

AN ORDINANCE

No. 1175

**AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, To Create A New Chapter 127, Historic Preservation; To Establish A Definition For Demolition Or Demolish; To Establish An Historic Resource Inventory Of Buildings, Structures, And Sites In The Township; To Establish An Historic Commission And Define Its Duties; To Establish The Criteria For Properties To Be Added To Or Deleted From The Inventory, And To Set Forth A Procedure As To How Properties Will Be Designated For Inclusion In Or Removal From The Inventory; To Amend The Code Of The Township Of Upper Dublin, Chapter 212, Subdivision And Land Development, To Provide For The Review Of Tentative Sketch Plans By The Montgomery County Planning Commission, And By The Historical Commission When The Property Is Located In An Historic Resource Overlay District; To Amend The Code Of The Township Of Upper Dublin, Chapter 73, Building Construction, To Insert Into The International Building Code Regulations For Obtaining A Building Permit To Demolish Structures On The Historic Resource Inventory Together With Provisions For The Violation Thereof, Including A Prohibition On The Demolition Of A Class I Historic Resource Absent Proof Of An Unreasonable Economic Hardship; To Amend The Code Of The Township Of Upper Dublin By The Addition Of A New Chapter A264, Adding An Appendix Titled Historic Resource Inventory.**

The Board of Commissioners of the Township of Upper Dublin hereby ordains as follows:

**Section 1.** The Code of the Township of Upper Dublin, shall be amended by the addition of a new Chapter 127 entitled Historic Preservation to provide as follows:

**CHAPTER 127**

**HISTORIC PRESERVATION**

**§ 127-1. Legislative intent.**

It is hereby declared as a matter of public policy that the preservation and protection of buildings, structures, and sites of historic, architectural, cultural, archeological, educational, and aesthetic merit are public necessities and are in the interests of the health, prosperity and welfare of the people of Upper Dublin Township. Article 1, Section 27, of the Constitution of the Commonwealth of Pennsylvania states that: "The people have a right to clean air, pure water, and preservation of the natural, scenic,

historic and aesthetic values of the environment.” The Township seeks to further these goals as follows:

A. Identify the historic properties/structures in Upper Dublin Township by adopting an inventory of historic places in the township and documenting their qualities as historic assets.

B. Encourage historic preservation by:

(1) Establishing an Historic Commission to advise owners regarding historically appropriate alterations to structures listed as historic.

(2) Educating the community about historic preservation and historic aspects of Upper Dublin Township through workshops, presentations, walking/driving tours, etc.

(3) Assisting owners of historic resources with nomination to the National Register of Historic Places.

(4) Providing assistance to owners to make ownership of an historic resource more affordable.

C. Discourage demolition of historic assets by:

(1) Delaying demolition to allow the Historic Commission to discuss alternatives with the owner.

(2) If demolition will occur, allowing time to document the historic resource.

(3) Working with owners to prevent demolition of an historic resource by neglect.

D. Deny demolition of highly significant resources in the Township while:

(1) Working with the owner to seek alternatives to demolition.

(2) Establishing fair market value of the property and assisting in finding a new owner who will agree to preserve the structure

**§ 127-2. Definitions.** Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated below:

**DEMOLITION OR DEMOLISH** – The razing or destruction, whether entirely or in significant part, of the exterior of a building, structure, or site. The removal

of 75% or more of the square footage of the exterior walls of a building will be considered "significant."

**§ 127-3. Historical Commission established.**

- A. The Upper Dublin Township Historical Commission is hereby established to be composed of 7 members appointed by the Board of Commissioners, all of whom must be residents of Upper Dublin Township. The Historical Commission shall include at least four members with a demonstrated interest in architectural history, history, historic preservation or community revitalization and preferably include a registered architect, a licensed real estate agent and a building contractor.
- B. The terms of the members of the Historical Commission shall be three years, staggered initially so that no more than three shall expire each year.
- C. Members of the Historical Commission shall select a Chairman, Vice-Chairman, and Secretary from among its members. It shall be the Chairman's responsibility to conduct meetings of the Historical Commission and to act as a liaison between the Historical Commission and the Code Enforcement Officer, the Planning, Commissioners' Planning Committee, and Board of Commissioners. The Vice-chairman shall assist the Chairman and assume the role of Chairman when the Chairman is absent. The Secretary shall have duties related to keeping records and handling correspondence.
- D. Historical Commission members must attend all meetings. A member who is absent for 4 consecutive regular monthly meetings shall be considered inactive and will be replaced by appointment of a new member.
- E. A quorum, required to conduct business at Historical Commission meetings shall be a majority, or 4 members.
- F. Members shall not be compensated, but may be reimbursed for expenses approved by the Board of Commissioners and directly related to the duties of the Historical Commission.
- G. The Historical Commission shall hold meetings monthly, or more often as necessary

