconstruction – Any or all work needed to remake or rebuild all or a part of any building to a sound condition, but not necessarily of original materials.
- Q. Rehabilitation – To restore a building to useful condition while meeting the criteria of the HARB.
- R. Repairs – Any or all work involving the replacement of existing work which equivalent materials for the purpose of maintenance, but not including any addition, change, or modification of the structure.
- S. Restoration – Any or all work connected with the returning or restoring of a building or a part of any building to its original condition through the use of original or nearly original materials.
- T. Structure – Includes all buildings, signs, curbs, streets, roads, fences, walls, and other man-made features of the landscape.
- U. Walls – Structures meant to confine, enclose, bar from entry or view, divide or mark a boundary or retain earth.

#### **Section 4. Provisions**

The provisions of this ordinance shall apply to all properties:

- A. Within the boundaries of the Historic District as delineated in Section 5 hereof.
- B. Owned by the Borough of Ridley Park

## **Section 5. Boundaries**

### **A. Delineation of Boundaries**

The Ridley Park Historic District is described as follows:

#### **NORTH-SOUTH ROUTES**

1. Free Street from Ward Avenue to Ridley Avenue
2. Harrison Street from Dupont Street to Ridley Avenue
3. Swarthmore Avenue
  - a. west side from West Rodgers to Dupont Streets
  - b. east side to include houses #515, 513, 511, 509, 507
  - c. both sides from Dupont Street to Amtrak railroad tracks
  - d. west side from Amtrak railroad tracks to alleyway behind rear lines of properties fronting Felton Street
  - e. east side from Felton Street to includes houses #1 (Taylor Green Space), 3, 5, 7, and 15.
4. Tome Street from Russell Street to Ward Avenue including #601 and excluding the school building on the west side
5. Morton Avenue from Russell Street to Ridley Avenue
6. Rosemont Avenue from Henderson Avenue to Chester Pike
7. Poplar Walk – entire street
8. Nevin Street – entire street
9. Welcome Lane – entire street
10. Crum Lynne Road
  - a. west side to include houses #316, 314, 312, 310
  - b. east side to include houses #317, 315, and 311

#### **EAST – WEST ROUTES**

1. Russell Street from Tome Street to east of Morton Avenue including 202 Russell (duplex attached to 517 Morton Ave) up to, but not including 210 Russell.
2. Barker Street from Tome Street to Morton Avenue

3. Park Street from Tome Street to Thayer Street excluding #215.
4. Penn Street from Tome Street to Thayer Street
5. Creswell Street from Ward Avenue to Thayer Street
6. Ridley Avenue
  - a. from #214 West (original club house) to the mid 400 block East (past Kenney Street) including 412 and 407. Ridley Lake, the adjoining park (Eastlake Park), and the bridge are included in this part of Ridley Avenue
  - b. west to include the north side of the 300 block, including only those houses numbered #337, 335, 333, 331
  - c. south side to consist of Crum Lynne Railroad Station area and continuing east to Rosemont Avenue using the railroad as a spine.
7. Ward Avenue from Free Street to E. Ridley Avenue
8. Hinckley Avenue from Poplar Walk to Swarthmore Avenue
9. Sellers Avenue from Chester Pike to Swarthmore Avenue
10. Chester
  - a. north side from McCormick Avenue to Sellers Avenue
  - b. south side from Stewart Avenue (east across Sellers Avenue) up to and including #20 and the full depth of the lot at #26 Chester Pike through to Delaware Avenue
11. Felton Street south side from #18 (east across Swarthmore Avenue) up to and including #8
12. Constitution Ave. from W. Ridley Avenue to the beginning of Dupont Street, not including public school buildings

B. Interpretation of Boundaries

Where uncertainty and/or discrepancies exist regarding the boundaries of the districts as described above or as shown on the official Borough of Ridley Park Historic District Map (see appendix A), the following guidelines shall apply:



1. Boundaries indicated as approximately following the centerlines of streets, alleyways, or highways shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following plotted lot lines shall be construed to follow such plotted lot lines.
3. Boundaries indicated as parallel to or extensions of the features indicated above, shall be so construed. Distances not specifically indicated on the Official Borough of Ridley Park Historic District Map shall be determined by the scale of the map.
4. Where physical or cultural features existing on the ground are at variance with those shown on the Official Borough of Ridley Park Historic District Map, or in other circumstances not covered by the above, the Borough Council shall interpret the boundaries of the district.

