

**Bellefonte Borough**  
**HISTORICAL AND ARCHITECTURAL REVIEW BOARD**

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**BYLAWS**

**ARTICLE I – PURPOSE**

1. To offer advice and counsel to Bellefonte Borough Council concerning the erection, reconstruction, alteration, restoration, demolition or razing of all or any part of a building or structure located within the boundaries of the Historical and Architectural Review Board District and visible from a public right-of-way. For this purpose, the Historical and Architectural Review Board may make and alter rules and regulations for its own organization and procedure.
2. The name of this organization shall be the Bellefonte Historical and Architectural Review Board.

**ARTICLE II – MEMBERSHIP**

1. The members of the Board shall be appointed by Borough Council in accordance with Chapter 270.01 of the Codified Ordinances of Bellefonte.
2. The Bellefonte Historical and Architectural Review Board shall be composed of seven members and at least one alternate member, recommended by HARB, and approved by Council.
3. Of the seven members, one shall be a registered architect, one a licensed real estate broker, one the Borough building official, one a business person whose principal place of business is located within the HARB-regulated historic district, and three additional persons with a knowledge of and interest in historic preservation.
4. Alternate members shall be residents of the Borough or registered or licensed professionals with a knowledge of and interest in historic preservation. This member shall not hold an elective HARB Board office. Alternate members shall participate in meetings when requested due to the unavailability of a regular member.
5. Members and alternate members of the Board are appointed for five-year terms.
6. Members and alternate members are required to receive eight hours of training annually in HARB procedures and historic preservation practices.
7. Members of the Board shall serve without compensation.
8. The position of any member of the Board appointed in the capacity as registered architect, licensed real estate broker, building official, and / or historic district business person, who ceases to be so engaged, shall be automatically considered vacant.
9. If applicable, appointments to fill vacant board positions shall be for the unexpired portion of the term.

10. Each vacancy of the Board shall be filled by Borough Council acting upon the recommendation of the remaining members of the Historical and Architectural Review Board, and each person so elected shall be a member until the completion of the term for which selected.

### **ARTICLE III- MEETINGS**

1. The regularly scheduled meetings of the Bellefonte Historical and Architectural Review Board shall be held on the second and fourth Tuesday of each month unless circumstances warrant a postponement.
2. Meetings of the Bellefonte Historical and Architectural Review Board shall be conducted according to *The Modern Rules of Order*, published by the Pennsylvania Bar Institute.
3. The purpose of these meetings is to (1) offer advice and counsel to Bellefonte Borough Council concerning applications for Certificates of Appropriateness, and (2) transact business related to the Borough's efforts to further historic preservation.
4. Recommendations to Borough Council shall be based upon the principles contained in the most current edition of the U.S. Department of the Interior's *Standards for Rehabilitation*.
5. Special meetings of the Board may be held at such times and at such places, as the Board shall direct.
6. Written or personal notice of each regularly scheduled meeting of the Board shall be sent to each Board member prior to the meeting day.
7. Emergency meetings may be held at the call of the Chairman.

### **ARTICLE IV – QUORUM**

1. Four (4) members of the Board or three (3) members and one (1) alternate shall constitute a quorum. The alternate member may vote only when a regular member is absent, and cannot vote for a regular member who wishes to abstain from voting. In no case shall more than one alternate member be allowed to participate in the vote.

### **ARTICLE V – MEETING ATTENDANCE**

1. No HARB member shall miss more than two (2) consecutive regular meetings or more than half the regular meetings in a calendar year. Absence due to sickness, death or other emergencies of a like nature shall be recognized as excused absences, and shall not affect the member's stature on the board except that in the event of a long illness or other such case for prolonged absence. The secretary shall notify a member when he or she is approaching the maximum number of unexcused absences. When a member has exceeded the maximum number of unexcused absences, the secretary shall notify the full board and the Borough Manager. The Borough Manager shall make a decision taking into consideration the recommendation of the HARB.