**§ 127-4. Duties of the Historical Commission.**

- A. The Historical Commission shall be responsible for evaluating, compiling, maintaining, and publishing the Historic Resource Inventory and of distinguishing on the Inventory between Class I and Class II properties. The Historical Commission shall periodically review the historic resources on the inventory and recommend additions, deletions or reclassifications to the Board of Commissioners.

- B. The Historical Commission shall advise the Board of Commissioners with respect to the demolition of historic resources in the Township.
- C. The Historical Commission shall be responsible for monitoring projects in Upper Dublin Township that may have an impact on historic resources.
- D. The Historical Commission shall maintain regular communication with the Pennsylvania Historical and Museum Commission and the National Park Service to obtain lists of historic resources in the Township that are National Historic Landmarks, or listed or eligible for the National Register of Historic Places, and for advice on matters of historic preservation in Upper Dublin Township.
- E. The Historical Commission shall aid, assist, promote, and perform the nomination of resources in Upper Dublin Township to the National Register of Historic Places.
- F. The Historical Commission shall have the general responsibility to promote historic preservation within Upper Dublin Township by performing any or all of the following:
  - (1) Publishing printed material related to historic preservation;
  - (2) Adding historic preservation related material to the Township's Web Site;
  - (3) Holding events to foster historic preservation in the Township. These events may include but are not limited to presentations, tours, and the publication of brochures.
  - (4) Educating historic resource owners about the potential benefits of having a resource listed on the Historic Resource Inventory including honorary designation, improved development opportunities, and protection. These benefits may include grants, tax incentives, and the benefits of protection provided by state and federal government historic preservation programs and laws.
  - (5) Meeting with owners of historic resources wishing to demolish their structure in order to discuss viable alternatives.
  - (6) Engaging in activities that would help owners retain and maintain their historic resource. These activities could include but are not limited to: creating a list of trades people skilled in the maintenance of historic structures, working with financial institutions to attain low cost loans for owners of historic properties, working with preservation organizations to assist owners (National Trust, Preservation Pennsylvania, etc.) with their properties, contacting state and national elected officials in the pursuit of tax relief for owners of historic resources.

- (7) Documenting all historic resources, particularly those scheduled for demolition.
- (8) Working with owners of historic structures seeking information regarding the appropriateness of alterations or additions to their structures.
- (9) Coordinating with Township staff in the implementation of the provisions of the Upper Dublin Township Code relating to historic assets.

**§ 127-5. Historic Resource Inventory.**

An Historic Resource Inventory is hereby established of buildings, structures, and sites in the Township designated for preservation. It shall be available for public inspection in the office of the Township Secretary. The Historic Resource Inventory shall consist of those properties identified in Chapter A264 – Historic Resource Inventory. In all cases the historic resource is the principal building on the property, unless otherwise noted.

A. Criteria For Designation As A Class I Resource. A building, structure, or site, or a complex of the same, may be placed on the Historic Resource Inventory as a Class I Resource if it meets any one of the following criteria:

- (1) Is listed in the National Register of Historic Places; or
- (2) Has been deemed eligible by the Pennsylvania Historic and Museum Commission (PHMC) for listing in the National Register of Historic Places; or
- (3) Is designated by the Secretary of the Interior as a National Historic Landmark; or
- (4) Is classified as a "certified historic structure" by the Secretary of the Interior.

