

Chapter 18

PROMOTION OF STONE WALL PRESERVATION

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Sec. 18.1 Purpose.

The intent of this Ordinance is to protect the historic stone walls located in North Smithfield since they are a cultural resource and help preserve the rural character of the Town. This Ordinance will establish guidelines for the identification of historic stone walls and provide the protection and preservation of the Town's historic stone walls. The protection and preservation of the Town's historic stone walls is in furtherance of the public health, safety and welfare. It is not the intent of this ordinance to deprive a citizen of their property, detract from that property's value nor cause financial hardship.

Sec. 18.2 Definition.

For the purpose of this Ordinance, an "Historic Stone Wall" is a vertical structure of aligned natural stone built before 1939 as indicated on Rhode Island State aerial photographs, normally constructed to designate a property boundary or to separate agricultural activities within a farmstead.

Sec. 18.3 General Provisions.

- a) The alteration, relocation or demolition of an historic stone wall or any portion thereof which is located in North Smithfield shall require prior written approval of the 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 and repair methods compliant with these guidelines. 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 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, but must be repaired or left as is. 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.

Sec. 18.4 Penalties.

Any person violating any provision of this Ordinance shall be subject to an initial fine of one-hundred dollars (\$100). If the violation is not cured or corrected within sixty (60) days of the issuance of a citation, a one-hundred dollar (\$100) per day fine will be imposed until such time that the violations is cured or corrected.

Sec. 18.5 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.

Sec. 18.6 Relationship to Other Ordinances.

Nothing in this Ordinance shall be construed to restrict, amend, repeal or otherwise limit the application or enforcement of the North Smithfield Zoning Ordinance.
(Ord. of 10-15-2018)