There’s an Ordinance for That

Historic Preservation Ordinances 101

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The PHMC works in partnership with others to preserve the Commonwealth's natural and cultural heritage as a steward, teacher and advocate for the people of Pennsylvania and the nation.
State Historic Preservation Office (SHPO)

PA SHPO uses its resources to educate, encourage and enable Pennsylvanians to value and preserve Pennsylvania’s history and culture. Our role is to identify, promote and protect the architectural and archaeological resources of the commonwealth.

**National Historic Preservation Act (NHPA)**
- National Register of Historic Places
- Review federal and state projects to evaluate their effect on cultural resources (NHPA Section 106)
- Certified Local Government Program

**PA History Code**
- PHMC Grant Programs
- Historical Marker Program
- Technical assistance for communities
  - Local Historic Preservation Ordinances
Historic Preservation at the Local Level

• Greatest opportunity to preserve historic places is at the municipal level

• Cities, boroughs, and townships can
  • Incorporate recommendations for historic properties in their comprehensive plan
  • Enact ordinances that protect historic places from demolition and alteration
  • Establish zoning and financial incentives to encourage adaptive reuse and rehabilitation
Enabling Legislation

Historic District Act (1961)
• Provides municipalities with the authority to establish historic districts overseen by a local Board of Historical Architectural Review (HARB)

Municipalities Planning Code (1968)
• Allows communities to establish ordinances that protect historic properties through the zoning permit process
### Enabling Legislation

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<tr>
<th>Historic District Act</th>
<th>Municipalities Planning Code</th>
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<tr>
<td>• Enacted in 1961</td>
<td>• Enacted in 1968</td>
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<tr>
<td>• Allows municipalities to designate historic districts</td>
<td>• Allows use of zoning tools for historic preservation</td>
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<tr>
<td>• Used to regulate alteration, demolition, and new construction</td>
<td>• Used to regulate demolition, development, subdivision, and sometimes alteration</td>
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The Historic District Act

- Municipalities may designate historic districts and regulate alteration, demolition, and new construction
- Districts must be certified by PHMC as having historical significance before enacting the ordinance
- Must appoint a “Board of Historical Architectural Review” (HARB) that will review proposed work and make recommendations to the elected body to issue a Certificate of Appropriateness (COA)

Mercersburg Historic District
PHMC Certified Historic Districts by County
1961-2014
Municipalities Planning Code

• Defines how municipalities conduct planning and zoning activities
• Article 6 authorizes and mandates the use of zoning for historic preservation purposes
• The MPC provides no guidance about how preservation-related provisions should be structured
• PHMC has no official role in developing these ordinances
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