B. Criteria for designation as a Class II Resource. A building, structure, or site, or a complex of the same, may be placed on the Historic Resource Inventory as a Class II Resource if it meets any three of the following criteria:

- (1) Has significant character, interest or value as part of the development, heritage or cultural characteristics of the Township, County, Region, Commonwealth or Nation, or is associated with the life of a person significant in the past; or
- (2) Is associated with an event of importance to the history of the Township, County, Region, Commonwealth or Nation, or
- (3) Embodies an icon associated with an era characterized by a distinctive architectural style; or

- (4) Embodies distinguishing characteristics of an architectural style or engineering specimen; or
- (5) Is the noteworthy work of a designer, architect, landscape architect or designer, or engineer whose work has significantly influenced the historical, architectural, economic, social, or cultural development of the Township, County, Region, Commonwealth or Nation; or
- (6) Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
- (7) Is part of or related to a commercial center, park, community or other distinctive area which should be preserved according to an historic, cultural or architectural motif; or
- (8) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community or Township; or
- (9) Has yielded, or may be likely to yield, information important in pre-history or history; or
- (10) Exemplifies the cultural, political, economic, social or historical heritage of the community.

- C. **Criteria Considerations.** An historic resource that is less than 75 years old may only be recommended to be placed on the inventory if it is considered by the Historical Commission to be a Class I Resource.
- D. **Documentation.** The Historical Commission shall document the Historic Resource Inventory with the owner's name and address, the address or location of the historic resource, the approximate year built, recent photographs, an architectural description, a brief history of the resource, its status as a Class I, or Class II Historic Resource, and the date the historic resource was added, changed, or deleted from the Inventory.
- E. **Publication.** The Historic Resource Inventory shall be made available to the public for inspection at the Upper Dublin Township Building during regular business hours. The inventory, or parts thereof, may also be made public through other means including but not limited to publishing it on the Township's Web site, at a local library, or at the Upper Dublin Historical Association.
- F. **Procedure for designation or removal.** Any property proposed for designation on or removal from the Historic Resource Inventory shall be proposed by or shall first be referred to the Historical Commission, which shall hold a public meeting thereon.

- (1) Unless a property is proposed by the owner(s), such owner(s) shall be notified upon receipt of a proposal that their property be placed on, removed from or reclassified on the Historic Resource Inventory and asked to respond to such proposal within 15 days.
- (2) At least thirty (30) days before holding a public meeting to consider the proposal the Historical Commission shall send notice to the owner of the property. Such notice shall indicate the date, time and place of the public meeting at which the Historical Commission will consider the proposed action. Notice shall be sent to the registered owner's last known address as the same appears in the real estate tax records of the Township Treasurer and sent to the "Owner" at the street address of the property in question.
- (3) Any interested party may present testimony or documentary evidence regarding the proposed addition, removal, or reclassified at the public meeting.
- (4) Following the public meeting, the Historical Commission shall present its written report to the Board of Commissioners, the applicant and the owner within 30 days following the close of the public meeting, basing its recommendation upon those criteria for designation established in this chapter. A property shall be recommended for removal from the Historic Resource Inventory or reclassified if it does not currently meet the criteria for designation. The report shall include a summary of the information and copies of all documents presented at the meeting and used by the Historical Commission in making its recommendation.
- (5) Based upon the criteria set forth in this section and after receiving the recommendations of the Historical Commission, the Board of Commissioners shall from time to time, by ordinance, add, delete or reclassified buildings, structures and sites to or from the Historic Resource Inventory. Written notice of the action of the Board of Commissioners shall be given to the property owner and to any person appearing at the public meeting of the Historical Commission who requests notification.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, § 212-43 Preliminary Plan Requirements, subsection C, Existing Features, shall be amended by the addition of a new paragraph (4) to provide as follows: § 212-43. Preliminary plan requirements.

\* \* \* \* \*

C. Existing features.

\* \* \* \* \*

- (4) Where the property is a resource listed on the Historic Resource Inventory, the applicant shall submit a statement with the plan, indicating which, if any, of such historic resources would be changed or affected to any substantial extent by the implementation of the subdivision plan and the development of the property and the manner in which they would be changed or affected.

