

The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, RI, 2004, Chapter 30 entitled *Zoning*, is hereby amended by adding the following:

ARTICLE V. Historic stone wall protection and preservation.

Section 30-162. Statement of Findings; Purpose.

The intent of this Ordinance is to recognize and protect historic stone walls located in Burrillville. Historic stone walls are viewed as a cultural and scenic resource that comprise a historic character that is common in Burrillville. It is hereby found that the destruction and damage of stone walls within Burrillville would diminish the historic character of the Town, reduce property values and adversely affect the health, safety and general welfare of the inhabitants of Burrillville.

Section 30-163. Definition.

For the purposes of this Ordinance, a "Historic Stone Wall" is a vertical structure of aligned natural stone built before 1900, normally constructed to designate a property boundary or to separate agricultural activities within a farmstead. Further classification of historic stone walls will follow the guidelines set forth in *Exploring Stone Walls* by Bob Thorson (Walker & Co., New York 2005), as the same may be revised from time to time.

Section 30-164. General Provisions.

(a) The alteration, relocation or demolition of a historic stone wall or any portion thereof which is located in Burrillville shall require prior written approval of the Town Building Official, obtained by submission of a specific plan containing details of the location, project, and reconstruction plan. The plan must show due regard for the historic value of the stone wall including its repair. A contingency repair bond may be required by the Building Official.

(b) The alteration, relocation or demolition of an historic stone wall as part of any subdivision or land development project must be approved by the Planning Board.

(c) The replacement of an historic stone wall at its original location shall be with the same materials and the same construction method as the original wall, using as many original stones as possible.

(d) Cuts for driveways, roads, utility easements or fire lanes shall be of the minimum necessary length, and ends of the walls must be restored.

(e) Historic stone walls in disrepair or neglected condition shall not be removed from their present

location. Any *in situ* reconstruction shall match that of the original wall, i.e., drywall or hidden cement.

(f) New stone walls must closely approximate the appearance of the adjoining historic stone wall with respect to coursing, native field stone, joint width and distribution of stones by size.

Section 30-165. Appeals

A determination by the Building Official as to whether to grant approval for the alteration, relocation or demolition of a historic stone wall may be appealed to the Burrillville Zoning Board of Review in the same manner that appeals are made in accordance with the applicable provisions of Section 30-34 of the Zoning Ordinance for the Town of Burrillville.

Section 30-166. Penalties.

Any person violating any provision of this Ordinance shall be subject to a fine of \$500. Each day any violation of this Ordinance shall continue shall constitute a separate offense.

Section 30-167. Severability.

If any one or more sections of this Ordinance shall for any reason be adjudged unconstitutional or otherwise invalid, the judgment shall not affect, impair, or invalidate the remaining provisions.

Section 30-168. Relationship to Other Ordinances.

Nothing in this Ordinance shall be construed to restrict, amend, repeal, or otherwise limit the application or enforcement of the Burrillville Zoning Ordinance.