

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1335 Session of  
1999

INTRODUCED BY PLATTS AND CASORIO, APRIL 19, 1999

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 20, 1999

## 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," prohibiting the location of methadone  
21 treatment facilities in certain locations.

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

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

1 adding a section to read:

2 Section 621. Prohibiting the Location of Methadone Treatment

3 ~~Facilities in Certain Locations. (a) Notwithstanding any other~~ <—

4 FACILITIES IN CERTAIN LOCATIONS.--(A) (1) NOTWITHSTANDING ANY <—

5 OTHER provision of law to the contrary and except as provided

6 in subsection (b), a methadone treatment facility shall not

7 be established or operated within 500 feet of an existing

8 school, public playground, public park, residential housing

9 area, child-care facility ~~or place of worship~~, CHURCH, <—

10 MEETINGHOUSE OR OTHER ACTUAL PLACE OF REGULARLY STATED

11 RELIGIOUS WORSHIP established prior to the proposed methadone

12 treatment facility. ~~If an occupancy permit or~~ <—

13 (2) THE PROVISIONS OF THIS SUBSECTION SHALL APPLY <—

14 WHETHER OR NOT AN OCCUPANCY PERMIT OR certificate of use has

15 been issued to the owner or operator of a methadone treatment

16 facility for a location that is within 500 feet of an

17 existing school, public playground, public park, residential

18 housing area, child-care facility ~~or place of worship~~, <—

19 CHURCH, MEETINGHOUSE OR OTHER ACTUAL PLACE OF REGULARLY

20 STATED RELIGIOUS WORSHIP established prior to the proposed

21 methadone treatment facility, ~~the occupancy permit or~~ <—

22 ~~certificate of use shall be revoked and the facility shall be~~

23 ~~subject to the provisions of this section.~~ FACILITY. <—

24 (b) Notwithstanding subsection (a), a methadone treatment

25 facility may be established and operated closer than 500 feet to

26 an existing school, public playground, public park, residential

27 housing area, child-care facility ~~or place of worship~~, CHURCH, <—

28 MEETINGHOUSE OR OTHER ACTUAL PLACE OF REGULARLY STATED RELIGIOUS

29 WORSHIP established prior to the proposed methadone treatment

30 facility if, by majority vote, the governing body for the

1 municipality in which the proposed methadone treatment facility  
2 is to be located votes in favor of the issuance of an occupancy  
3 permit or certificate of use for said facility at such a  
4 location. At least 14 days prior to the governing body of a  
5 municipality voting on whether to approve the issuance of an  
6 occupancy permit or certificate of use for a methadone treatment  
7 facility at a location that is closer than 500 feet to a school,  
8 public playground, public park, residential housing area, child-  
9 care facility ~~or place of worship~~, CHURCH, MEETINGHOUSE OR OTHER <—  
10 ACTUAL PLACE OF REGULARLY STATED RELIGIOUS WORSHIP established  
11 prior to the proposed methadone treatment facility, one or more  
12 public hearings regarding the proposed methadone treatment  
13 facility location shall be held within the municipality  
14 following public notice. All owners of real property located  
15 within 500 feet of the proposed location shall be provided  
16 written notice of said public hearings at least 30 days prior to  
17 said public hearings occurring.

18 (c) This section shall not apply to a methadone treatment  
19 facility that is licensed by the Department of Health prior to  
20 May 15, 1999.

21 (d) As used in this section, the term "methadone treatment  
22 facility" shall mean a facility licensed by the Department of  
23 Health to use the drug methadone in the treatment, maintenance  
24 or detoxification of persons.

25 Section 2. This act shall take effect immediately.