**Section 3.** The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, § 212-47. Plan processing procedures, subsection (J), shall be amended to provide as follows:

**§ 212-47. Plan processing procedures**

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**J. Plan Review.**

- (1) The Township Engineer, the Planning Agency Advisory Board, and the Montgomery County Planning Commission shall review the plans and shall submit their comments and recommendations to the Board of Commissioners. Where the property is listed on the Upper Dublin Historic Inventory, the Historical Commission shall also review the plans and shall submit their comments. Where applicable, the Environmental Protection Advisory Board will also submit its comments.
- (2) The Board of Commissioners shall act on a preliminary or final plan within 90 days following the next regularly scheduled meeting of the Board of Commissioners next following the date the application is filed or, if that meeting is more than 30 days following the filing of the application, then 90 days following the 30th day after filing.
  - (a) The Commissioners Planning Committee will comment on a tentative sketch plan and advise the applicant. No formal action will be taken by the Board on a tentative sketch plan application.
  - (b) If the Board approves a preliminary or final plan, the Township Manager or Secretary will so certify thereon. Two copies of the approved plan will be returned to the applicant.
  - (c) If the Board conditionally approves a plan, the applicant shall subsequently submit a revised plan which complies with the conditions stipulated. At the time of the Board's conditional approval, the applicant must agree, in writing, to acceptance of the conditions specified.

- (d) If the Board disapproves the plan, the Township Manager or Secretary will notify the applicant, in writing, of the defects in the application stating the requirements not met.

**Section 4.** The Code of the Township of Upper Dublin, Chapter 73, "Building Construction", Section 73-2. Modification of Standards, shall be amended to provided as follows:

**§ 73-2. Modification of Standards.**

Changes from the International Building Code, to the Building Code of the Township of Upper Dublin are as follows:

\* \* \* \* \*

- K. In Section 3407, Historic Buildings, add a new subsection 3407.3, to provide as follows:

**3407.3 Special Requirements For Building Permits – Historic Resources.** The following special requirements shall apply to a building permit to demolish a building, structure, or site listed on the Upper Dublin Historic Inventory, Chapter A264. Terms set forth herein shall be as defined in Chapter 127 and Chapter 255.

**1. Applicability of Special Requirements.**

No Historic Resource on the Historic Resource Inventory, Chapter A264 of the Upper Dublin Township Code, may be demolished, in whole or in part, unless a building permit therefore is obtained from the Code Enforcement Officer in accordance with the procedures and requirements of this section.

**2. Procedure for Obtaining Building Permit – Class II Resource.**

(a) The applicant shall submit one copy of an application for a building permit to the Code Enforcement Officer in a form acceptable to the Township. If the Code Enforcement Officer determines that the permit request is for the demolition of a building, structure, or site listed as a Class II Resource on the Historic Resource Inventory, Chapter A264 of the Upper Dublin Township Code, he shall not issue the building permit and the application shall be forwarded to the Historical Commission.

(b) **Information to be Provided.** In addition to the other requirements of this section, an applicant seeking a permit to demolish an

Historic Resource on the Historic Resource Inventory shall provide the following information:

- (i) Name and address of owner of record.
- (ii) Site plan showing all buildings and structures on the property.
- (iii) Recent photographs of the resource proposed for demolition. (the applicant may request the Township to secure photographs provided permission is given to enter the property for this purpose)
- (iv) Reasons for the demolition.
- (v) Proposed method of demolition.
- (vi) Intended future use of the site and of the architecturally significant materials from the demolished resource.
- (vii) Where applicable, plans showing any proposed new construction or reconstruction.

(c) The Applicant or the Code Enforcement Officer shall, within ten (10) days from the filing thereof, post a notice on the property indicating that the owner has applied for a permit to demolish an historic resource on the property. The notice shall be posted on each street frontage of the premises with which the notice is concerned and shall be clearly visible to the public. Posting of a notice shall not be required in the event of an emergency which is determined by the Code Enforcement Officer to require immediate action to protect the health or safety of the public.

(d) **Review by Historical Commission.** Within 45 days of receipt of a complete application from the Code Enforcement Officer, the Historical Commission, at a regular or special meeting, shall review the application for demolition. The applicant will be notified of such meeting at least 10 days prior to its date and shall have the opportunity to present his reasons for filing the application. The Historical Commission shall consider the following:

- (i) The effect of demolition on the historical significance and architectural integrity of the resource in question and neighboring historic resources;
- (ii) Whether the applicant has demonstrated that he has considered all alternatives to demolition;

- (iii) Economic feasibility of adaptive reuse of the resource proposed for demolition;
- (iv) Alternatives to demolition of the resource;
- (v) Whether the resource in its current condition presents a threat to public safety;
- (vi) Whether the resource has been intentionally neglected;
- (vii) Whether the retention of the resource would represent an unreasonable economic hardship.

