

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 623 Session of
2001

INTRODUCED BY ROHRER, CAPPABIANCA, CLYMER, M. COHEN, FORCIER,
GRUCELA, LEH, METCALFE, SATHER, SHANER, T. STEVENSON, THOMAS,
WASHINGTON, WILT AND YOUNGBLOOD, FEBRUARY 12, 2001

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 12, 2001

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," further providing for contents of subdivision
21 and land development ordinances and for recording plats and
22 deeds.

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

25 Section 1. Section 503(1) of the act of July 31, 1968
26 (P.L.805, No.247), known as the Pennsylvania Municipalities
27 Planning Code, reenacted and amended December 21, 1988

1 (P.L.1329, No.170) and amended June 22, 2000 (P.L.495, No.68),
2 is amended to read:

3 Section 503. Contents of Subdivision and Land Development
4 Ordinance.--The subdivision and land development ordinance may
5 include, but need not be limited to:

6 (1) Provisions for the submittal and processing of
7 plats, including the charging of review fees, and
8 specifications for such plats, including certification as to
9 the accuracy of plats and provisions for preliminary and
10 final approval and for processing of final approval by stages
11 or sections of development. Such plats and surveys shall be
12 prepared in accordance with the act of May 23, 1945 (P.L.913,
13 No.367), known as the "Engineer, Land Surveyor and Geologist
14 Registration Law," except that this requirement shall not
15 preclude the preparation of a plat in accordance with the act
16 of January 24, 1966 (1965 P.L.1527, No.535), known as the
17 "Landscape Architects' Registration Law," when it is
18 appropriate to prepare the plat using professional services
19 as set forth in the definition of the "practice of landscape
20 architecture" under section 2 of that act. Such plat shall,
21 if a property line or boundary survey is included, contain
22 the original signature and seal of the licensed professional
23 land surveyor who prepared the survey and the date on which
24 the survey was prepared. Review fees may include reasonable
25 and necessary charges by the municipality's professional
26 consultants or engineer for review and report thereon to the
27 municipality. Such review fees shall be based upon a schedule
28 established by ordinance or resolution. Such review fees
29 shall be reasonable and in accordance with the ordinary and
30 customary charges by the municipal engineer or consultant for

1 similar service in the community, but in no event shall the
2 fees exceed the rate or cost charged by the engineer or
3 consultant to the municipalities when fees are not reimbursed
4 or otherwise imposed on applicants.

5 (i) In the event the applicant disputes the amount
6 of any such review fees, the applicant shall, within 14
7 days of the applicant's receipt of the bill, notify the
8 municipality that such fees are disputed, in which case
9 the municipality shall not delay or disapprove a
10 subdivision or land development application due to the
11 applicant's request over disputed fees.

12 (ii) In the event that the municipality and the
13 applicant cannot agree on the amount of review fees which
14 are reasonable and necessary, then the applicant and the
15 municipality shall follow the procedure for dispute
16 resolution set forth in section 510(g), provided that the
17 professionals resolving such dispute shall be of the same
18 profession or discipline as the consultants whose fees
19 are being disputed.

20 * * *

21 Section 2. Section 513(a) of the act, amended December 20,
22 2000 (P.L.940, No.127), is amended to read:

23 Section 513. Recording Plats and Deeds.--(a) Upon the
24 approval of a final plat, the developer shall within 90 days of
25 such final approval or 90 days after the date of delivery of an
26 approved plat signed by the governing body following completion
27 of conditions imposed for such approval, whichever is later,
28 record such plat in the office of the recorder of deeds of the
29 county in which the municipality is located. Whenever such plat
30 approval is required by a municipality, the recorder of deeds of

1 the county shall not accept any plat for recording, unless such
2 plat officially notes the approval of the governing body and
3 review by the county planning agency, if one exists[.], and if
4 such plat includes a property line or boundary survey, then the
5 original signature and seal of the licensed professional land
6 surveyor who prepared the survey and the date on which the
7 survey was prepared.

8 * * *

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