**Section 6. Composition and Creation of the Historical Architectural Review Board**

- A. The HARB is hereby established to be composed of seven (7) members appointed by the Borough Council. The membership of the HARB shall be as follows:
  1. One (1) member shall be a registered architect;
  2. One (1) member shall be a licensed real estate broker;
  3. One (1) member shall be the Building Inspector;
  4. One (1) member shall be a member of the Ridley Park Planning Commission;
  5. The remaining three (3) members shall be residents of the borough who have an interest in historic preservation.
  6. At least two (2) of the HARB members must live within the Historic District.
- B. The initial term of the members of the HARB shall be as follows:
  1. Two (2) members shall be appointed to serve until the first day of January following the effective date of this Ordinance.
  2. Two (2) members shall be appointed to serve until the first day of the second January thereafter.
  3. Two (2) members shall be appointed to serve until the first day of third January thereafter.
  4. One (1) member shall be appointed to serve until the first day of the fourth January thereafter.

- C. Borough Council shall appoint successors upon the expiration of HARB member terms to serve for a period of four (4) years.
- D. The HARB shall elect its own chairperson and vice chairperson and may create other offices as deemed necessary. Officers shall serve for a term of one (1) year and may succeed themselves.
- E. Four (4) members of the HARB shall constitute a quorum for the purpose of conducting official business; however, any action of the board shall require a majority of all HARB members. (Official actions require four (4) members of the HARB to vote in the affirmative.)
- F. The position of any member of the HARB appointed in his or her capacity as a registered architect, licensed real estate broker, planning commission member, or building Inspector, who ceases to be certified shall automatically be considered vacant.
- G. An appointment to fill a vacancy shall be only for the unexpired portion of the term.
- H. HARB members serve without compensation. Any member shall disqualify himself/herself from voting on any project which directly or indirectly involves financial self-interest or conflict of interest.
- I. Any vacancy on the HARB shall be filled within sixty (60) days from the time that the resignation is accepted by the Borough Council.

#### **Section 7. Duties and powers of the HARB**

- A. The primary duty of the HARB is to ensure that the exterior architectural character of buildings/structures is not altered, demolished, or reconstructed in such a manner that the building/structure is no longer a contributing historic resource. As such, the HARB shall do the following:
  - 1. Review plans for proposed alteration, demolition, reconstruction, rehabilitation, restoration, addition to, or construction/erection of buildings/structures within the historic district and the effect of such action on the exterior architectural character of the area;
  - 2. Recommend to Borough Council a course of action regarding the granting of a Certificate of Appropriateness for work on properties within the Historic District; and

3. Offer guidance to property owners when requested concerning preservation techniques and building materials for appropriate restoration, rehabilitation, preservation, stabilization, protection and reconstruction and repair.
- B. Each HARB member must meet the following requirements:
1. Attend at least eight (8) hours of training annually in Historic Preservation;
  2. Not miss more than two (2) consecutive meetings;
  3. Not miss more than three (3) meetings in a calendar year.
- C. An annual report must be submitted to Borough Council which must include the following:
1. Record of actions taken by HARB in the preceding year regarding requests for Certificates of Appropriateness;
  2. Summary of meeting dates;
  3. Review of HARB activities including educational and public relations programs;
  4. Accounting of expenditures during the preceding year;
  5. Request for budgetary appropriations and rationale for request;
  6. Preparation and filing of the Stability of the Districts Report; and
  7. Evidence that requirements of Section 7B have been met by all HARB members
- D. Specific responsibilities of the HARB shall include the following:
1. To hold regularly scheduled and advertised monthly public meetings. Minutes of these meetings must be recorded and submitted to Borough Council in a timely fashion.
  2. To hold additional public meetings/hearings that it considers necessary or that are requested by a majority of the Borough Council in order to carry out its responsibilities as indicated by this Ordinance.
  3. To request inspections by the Building Inspector during each project for which a Certificate of Appropriateness has been granted to determine if the work is being done in accordance with the terms of the permit. A monthly report of these inspections must be submitted

to the HARB by the Building Inspector listing all inspections and reporting all findings from these inspections.

