THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL No. 47 Session of 2013

INTRODUCED BY TRUITT, KORTZ, SWANGER, WATSON, MURT, ROCK AND HESS, JANUARY 10, 2013

REFERRED TO COMMITEE ON LOCAL GOVERNMENT, JANUARY 10, 2013

AN ACT

Amending the act of July 31, 1968 (P.L.805, No.247), entitled, 1 as amended, "An act to empower cities of the second class A, 2 and third class, boroughs, incorporated towns, townships of 3 the first and second classes including those within a county 4 of the second class and counties of the second through eighth 5 classes, individually or jointly, to plan their development and to govern the same by zoning, subdivision and land 6 7 development ordinances, planned residential development and 8 other ordinances, by official maps, by the reservation of 9 certain land for future public purpose and by the acquisition 10 of such land; to promote the conservation of energy through 11 the use of planning practices and to promote the effective 12 utilization of renewable energy sources; providing for the 13 establishment of planning commissions, planning departments, 14 planning committees and zoning hearing boards, authorizing 15 them to charge fees, make inspections and hold public 16 hearings; providing for mediation; providing for transferable 17 development rights; providing for appropriations, appeals to 18 courts and penalties for violations; and repealing acts and 19 parts of acts," in subdivision and land development, further 20 providing for approval of plats. 21 22 The General Assembly of the Commonwealth of Pennsylvania

23 hereby enacts as follows:

Section 1. Section 508 introductory paragraph of the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, reenacted and amended December 21, 1988 (P.L.1329, No.170) and amended June 22, 2000 (P.L.495, No.68), is amended and the section is amended by adding a
 paragraph to read:

3 Section 508. Approval of Plats. -- All applications for approval of a plat (other than those governed by Article VII), 4 whether preliminary or final, shall be acted upon by the 5 governing body or the planning agency within such time limits as 6 may be fixed in the subdivision and land development ordinance 7 8 but the governing body or the planning agency shall render its decision and communicate it to the applicant not later than 90 9 10 days following the date of the regular meeting of the governing body or the planning agency (whichever first reviews the 11 12 application) next following the date the application is filed or 13 after a final order of court remanding an application, provided 14 that should the said next regular meeting occur more than 30 days following the filing of the application or the final order 15 of the court, the said 90-day period shall be measured from the 16 17 30th day following the day the application has been filed. The 18 following shall apply:

19 * * *

(8) No plat shall be finally approved unless the plat
contains a notice from the design consultant stating that:
(i) the design consultant has been properly
compensated for the creation of the development plan; and
(ii) the provisions of the development plan have
been released for use by the municipality and any
applicable regulatory agency.

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

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