

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 403 Session of 2011

INTRODUCED BY ORIE, ALLOWAY, BOSCOLA, BREWSTER, ERICKSON, FERLO, FONTANA, MENSCH, PIPPY, RAFFERTY, ROBBINS, SOLOBAY, TARTAGLIONE, WARD, WAUGH, M. WHITE, WOZNIAK, YAW AND YUDICHAK, FEBRUARY 4, 2011

REFERRED TO LOCAL GOVERNMENT, FEBRUARY 4, 2011

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 through eighth
 6 classes, individually or jointly, to plan their development
 7 and to govern the same by zoning, subdivision and land
 8 development ordinances, planned residential development and
 9 other ordinances, by official maps, by the reservation of
 10 certain land for future public purpose and by the acquisition
 11 of such land; to promote the conservation of energy through
 12 the use of planning practices and to promote the effective
 13 utilization of renewable energy sources; providing for the
 14 establishment of planning commissions, planning departments,
 15 planning committees and zoning hearing boards, authorizing
 16 them to charge fees, make inspections and hold public
 17 hearings; providing for mediation; providing for transferable
 18 development rights; providing for appropriations, appeals to
 19 courts and penalties for violations; and repealing acts and
 20 parts of acts," further providing for implementation
 21 agreements.

22 The General Assembly of the Commonwealth of Pennsylvania
 23 hereby enacts as follows:

24 Section 1. Section 1104(b)(1) of the act of July 31, 1968
 25 (P.L.805, No.247), known as the Pennsylvania Municipalities
 26 Planning Code, reenacted and amended December 21, 1988 (P.L.

1 1329, No.170) and amended June 22, 2000 (P.L.483, No.67), is
2 amended to read:

3 Section 1104. Implementation Agreements.--* * *

4 (b) Cooperative implementation agreements shall:

5 (1) Establish the process that the participating
6 municipalities will use to achieve general consistency
7 between the county or multimunicipal comprehensive plan and
8 zoning ordinances, subdivision and land development and
9 capital improvement plans within participating
10 municipalities, including [adoption] enactment of conforming
11 ordinances by participating municipalities within two years
12 and a mechanism for resolving disputes over the
13 interpretation of the multimunicipal comprehensive plan and
14 the consistency of implementing plans and ordinances. The
15 participating municipalities may amend the intergovernmental
16 cooperation agreement to extend the time to enact the
17 conforming ordinances by a period specified in the amendment,
18 but no longer than five years.

19 * * *

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