(e) Where the Historical Commission determines that additional information is needed from the Applicant in order to adequately address the issues enumerated in section 4 above, request for such information shall be made in writing to the Applicant prior to the expiration of the initial 30-day review period.

(f) **Historical Commission Recommendation.** Within 30 days following conclusion of the meeting and the receipt of additional requested information, whichever is later, the Historical Commission shall set forth its recommendations in a written report to the Board of Commissioners.

(i). **Immediate Approval.** After reviewing the building permit application with attachments, the Commission may recommend:

(i.i) Approval of the permit, as provided under paragraph (2)(g)(i), below; or

(i.ii) Conditional approval subject to the Applicant providing appropriate documentation of the historical significance of the resource(s) prior to demolition, in the same manner as provided in subsection 2(h)(ii) below.

(ii) **Delay of Demolition.** Alternatively, the Commission may recommend delay of demolition in accordance with section 2(h) below.

(g) **Approval of Building Permit or Delay of Demolition by the Board of Commissioners.**

(i) Within 30 days after receiving the recommendation from the Historical Commission, the Board of Commissioners shall consider the application, together with the recommendations of the Historical Commission, and vote either to approve the application, approve the application with changes and/or conditions, or defer

their decision, affording a delay of demolition for up to 90 days as set forth in section 8 below. The applicant shall be notified of the meeting of the Board at least 10 days prior to its date, and shall have the opportunity to present his reasons for filing the application. Within seven days after making its decision, the Board shall provide written communication of its decision to the applicant, the Historical Commission, the Commissioners Planning Committee and the Code Enforcement Officer.

(ii) Issuance of Building Permit. Where the Board acts to approve the application, it shall authorize the Code Enforcement Officer to issue the permit. Where the approval is granted with conditions attached, the Code Enforcement Officer shall be authorized to issue the permit subject to those conditions.

(h) Delay of Demolition.

(i) The specified period of delay up to 90 days shall be used to provide an opportunity to engage in discussion with the applicant about alternatives to demolition of a Historical Resource; to allow for appropriate documentation of the resource pursuant to paragraph h(ii) as set forth below; and/or for preparation of a financial analysis, as set forth below for Class I only. The Historical Commission shall make every effort to communicate with the applicant to inform him of the historical importance of the resource, its significance to the Township, and alternatives to demolition.

(ii) Documentation of Historic Resources. When ordering the delay of demolition, the Board of Commissioners may request the Historic Commission to provide documentation of the resource proposed for demolition. Such documentation may include, as available: historical data, surveys, and other data provided by local, state, and federal historic preservation organizations and agencies; photographs; floor plans; measured drawings; archaeological surveys (if appropriate); and any other comparable form of documentation recommended by the Historical Commission. The extent of documentation required shall reasonably relate to the architectural quality and/or historical significance of the resource(s). Where the Historical Commission determines that additional information is needed from the Applicant in order to adequately address the issues enumerated above, request for such information shall be made in writing to the Applicant prior to the expiration of the initial 30-day review period. The Board of Commissioners may extend the stipulated 90 days until the

applicant has sufficiently satisfied the documentation requirements.

(iii) With respect to a Class II Resource, the Historical Commission shall provide its recommendation on issuance of the permit to the Board of Commissioners not later than the end of the applicable 105 day review period, as it might be extended. The Board of Commissioners shall approve the application for demolition of the resource(s) in accordance with paragraph (2)(g)(i), above, within the applicable 105 day review period, whether it receives a recommendation from the Historical Commission or not.

(i) Historical Commission Recommendation. Once the delay of demolition has expired, the Historical Commission shall review the application again together with any further documentation requested by the Board of Commissioners at its next regular meeting. The Commission may recommend to the Board of Commissioners approval of the permit or, where the Commission does not believe that the Applicant has proven unreasonable economic hardship or the lack of a reasonable alternative, recommend denial of the permit. The Commission shall consider the following in making its recommendation:

- (i) The effect of demolition on the historical significance and architectural integrity of the resource in question and neighboring historic resources;
- (ii) Whether the applicant has demonstrated that he has considered all alternatives to demolition;
- (iii) The economic feasibility of adaptive reuse of the resource proposed for demolition;
- (iv) Alternatives to demolition of the resource;
- (v) Whether the resource in its current condition presents a threat to public safety;
- (vi) Whether the resource has been intentionally neglected;
- (vii) Whether the retention of the resource would represent an unreasonable economic hardship.