4. To maintain a file containing records of all applications, drawings, photographs, and other supporting material submitted for review. This information should be available for public inspection.
5. To conduct a survey of buildings within the Borough for the purpose of determining those of historic and/or architectural significance and to compile pertinent facts about those buildings.
6. To request a review by the Building Inspector of those properties which may require repairs, corrections of structural defects or damages in order to preserve and protect such buildings or structures in accordance with the spirit of this Ordinance.
7. To promote public interest in historic preservation by preparing educational materials and conducting seminars.

**Section 8. Application Procedure for a Certificate of Appropriateness**

- A. Application for a Certificate of Appropriateness is requested by the Building Inspector for any construction, alteration, demolition, reconstruction, rehabilitation or restoration to a property within the Historic District.
- B. Property owners, developers, or their agents are encouraged, but not required, to prepare preliminary scale drawings, plot plans, and other supporting material for review and discussion by the HARB prior to applying for a Certificate of Appropriateness. The purpose of this review is to acquaint the prospective applicant with the design guidelines and criteria for evaluation used by HARB to recommend the granting of a Certificate of Appropriateness. This procedure may prevent delays in the review process.
- C. The following information shall be submitted to the Building Inspector in order for HARB to consider the application:
  1. Name and address of the property owner
  2. Address of the property
  3. Copy of the Borough Zoning Map showing location of the property
  4. Description of the proposed construction, alteration, demolition, reconstruction, rehabilitation or restoration
  5. Rationale for the proposed work
  6. Present use of the property and the effect of the proposed work on that use

7. Photographs/drawings which clarify the applicant's proposal or show the following (when applicable):
  - a. New construction – proposed construction site and relationship to contiguous property and structures
  - b. Demolition – All sides of the building and visible foundation, state of disrepair, interior views which substantiate the need for demolition
  - c. Alteration, reconstruction, or rehabilitation – scope of proposed work visible from the public right of way and the relationship to contiguous properties and structures
8. In those cases involving the issuance of a building permit for new construction, or when specifically requested by HARB, the following items shall be submitted:
  - a. Scale drawings showing all work as it relates to the exterior architectural character of the property and surrounding area
  - b. Plot or site plans showing adjoining property lines and adjacent roads from which the proposed activity may be viewed.
9. In the case of proposed demolition of all or part of any building/structure, a report of a certified structural engineer must be submitted documenting the current condition of the building/structure and substantiating the need for demolition as opposed to restoration, rehabilitation, or repair.

## **Section 9. Design Guidelines and Evaluation Criteria**

In determining the recommendations to be made to the Borough Council concerning the issuance of a Certificate of Appropriateness, the HARB shall consider only those matters that are pertinent to the preservation of the historic and/or architectural aspect and nature of the building, site, area, or district, certified to have historical significance, including the following:

- A. The effect of the proposed change upon the general historic and architectural nature of the district.
- B. The appropriateness of the exterior architectural features which can be seen from the public street or way.
- C. The general design, arrangement texture, and material of the building or structure and the relation of such factors to similar features of buildings or

structures in the district. Consideration shall be given to the following characteristics, based on the Secretary of the Interior's Standards for Rehabilitation:

1. Proportion of buildings front facades – 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 – the relationship of width to height of windows and doors
  3. Rhythms of solids to voids in the front facades – the repetition of strong and weak architectural elements creating a rhythm of masses to openings
  4. Rhythm of spacing of buildings on streets – the recurrent or repeated relationship of building masses to the spaces between them
  5. Rhythm of entrance and/ or porch projections – a recurrent of repeated pattern of entrances or projections
  6. Relationship of architectural details – architectural details and their relationship to the structure in question and to adjacent structures, including but not limited to, cornices, lintels, arches, quoins, balustrades, iron work, and chimneys
  7. Relationship of roof shapes – buildings should have compatible roof shapes such as gable, mansard, hip, flat gambrel, and/ or other types of roof shapes
  8. Walls of continuity – physical ingredients such as brick walls wrought iron fences, building facades, or combinations of these that form continuous, cohesive walls of enclosure along the street
  9. Directional expression of front elevation – structural shape, planning of openings and architectural detail may provide a predominately vertical, horizontal, or nondirectional character to building facade
  10. Scale – scale is created by the size of units of construction and architectural detail that relate to the size of man. It can be determined by the building mass and how it relates to open space. The major elements of scale may be brick or stone units, window or door openings, porches and balconies.
- D. The distinguishing original qualities or character of a building, and it's place in the development of the borough shall be protected by avoiding the removal or alteration of any historical material or distinctive features whenever possible

