

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1688 Session of
1979

INTRODUCED BY KERNICK, KUKOVICH, BROWN, ZELLER, COHEN, ALDEN
AND ITKIN, SEPTEMBER 18, 1979

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, SEPTEMBER 18, 1979

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 class A
6 through eighth classes, individually or jointly, to plan
7 their development and to govern the same by zoning,
8 subdivision and land development ordinances, planned
9 residential development and other ordinances, by official
10 maps, by the reservation of certain land for future public
11 purpose and by the acquisition of such land; providing for
12 the establishment of planning commissions, planning
13 departments, planning committees and zoning hearing boards,
14 authorizing them to charge fees, make inspections and hold
15 public hearings; providing for appropriations, appeals to
16 courts and penalties for violations; and repealing acts and
17 parts of acts," further regulating notification requirements.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Clause (1) of section 908, act of July 31, 1968
21 (P.L.805, No.247), known as the "Pennsylvania Municipalities
22 Planning Code," amended December 10, 1974 (P.L.822, No.272), is
23 amended to read:

24 Section 908. Hearings.--The board shall conduct hearings and
25 make decisions in accordance with the following requirements:

1 (1) Notice shall be given to the public, the applicant, the
2 zoning officer, such other persons as the governing body shall
3 designate by ordinance and to any person who has made timely
4 request for the same. Notices shall be given at such time and in
5 such manner as shall be prescribed by ordinance or, in the
6 absence of ordinance provision, by rules of the board. The
7 governing body may establish reasonable fees, based on cost, to
8 be paid by the applicant and by persons requesting any notice
9 not required by ordinance. In addition to the notice provided
10 herein, notice of said hearing shall be conspicuously posted on
11 the affected tract of land. Where such hearing, rescheduled
12 hearing, or continued hearing is held in violation of the
13 notification requirements of the act of July 19, 1974 (P.L.486,
14 No.175), referred to as the Public Agency Open Meeting Law, the
15 decisions of the board made at such hearing shall be void and
16 another hearing shall be scheduled.

17 * * *

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