

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 292 Session of
2007

INTRODUCED BY FERLO, FONTANA AND COSTA, MARCH 9, 2007

REFERRED TO URBAN AFFAIRS AND HOUSING, MARCH 9, 2007

AN ACT

1 Amending the act of May 24, 1945 (P.L.991, No.385), entitled "An
2 act to promote elimination of blighted areas and supply
3 sanitary housing in areas throughout the Commonwealth; by
4 declaring acquisition, sound replanning and redevelopment of
5 such areas to be for the promotion of health, safety,
6 convenience and welfare; creating public bodies corporate and
7 politic to be known as Redevelopment Authorities; authorizing
8 them to engage in the elimination of blighted areas and to
9 plan and contract with private, corporate or governmental
10 redevelopers for their redevelopment; providing for the
11 organization of such authorities; defining and providing for
12 the exercise of their powers and duties, including the
13 acquisition of property by purchase, gift or eminent domain;
14 the leasing and selling of property, including borrowing
15 money, issuing bonds and other obligations, and giving
16 security therefor; restricting the interest of members and
17 employes of authorities; providing for notice and hearing;
18 supplying certain mandatory provisions to be inserted in
19 contracts with redevelopers; prescribing the remedies of
20 obligees of redevelopment authorities; conferring certain
21 duties upon local planning commissions, the governing bodies
22 of cities and counties, and on certain State officers, boards
23 and departments," further providing for the preparation and
24 adoption of redevelopment proposal.

25 The General Assembly of the Commonwealth of Pennsylvania
26 hereby enacts as follows:

27 Section 1. Section 10 of the act of May 24, 1945 (P.L.991,
28 No.385), known as the Urban Redevelopment Law, is amended by

1 adding clauses to read:

2 Section 10. Preparation and Adoption of Redevelopment

3 Proposal.--

4 * * *

5 (a.1) Prior to any action taken by a planning commission to
6 certify a redevelopment area, the planning commission shall
7 prepare a conditions report and shall make the entire report
8 available for review by the public at the office of the planning
9 commission.

10 (1) For a planning commission to be authorized to conduct a
11 public hearing pursuant to subclause (2), the conditions report
12 shall identify and describe in sufficient detail such qualifying
13 condition for each property in the proposed redevelopment area
14 and for the redevelopment area generally, that meets any
15 condition for the declaration of blight under this act and, if
16 an Authority may exercise the power of eminent domain,
17 conditions that meet the criteria under 26 Pa.C.S. § 205(b) and
18 (c) (relating to blight).

19 (2) (i) No less than thirty days after a conditions report
20 is made available for public review, the planning commission
21 shall hold a public hearing to discuss the conditions report and
22 the proposed redevelopment area.

23 (ii) Prior to conducting the public hearing, the planning
24 commission shall provide notification by mail of the public
25 hearing to each owner or owners of property located within the
26 proposed redevelopment area. Notice shall be deemed given if
27 mailed to the owner's last known address or to the owner's
28 registered off-site address. The notice shall comply with all of
29 the following:

30 (A) Inform the owner or owners that their property is

1 located within a proposed redevelopment area.

2 (B) Describe the boundaries of the proposed redevelopment
3 area.

4 (C) Describe the findings of the conditions report.

5 (D) Provide the location where and the hours when the
6 conditions report and the redevelopment area plan may be viewed.

7 (E) Explain the process for adopting a redevelopment area
8 plan, a redevelopment proposal and for certifying a
9 redemption area.

10 (3) A planning commission shall publish the time and
11 location of the public hearing at least once a week for three
12 consecutive weeks in at least one newspaper of general
13 circulation that serves within the boundaries of the
14 municipality where the redevelopment area is located. The public
15 hearing shall not be held until at least ten days following the
16 last publication of the notice. Such notice shall comply with
17 the following:

18 (i) Describe the boundaries of the redevelopment area.

19 (ii) Describe the findings of the conditions report.

20 (iii) Provide the location where and the hours when the
21 conditions report may be viewed.

22 * * *

23 (g.1) In the event that the redevelopment proposal includes
24 the exercise of the power of eminent domain in a redevelopment
25 area pursuant to the requirements under 26 Pa.C.S. § 205, the
26 governing body shall comply with the following notification
27 requirements and procedures in addition to the requirements
28 under clause (g):

29 (1) Prior to the conduct of the public hearing, the
30 governing body shall provide notification of the public hearing

1 by mail to each owner or owners of property located within the
2 redevelopment area. The notice shall comply with all of the
3 following:

4 (i) Inform the owner or owners that their property is
5 located within a redevelopment area for which the Authority has
6 prepared a redevelopment proposal.

7 (ii) Describe the boundaries of the redevelopment proposal
8 and the redevelopment area.

9 (iii) Describe the redevelopment area plan.

10 (iv) Inform the owners whether the Authority intends to
11 acquire their property by eminent domain.

12 (v) Inform the property owner or owners if their property
13 meets any of the requirements for the declaration of blight
14 under 26 Pa.C.S. § 205(b).

15 (vi) Provide the location where and the hours when the
16 conditions report and the redevelopment proposal may be viewed.

17 (vii) Explain the process for establishing a redevelopment
18 area plan, a redevelopment proposal and for certifying a
19 redevelopment area.

20 * * *

21 (h.1) At the time that a governing body takes action, as
22 required under clause (h), on a redevelopment proposal that is
23 exercising the power of eminent domain, the governing body shall
24 be required to take a two-thirds vote in order to approve the
25 redevelopment proposal. Such a vote shall certify that the
26 redevelopment proposal meets the requirements for the
27 declaration of blight under 26 Pa.C.S. § 205(b) and that the
28 Authority may exercise the power of eminent domain in carrying
29 out the redevelopment proposal. The certification shall be
30 deemed valid until such time as the declaration of blight

1 expires pursuant to 26 Pa.C.S. § 205(e).

2 * * *

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