

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 758 Session of 2009

INTRODUCED BY BROWNE, EARLL, WONDERLING, WASHINGTON, BOSCOLA,  
RAFFERTY AND COSTA, APRIL 3, 2009

REFERRED TO LOCAL GOVERNMENT, APRIL 3, 2009

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," amending the title of the act; and providing  
21 for compensation for the forced removal of a lawfully erected  
22 sign.

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

25 Section 1. The title 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) and  
28 amended December 14, 1992 (P.L.815, No.131), is amended to read:

AN ACT

To empower cities of the second class A, and third class, boroughs, incorporated towns, townships of the first and second classes including those within a county of the second class and counties of the second through eighth classes, individually or jointly, to plan their development and to govern the same by zoning, subdivision and land development ordinances, planned residential development and other ordinances, by official maps, by the reservation of certain land for future public purpose and by the acquisition of such land; to promote the conservation of energy through the use of planning practices and to promote the effective utilization of renewable energy sources; providing for the establishment of planning commissions, planning departments, planning committees and zoning hearing boards, authorizing them to charge fees, make inspections and hold public hearings; providing for compelled removal; providing for mediation; providing for transferable development rights; providing for appropriations, appeals to courts and penalties for violations; and repealing acts and parts of acts.

Section 2. The act is amended by adding a section to read:

Section 919. Compelled Removal.--(a) Subject to subsection (b), the requirement by a governmental entity that a lawfully erected display be removed as a condition or prerequisite for the issuance or continued effectiveness of a permit, license or other approval for any use, structure, development or activity other than a display shall constitute a compelled removal requiring monetary compensation.

(b) Subsection (a) shall not apply if the permit, license or approval is requested for the construction of a building or

- 1 structure which cannot be built without physically removing the
- 2 display.
- 3     Section 3.   This act shall take effect in 60 days.