

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 571 Session of 2011

INTRODUCED BY BENNINGHOFF, CALTAGIRONE, D. COSTA, GINGRICH, GROVE, HARRIS, HEFFLEY, HUTCHINSON, JOSEPHS, KORTZ, MILLARD, MILLER, MURT, MUSTIO, M. O'BRIEN, PYLE, RAPP, K. SMITH, SWANGER AND YOUNGBLOOD, FEBRUARY 9, 2011

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 9, 2011

AN ACT

1 Amending Titles 53 (Municipalities Generally) and 68 (Real and
2 Personal Property) of the Pennsylvania Consolidated Statutes,
3 in miscellaneous provisions, providing for limitations on
4 municipal powers; and, in creation, alteration and
5 termination of planned communities, providing for alterations
6 for energy conservation.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Title 53 of the Pennsylvania Consolidated
10 Statutes is amended by adding a section to read:

11 § 1142. Limitations on municipal powers.

12 (a) Installation of energy-efficient doors and windows.--

13 (1) A property owner may not be denied permission to
14 install energy-efficient doors or windows on a building by
15 any local public agency granted the power or right to control
16 or regulate alteration of property with respect to
17 residential dwellings or real property.

18 (2) A local public agency may require that energy-
19 efficient doors and windows meet size and shape design

1 requirements for properties in historic districts.

2 (3) A local public agency is prohibited from denying
3 installation of energy-efficient doors and windows based
4 solely on the materials used in the manufacture of the doors
5 and windows.

6 (b) Definition.--As used in this section, the term "local
7 public agency" means a county, city, borough, town, township,
8 authority, council of government, committee, board, commission,
9 any agency established by a governing body of a municipal
10 government, or any other authority created by the Commonwealth
11 or any of its political subdivisions.

12 Section 2. Title 68 is amended by adding a section to read:
13 § 5213.1. Alterations for energy conservation.

14 Notwithstanding any provision of the declaration or bylaws, a
15 unit owner may install energy-efficient doors or windows in a
16 unit, provided that the doors or windows are aesthetically
17 similar in size and shape to those approved under the
18 declaration or bylaws. Any requirement that doors or windows be
19 aesthetically similar in size and shape shall not limit the
20 materials used in their construction.

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