

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1015 Session of  
1983

INTRODUCED BY POTT, MICHLOVIC, MARKOSEK, PRESTON, PISTELLA,  
SEVENTY, ITKIN, OLASZ AND VAN HORNE, MAY 23, 1983

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 23, 1983

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; to promote the  
12 conservation of energy through the use of planning practices  
13 and to promote the effective utilization of renewable energy  
14 sources; providing for the establishment of planning  
15 commissions, planning departments, planning committees and  
16 zoning hearing boards, authorizing them to charge fees, make  
17 inspections and hold public hearings; providing for  
18 appropriations, appeals to courts and penalties for  
19 violations; and repealing acts and parts of acts," requiring  
20 municipalities to send a copy of their zoning or subdivision  
21 ordinances or regulations to the county planning agency.

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

24 Section 1. Section 502 of the act of July 31, 1968 (P.L.805,  
25 No.247), known as the Pennsylvania Municipalities Planning Code,  
26 amended July 20, 1974 (P.L.566, No.194), is amended to read:

27 Section 502. Jurisdiction of County Planning Agencies;

1 Adoption by Reference of County Subdivision and Land Development  
2 Ordinances.--When any county has adopted a subdivision and land  
3 development ordinance in accordance with the terms of this  
4 article, a certified copy of the ordinance shall be sent to  
5 every city, borough, incorporated town or township within the  
6 county and when any city, borough, incorporated town or township  
7 adopts or amends its zoning or subdivision ordinances or  
8 regulations a certified copy thereof shall be sent to the county  
9 planning agency. All amendments shall also be sent to the  
10 aforementioned municipalities. The powers of governing bodies of  
11 counties to enact, amend and repeal subdivision and land  
12 development ordinances shall be limited to land in those cities,  
13 boroughs, incorporated towns and townships wholly or partly  
14 within the county which have no subdivision and land development  
15 ordinance in effect at the time a subdivision and land  
16 development ordinance is introduced before the governing body of  
17 the county, and until the city, borough, incorporated town or  
18 township subdivision and land development ordinance is in effect  
19 and a certified copy of such ordinance is filed with the county  
20 planning agency, if one exists. The enactment of a subdivision  
21 and land development ordinance by any municipality, other than a  
22 county, whose land is subject to a county subdivision and land  
23 development ordinance shall act as a repeal protanto of the  
24 county subdivision and land development ordinance within the  
25 municipality adopting such ordinance. However, applications for  
26 subdivision and land development located within a city, borough,  
27 incorporated town or township having adopted a subdivision and  
28 land development ordinance as set forth in this article shall be  
29 forwarded upon receipt by the municipality to the county  
30 planning agency for review and report together with a fee

1 sufficient to cover the costs of the review and report which fee  
2 shall be paid by the applicant: Provided, That such  
3 municipalities shall not approve such applications until the  
4 county report is received or until the expiration of forty-five  
5 days from the date the application was forwarded to the county.

6 Further, any municipality other than a county may adopt by  
7 reference the subdivision and land development ordinance of the  
8 county, and may by separate ordinance designate the county  
9 planning agency as its official administrative agency for review  
10 and approval of plats.

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