The Commission shall communicate its recommendation in writing to the Board of Commissioners within 30 days of the expiration of the 90-day delay period.

3. Procedure For Obtaining Building Permit – Class I Resource. The procedure for obtaining a building permit to demolish a Class I Resource shall be the same as that for a Class II Resource, except as follows:

(a) No permit shall be issued for the demolition of a Class I Resource except in cases where the Applicant specifically alleges that demolition is necessary due to unreasonable economic hardship. . In such cases, the Board of Commissioners may, during the period of delay, request that the Applicant prepare and submit the basis for this allegation. This may include a financial analysis to the Board containing some or all of the following information, as applicable and available:

- (i) Amount paid for the property;
- (ii) Date of purchase and party from whom purchased, including a description of the relationship, if any, whether business or familial, between the owner and the person from whom the property was purchased;
- (iii) Assessed value of the land and improvements thereon according to the most recent assessment;
- (iv) A pro forma financial statement prepared by an accountant or broker of record;
- (v) All appraisals obtained by the owner in connection with his purchase or financing of the property, or during his ownership of the property, if any;
- (vi) Bona fide offers to sell or rent the property, the price asked, and offers received, if any;
- (vii) Any consideration by the owner as to profitable, adaptive uses for the property, and any other practical uses; incentives which could be offered by the Township to preserve the resource; and any input from local, state, or federal historic preservation and architectural organizations or agencies;
- (viii) Where relevant, written estimates of the cost(s) of restoration and/or renovation from at least two professional restoration contractors.

(b) Approval or Denial of Building Permit for Class I Resources after Delay of Demolition

- (i) At its next regular meeting after receiving the recommendation from the Historical Commission, or at a special

meeting if necessary to comply with paragraph (iii) below, unless an extension of time has been granted by the Applicant, the Board of Commissioners shall again consider the application, together with the recommendations of the Historical Commission and any further documentation which had been requested, and vote either to approve the application or to approve the application with changes as set forth in paragraph (2)(g)(i) above, or to deny the application as set forth below.

(ii) Denial of Application. Where the Board acts to deny the application, a notice of denial shall be sent to the applicant indicating what changes in the plans and specifications, if any, would be sufficient to meet the standards of this Section.

(iii) Action by the Board of Commissioners, including appropriate notification to the Applicant, shall occur within 60 days of the expiration of the 90-day delay period.

**Section 5.** The Code of the Township of Upper Dublin, Chapter 73, "Building Construction", Section 73-2. Modification of Standards, shall be amended to provided as follows:

L. In Section 3407, Historic Buildings, add a new subsection 3407.4, to provide as follows:

**3407.4 Enforcement of Special Requirements for Building Permits for Historic Resources**

Any person who demolishes a building, structure, or site on the Historic Resource Inventory, Chapter A264 of the Upper Dublin Township Code, in violation of the provisions of Section 3407.3, or in violation of any conditions or requirements specified in a permit issued under Section 3407.3, shall be required to restore the building, structure, or site involved to its appearance prior to the violation, in default of which the Township may perform such restoration and charge the cost thereof together with an administrative fee of 10% as a municipal lien against the property. Such restoration shall be in addition to and not in lieu of any penalty or remedy available under Chapter 73 of the Upper Dublin Township Code, or any other applicable law.

**Section 6.** The Code of the Township of Upper Dublin shall be amended by the Addition of a new Chapter A264, entitled Historic Resource Inventory, to provide as follows:

**HISTORIC RESOURCE INVENTORY** - The buildings, structures and sites identified and/or located on the properties set forth below, as more fully described in the Township's Historic Resource Database and any Pennsylvania Historic Resource Form

associated with such properties, shall comprise the Historic Resource Inventory of Upper Dublin Township:

**Section 7.** Nothing in this Ordinance or in Chapters 73, 212 or 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 73, 212 or 255 prior to the adoption of this amendment.

**Section 8.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this 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 if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

**Section 9.** This Ordinance shall take affect and be in force from and after its approval as required by law.

Approved by the Board this 14<sup>th</sup> day of November, 2006.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

BY: \_\_\_\_\_

  
Robert J. Pesavento, President

ATTEST:

  
Paul A. Leonard, Secretary/Township Manager