

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 627 Session of  
1995

INTRODUCED BY MELIO, TIGUE, GIGLIOTTI, PESCI, LAUGHLIN AND  
TRELLO, FEBRUARY 7, 1995

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 7, 1995

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 publication,  
21 advertisement and availability of subdivision, land  
22 development and zoning ordinances and amendments.

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

25 Section 1. Section 506 of the act of July 31, 1968 (P.L.805,  
26 No.247), known as the Pennsylvania Municipalities Planning Code,  
27 reenacted and amended December 21, 1988 (P.L.1329, No.170), is

1 amended to read:

2 Section 506. Publication, Advertisement and Availability of  
3 Ordinance.--(a) Proposed subdivision and land development  
4 ordinances and amendments shall not be enacted unless notice of  
5 proposed enactment is given in the manner set forth in this  
6 section, and shall include the time and place of the meeting at  
7 which passage will be considered[, a reference to a place within  
8 the municipality where] and a notice that copies of the proposed  
9 ordinance or amendment may be examined without charge at the  
10 municipal office until the time of enactment or obtained there  
11 for a charge not greater than the cost thereof. The governing  
12 body shall publish the proposed ordinance or amendment once in  
13 one newspaper of general circulation in the municipality not  
14 more than 60 days nor less than seven days prior to passage.  
15 Publication of the proposed ordinance or amendment shall include  
16 either the full text thereof or the title and a brief summary,  
17 prepared by the municipal solicitor and setting forth all the  
18 provisions in reasonable detail. [If the full text is not  
19 included:

20 (1) A copy thereof shall be supplied to a newspaper of  
21 general circulation in the municipality at the time the  
22 public notice is published.

23 (2) An attested copy of the proposed ordinance shall be  
24 filed in the county law library or other county office  
25 designated by the county commissioners, who may impose a fee  
26 no greater than that necessary to cover the actual costs of  
27 storing said ordinances.]

28 (b) In the event substantial amendments are made in the  
29 proposed ordinance or amendment, before voting upon enactment,  
30 the governing body shall, at least ten days prior to enactment,

1 readvertise, in one newspaper of general circulation in the  
2 municipality, a brief summary setting forth all the provisions  
3 in reasonable detail together with a summary of the amendments.

4 (c) Subdivision and land development ordinances and  
5 amendments may be incorporated into official ordinance books by  
6 reference with the same force and effect as if duly recorded  
7 therein.

8 Section 2. Section 609(b) of the act, amended May 27, 1994  
9 (P.L.251, No.38), is amended to read:

10 Section 609. Enactment of Zoning Ordinance Amendments.--\* \*  
11 \*

12 (b) (1) Before voting on the enactment of an amendment, the  
13 governing body shall hold a public hearing thereon, pursuant  
14 to public notice. In addition, if the proposed amendment  
15 involves a zoning map change, notice of said public hearing  
16 shall be conspicuously posted by the municipality at points  
17 deemed sufficient by the municipality along the tract to  
18 notify potentially interested citizens. The affected tract or  
19 area shall be posted at least one week prior to the date of  
20 the hearing.

21 (2) In addition to the requirement that notice be posted  
22 under clause (1), where the proposed amendment involves a  
23 zoning map change, notice of the public hearing shall be  
24 mailed by the municipality at least ten days prior to the  
25 date of the hearing by first class mail to the owners of  
26 record of all real property located within the affected area.

27 \* \* \*

28 Section 3. Section 610 of the act is amended to read:

29 Section 610. Publication, Advertisement and Availability of  
30 Ordinances.--(a) Proposed zoning ordinances and amendments

1 shall not be enacted unless notice of proposed enactment is  
2 given in the manner set forth in this section, and shall include  
3 the time and place of the meeting at which passage will be  
4 considered[, a reference to a place within the municipality  
5 where] and a notice that copies of the proposed ordinance or  
6 amendment may be examined without charge at the municipal office  
7 until the time of enactment or obtained there for a charge not  
8 greater than the cost thereof. The governing body shall publish  
9 the proposed ordinance or amendment once in one newspaper of  
10 general circulation in the municipality not more than 60 days  
11 nor less than 7 days prior to passage. Publication of the  
12 proposed ordinance or amendment shall include either the full  
13 text thereof or the title and a brief summary, prepared by the  
14 municipal solicitor and setting forth all the provisions in  
15 reasonable detail. [If the full text is not included:

16 (1) A copy thereof shall be supplied to a newspaper of  
17 general circulation in the municipality at the time the  
18 public notice is published.

19 (2) An attested copy of the proposed ordinance shall be  
20 filed in the county law library or other county office  
21 designated by the county commissioners, who may impose a fee  
22 no greater than that necessary to cover the actual costs of  
23 storing said ordinances.]

24 (b) In the event substantial amendments are made in the  
25 proposed ordinance or amendment, before voting upon enactment,  
26 the governing body shall, at least ten days prior to enactment,  
27 readvertise, in one newspaper of general circulation in the  
28 municipality, a brief summary setting forth all the provisions  
29 in reasonable detail together with a summary of the amendments.

30 (c) Zoning ordinances and amendments may be incorporated

1 into official ordinance books by reference with the same force  
2 and effect as if duly recorded therein.

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