

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 591 Session of
1997

INTRODUCED BY STEIL, RUBLEY, MELIO, YOUNGBLOOD, TRELLO,
MAITLAND, HENNESSEY AND ROSS, FEBRUARY 13, 1997

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 24, 1997

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 the procedure for joint
21 municipal curative amendments.

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

24 Section 1. Section 812-A 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
27 (P.L.1329, No.170), is amended to read:

1 Section 812-A. Procedure for Joint Municipal Curative

2 Amendments.--(a) The governing bodies of all the participating
3 municipalities may declare the joint municipal zoning ordinance
4 or portions thereof substantially invalid and prepare a
5 municipal curative amendment pursuant to section 609.2.

6 (b) The provisions of section 609.2(4) shall apply to all
7 municipalities participating in the joint municipal zoning
8 ordinance.

9 (c) (1) In the case of a joint municipal curative amendment <—
10 involving two or three municipalities, the municipalities
11 shall have nine months from the date of declaration of
12 partial or total invalidity to enact a curative amendment. <—
13 Where there are TOTAL INVALIDITY TO ENACT A CURATIVE <—
14 AMENDMENT.

15 (2) SUBJECT TO THE LIMITATION CONTAINED IN CLAUSE (3),
16 WHERE THERE ARE more than three municipality parties, the
17 nine-month period shall be extended one additional month for
18 each municipality in excess of three that is a party to the
19 joint municipal zoning ordinance.

20 (3) NOTWITHSTANDING THE ADDITIONAL PERIODS PROVIDED FOR <—
21 IN CLAUSE (2), A CURATIVE AMENDMENT SHALL BE ENACTED BY THE
22 PARTIES TO A JOINT MUNICIPAL ZONING ORDINANCE NOT LATER THAN
23 ONE YEAR FROM THE DATE OF DECLARATION OF PARTIAL OR TOTAL
24 INVALIDITY.

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