

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1283 Session of
1997

INTRODUCED BY CURRY, YOUNGBLOOD, STURLA, ROBERTS, MELIO,
STEELMAN, STEIL, BATTISTO, VAN HORNE, MANDERINO, CORRIGAN,
BARD AND C. WILLIAMS, APRIL 10, 1997

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 28, 1998

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 plat approval.

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

23 Section 1. Section 508(2) of the act of July 31, 1968
24 (P.L.805, No.247), known as the Pennsylvania Municipalities
25 Planning Code, reenacted and amended December 21, 1988
26 (P.L.1329, No.170), is amended to read:

1 Section 508. Approval of Plats.--All applications for
2 approval of a plat (other than those governed by Article VII),
3 whether preliminary or final, shall be acted upon by the
4 governing body or the planning agency within such time limits as
5 may be fixed in the subdivision and land development ordinance
6 but the governing body or the planning agency shall render its
7 decision and communicate it to the applicant not later than 90
8 days following the date of the regular meeting of the governing
9 body or the planning agency (whichever first reviews the
10 application) next following the date the application is filed,
11 provided that should the said next regular meeting occur more
12 than 30 days following the filing of the application, the said
13 90-day period shall be measured from the 30th day following the
14 day the application has been filed.

15 * * *

16 (2) When the application is not approved in terms as
17 filed the decision shall specify the defects found in the
18 application and describe the requirements which have not been
19 met and shall, in each case, cite to the provisions of the
20 statute or ordinance relied upon. A municipality may reject
21 an application if the land to be affected by the subdivision
22 had been dedicated as permanent open space or ~~had been~~ <—
23 REMAINS subject to a deed restriction, with the intent of <—
24 prohibiting further subdivision, regardless of any zoning
25 changes that may occur after such dedication or deed
26 restriction has been made.

27 * * *

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