#### **ARTICLE VI – CONFLICTS OF INTEREST**

1. HARB members shall carefully consider whether or not they have any conflict of interest in matters coming before the board. A conflict of interest due to personal, social, or financial gain shall be declared and noted in the minutes and that member shall refrain from voting on the matter and remove themselves from the meeting room.

#### **ARTICLE VII – OFFICERS**

1. The members of the Board shall choose among themselves a Chairman and Vice-Chairman who shall hold office for one year and may be successively reelected. Election of officers will occur at the regularly scheduled meeting held the fourth Tuesday of January, unless circumstances require its postponement; at which time the election of officers will occur on the second Tuesday in February during the regularly scheduled meeting time.
2. Any officer of the Board may be removed from office by a majority of the Board provided the officer in question is provided with prior written notice of the intent to do so. This action can only be taken if done in the best interest of the Board.
3. The Chairman shall preside at all meetings and shall have general and active management and supervision of the Board's affairs between meetings, subject however, to the Board's delegation of other authority. The Chairman shall be a member of all special committees. The Vice-Chairman shall perform these duties in the absence of the Chairman. Should both be absent, the staff Secretary shall select a Board member to serve in such capacity.
4. The Borough shall designate the Building Inspector to serve as Secretary to the Board. The Secretary shall attend all sessions of the Board and its' committees, act as staff clerk thereof and record all votes of the Board, maintaining all its reports and the minutes of all its transactions. The Secretary shall be a member of the Board and shall have voting power.
5. The Board may, pursuant to appropriations by Borough Council, employ secretarial and consultant services, pay their salaries and wages and incur other necessary expenses, as approved by Council.

#### **ARTICLE VIII – BOOKS AND RECORDS**

1. The Secretary of the Board shall keep an original record of the proceedings of the Board and bylaws, including all amendments thereto.
2. Every member of the Board and public shall have the right to examine the books and records of the Board and to make copies therefrom for any proper purpose.
3. Written notice of a denial by the Borough Council shall be deemed given when deposited in the United States mail, postage prepaid, addressed to the location appearing on the application submitted for a Certificate of Appropriateness.

#### **ARTICLE IX – ENFORCEMENT: NOTICE OF VIOLATIONS**

1. The Secretary of the Board shall keep a record of all applications for Certificates of Appropriateness and of all Certificates issued with a notation of all special conditions involved. All plans and documents filed in connection with an application shall become part of the record of such application.

2. The Secretary of the Board (Building Inspector) shall investigate apparent violations of the Historic District Ordinance for such action as may be appropriate under the laws of the Borough of Bellefonte and the Commonwealth of Pennsylvania.

#### **ARTICLE X – NOTICE OF MEETINGS**

1. A public notice shall be distributed annually specifying the place, day, and hour of the regularly scheduled meetings for the ensuing year. Notice shall be given of each emergency meeting as may be reasonable under the circumstances.

#### **ARTICLE XI – EFFECTIVE DATE**

1. These bylaws shall take effect the day after their passage in a regular meeting of the Historical Architectural Review Board and shall remain in effect until amended or revoked by the Board. Amendment or revocation of one section shall have no effect on any other provision.

#### **ARTICLE XII – AMENDMENTS**

1. These bylaws may be amended by the affirmative vote of a majority of the members present at any regular, advertised, meeting of the Historical and Architectural Review Board, provided the proposed amendment has been read at a previous meeting.

#### **ARTICLE XIII – MEETING PROCEDURE**

1. Listing of case by the Chairman
2. Presentation by the applicant or his designated representative describing the proposed work
3. Presentation by the staff
4. Speakers in favor of the application
5. Speakers in opposition to the application
6. Finding of fact and making a motion
7. Vote on motion

(Note: Board members, with recognition by the Chair, may question any speaker after their presentation.)

Each person wishing to speak must be recognized by the Chairman and will come to the rostrum, stating his name and address. The Chairman will give every person an opportunity to speak so long as the discussion is pertinent to the subject matter and as long as the point is not belabored.