- E. The HARB shall grant variations in a manner that will be in harmony with the character of the other buildings or structures on the streets and/ or in the district
- F. The height of any new building or structure shall not exceed the height of the tallest adjacent building or structure by more than ten (10) percent. This requirement shall also apply to any proposed modifications to existing buildings or structures
- G. In case of application for proposed demolition, the HARB may, when deemed necessary, recommend to the borough that the proposed demolition be postponed for a period not to exceed forty-five days. However, in the event demolition cannot be avoided, then the moving of the building shall be encouraged as an alternative to the demolition if there is no other way to preserve the building.
- H. All building and sites within the historic district shall be recognized as products of their own time; alterations that have not historical basis, and which seek to create an earlier appearance shall be discouraged.
- I. Nothing in this ordinance shall be construed to prevent the ordinary maintenance to a building and/ or structure within the historic district as defined in Section 14
- J. In addition to the above, all other borough laws and ordinances shall be complied with including zoning, planning, and sub-division ordinances

### **Section 10 Economic hardship**

When a claim of economic hardship is made by the owner of an income producing property or potential income producing due to the effect of this ordinance, the owner of record must present sufficient evidence to prove that as a result of the HARB's actions, he/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 HARB, information 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 the relationship (if any) between the buyer and the seller of the property
- C. Mortgage history of the property, including current mortgage

- D. Current market value of the property
- E. Equity in the property
- F. Past and current income and expense statements for a two (2) year period
- G. Past capital expenditures during the ownership of current owner
- H. Appraisal of the property obtained within the previous two (2) years
- I. Income and property tax factors affecting the property, as specified by the Borough solicitor

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

The HARB may receive and consider studies and economic analyses from other borough agencies and from private organizations relating to the property in question.

Should the HARB 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 return could be obtained through investment in the property for rehabilitation purposes. The HARB 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 HARB the assistance of appropriate local, statewide, or national preservation organizations in developing solutions which would relieve the owner's economic hardship. If the HARB chooses to explore such options, HARB may delay issuing their recommendation to Borough Council regarding the Certificate of Appropriateness for demolition on the basis of economic hardship for a period of ninety (90) days in addition to the time periods otherwise applicable.

Should the applicant satisfy the HARB that he/she will suffer an economic hardship if a Certificate of Appropriateness is not approved, and should the HARB 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 HARB must recommend a Certificate of Appropriateness for demolition.



## **Section 11 Actions by the HARB – procedures for certification**

- A. Upon determining that a Certificate of Appropriateness is required, and before any building permits can be issued, a hearing must take place before the HARB. The Code Enforcement Officer shall forward the following to the Chairperson of HARB within three (3) days of the receipt for the building permit request:
  - 1. A copy of the permit application
  - 2. Copies of all other information as described in Section 8
- B. A completed application for a Certificate of Appropriateness must be submitted to the HARB at least twelve (12) days prior to the regularly scheduled public meeting in order for a review of the application at that meeting.
- C. HARB shall render a decision and recommendation on any application for a permit under its review no later than 45 days after the hearing/meeting provided for in Section 9 unless the applicant and/or HARB request a continuation of the review process.
- D. The HARB may withhold a recommendation of denial for a period of five (5) days to allow the applicant to decide whether or not to make the suggested changes in the plans or specifications. If the applicant agrees to those changes, HARB will recommend to council the approval of the Certificate of Appropriateness. After the five (5) day grace period, the applicant may submit a revised set of plans to address those items which led to the disapproval, and the same review procedures as described above shall apply.

