

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2531 Session of
1976

INTRODUCED BY BUTERA, JUNE 16, 1976

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 16, 1976

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," providing for curing alleged defect in
18 challenged ordinance or map.

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

21 Section 1. Section 1004, act of July 31, 1968 (P.L.805,
22 No.247), known as the "Pennsylvania Municipalities Planning
23 Code," added June 1, 1972 (P.L.333, No.93), is amended by adding
24 a subsection to read:

25 Section 1004. Validity of Ordinance; Substantive Questions;
26 Landowner Appeals.--* * *

1 (5) The governing body may cure the alleged defect in the
2 challenged ordinance or map, in its sole discretion, without
3 necessarily changing the provisions thereof which prohibit or
4 restrict the use or development of that specific land in which
5 the landowner has an interest.