

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 698 Session of 2013

INTRODUCED BY MUNDY, KORTZ, HARKINS, CARROLL AND FABRIZIO,  
FEBRUARY 13, 2013

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 13, 2013

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 organization of board.

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

23 Section 1. Section 906 of the act of July 31, 1968 (P.L.805,  
24 No.247), known as the Pennsylvania Municipalities Planning Code,  
25 reenacted and amended December 21, 1988 (P.L.1329, No.170) and  
26 amended November 19, 2004 (P.L.831, No.99), is amended to read:

27 Section 906. Organization of Board.--(a) The board shall

1 elect from its own membership its officers, who shall serve  
2 annual terms as such and may succeed themselves. For the conduct  
3 of any hearing and the taking of any action, a quorum shall be  
4 not less than a majority of all the members of the board, but  
5 the board may appoint a hearing officer from its own membership  
6 to conduct any hearing on its behalf and the parties may waive  
7 further action by the board as provided in section 908.

8 (b) (1) The chairman of the board may designate alternate  
9 members of the board to replace any absent or disqualified  
10 member [, and if,]\_.

11 (2) If, by reason of absence or disqualification of a  
12 member, a quorum is not reached, the chairman of the board  
13 shall designate as many alternate members of the board to sit  
14 on the board as may be needed to reach a quorum.

15 (3) If, by reason of disqualification of a member due to  
16 conflict of interest, the chairman of the board shall  
17 designate as many alternate members of the board to sit on  
18 the board as may be needed to replace the disqualified  
19 members.

20 (4) Any alternate member of the board shall continue to  
21 serve on the board in all proceedings involving the matter or  
22 case for which the alternate was initially appointed until  
23 the board has made a final decision on the matter or case.

24 (5) Designation of an alternate pursuant to this section  
25 shall be made on a case-by-case basis in rotation according  
26 to declining seniority among all alternates.

27 (c) The board may make, alter and rescind rules and forms  
28 for its procedure, consistent with ordinances of the  
29 municipality and laws of the Commonwealth. The board shall keep  
30 full public records of its business, which records shall be the

1 property of the municipality, and shall submit a report of its  
2 activities to the governing body as requested by the governing  
3 body.

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