
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 199

Session of
1977

INTRODUCED BY MESSRS. GARZIA, MORRIS, COLE, RUGGIERO, O'KEEFE,
STAPLETON, DeMEDIO AND FRYER, FEBRUARY 9, 1977

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 9, 1977

AN ACT

1 Amending the act of July 31, 1968 (P.L.805, No.247), entitled,
2 as amended, "An act to empower cities of the second class A,
3 and third class, boroughs, incorporated towns, townships of
4 the first and second classes including those within a county
5 of the second class and counties of the second class A
6 through eighth classes, individually or jointly, to plan
7 their development and to govern the same by zoning,
8 subdivision and land development ordinances, planned
9 residential development and other ordinances, by official
10 maps, by the reservation of certain land for future public
11 purpose and by the acquisition of such land; providing for
12 the establishment of planning commissions, planning
13 departments, planning committees and zoning hearing boards,
14 authorizing them to charge fees, make inspections and hold
15 public hearings; providing for appropriations, appeals to
16 courts and penalties for violations; and repealing acts and
17 parts of acts," further providing for membership on zoning
18 hearing boards.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. Section 903, act of July 31, 1968 (P.L.805,
22 No.247), known as the "Pennsylvania Municipalities Planning
23 Code," is amended to read:

24 Section 903. Membership of Board.--The membership of the
25 board shall consist of [three] five residents of the
26 municipality appointed by the governing body. Their terms of

1 office shall be three years and shall be so fixed that [the term
2 of office of one member shall expire each year] the terms of
3 office of no more than two members of a five man board shall
4 expire each year. The present members of the existing three
5 member boards shall continue in office until their term of
6 office would expire under prior law and the governing body shall
7 appoint two additional members to the board with terms scheduled
8 to expire in accordance with the provisions of this section. The
9 board shall promptly notify the governing body of any vacancies
10 which occur. Appointments to fill vacancies shall be only for
11 the unexpired portion of the term. Members of the board shall
12 hold no other office in the municipality, except that no more
13 than one member of the board may also be a member of the
14 planning commission.

15 Section 2. Section 906 of the act, amended June 1, 1972
16 (P.L.333, No.93), is amended to read:

17 Section 906. Organization of Board.--The board shall elect
18 from its own membership its officers, who shall serve annual
19 terms as such and may succeed themselves. For the conduct of any
20 hearing and the taking of any action, a quorum shall be not less
21 than a majority of all the members of the board, but [where two
22 members are disqualified to act in a particular matter, the
23 remaining member may act for the board. The] the board may
24 appoint a hearing officer from its own membership to conduct any
25 hearing on its behalf and the parties may waive further action
26 by the board as provided in section 908. The board may make,
27 alter and rescind rules and forms for its procedure, consistent
28 with ordinances of the municipality and laws of the
29 Commonwealth. The board shall keep full public records of its
30 business and shall submit a report of its activities to the

1 governing body once a year.

2 Section 3. This act shall take effect in 60 days.