## **Section 12 Reporting requirements for the HARB**

- A. Within fourteen (14) days of its decision, HARB shall forward to Borough Council a written recommendation regarding the Certificate of Appropriateness
- B. Contents of written report shall include the following:
  - 1. Exact location and nature of the proposed work
  - 2. Specifics of the exterior architectural characteristics of the building, both as it currently exists and as it would be affected by the proposal
  - 3. List of surrounding structures with a description of the exterior architectural characteristics
  - 4. Description of the proposed change upon the general historic and architectural nature of the District

## **Section 12 Reporting requirements for HARB - continued**

5. Appropriateness of architectural features as seen from a public street or way.
  6. Opinion of the HARB as to the appropriateness of the proposal as it will preserve the historic aspect and nature of the District
  7. Specific recommendations of the HARB as to the granting or denial of the Certificate of Appropriateness
  8. In the case of a recommendation for disapproval the HARB must state the reasons for this recommendation and those actions which could be taken to address those items which led to disapproval
- C. Council may request copies of all information submitted as part of the application.
- D. HARB shall provide the Borough Office with the following:
1. Copy of the application and supporting documents
  2. Copy of the HARB fact sheet and recommendation to Borough Council

## **Section 13 Actions by the Borough Council**

- A. Upon receipt of the written report from the HARB, Borough Council shall consider the recommendation at its next regularly scheduled or special public meeting. The applicant shall be advised as to the time and place of this meeting. The applicant has the right to attend and be heard at the Council meeting.
- B. In determining whether or not to approve the Certificate of Appropriateness, the Borough Council shall consider the same factors as the ordinance sets forth in Section 9.
- C. The borough council shall notify the applicant in writing of its decision within ten (10) days.
- D. If the Certificate of Appropriateness is approved, a copy of council's decision should be filed with the borough office and notification given to the HARB and Building Inspector.
- E. If the Certificate of Appropriateness is denied then a copy of council's decision shall be given to the applicant, the HARB, the Borough office, the Building Inspector, the Pennsylvania Historical and Museum Commission. The decision must include the reasons for disapproval and shall indicate those changes in the plans and specifications which would satisfy the conditions of the ordinance.
- F. In the case of a written disapproval by the Borough Council, the Building Inspector shall disapprove the application for a building permit.

## **Section 14 Structural and maintenance standards**

- A. All buildings/structures must be maintained by their owner in a manner consistent with all applicable borough, county and state codes.
- B. A minimum standard of maintenance must be met which shall require that the building envelope must be kept intact with no holes in the roof, shingles, siding, or windows and no missing windows and doors, or loose flashing. Storm water control systems shall be intact and functioning to prevent water from entering the building; particular attention shall be paid to roof, chimney flashing, gutters and downspouts and that surface runoff is directed away from the building foundation.
- C. The following maintenance items do not require a HARB review for a Certificate of Appropriateness but do require approval from the Building Inspector prior to beginning work:
  - Roof replacement unless such replacement involves slate shingles and/or pole gutters
- D. Ordinary maintenance includes all painting and repairs. This work does not require prior approval or HARB review.

## **Section 15 Enforcement**

- A. The Building Inspector shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this ordinance.

## **Section 16 Penalties**

- A. Any person, partnership or corporation that violates the provisions of this ordinance shall, upon conviction thereof in the summary proceedings may be sentenced to pay not to exceed \$300 per offense. Each day this ordinance is violated shall constitute a separate offense.

## **Section 17 Appeals**

- A. An applicant may appeal a decision by the Borough Council of Ridley Park to the Court of Common Pleas.

## Section 18 Severability and partial invalidity

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 19 Amendments

The provisions of this Ordinance may be amended in the future by the Borough Council of Ridley Park after notice and hearing as provided by law.

## Section 20 Repealer

All other ordinances or parts of Ordinances of the Borough of Ridley Park that are inconsistent with the Historic District Ordinance are hereby repealed.

## Section 21 Effective date

Immediately upon the adoption of this Ordinance, the Ridley Park Borough Secretary shall forward a copy of 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 Ridley Park Borough Historic District and,
2. It has been duly advertised once in one newspaper of general circulation in the Borough of Ridley Park as required by law.


**ENACTED AND ORDAINED**, by the Borough of Ridley Park, Delaware County, Pennsylvania, this *19* day of *October*, 2010.

### BOROUGH OF RIDLEY PARK

Attest:

  
SECRETARY

Carole L. Nasella

  
BOB BERGER  
PRESIDENT OF COUNCIL