PRINTER'S NO. 884

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 772 Session of 2013

INTRODUCED BY ADOLPH, SWANGER, PICKETT, O'NEILL, D. COSTA, GINGRICH, V. BROWN AND WATSON, FEBRUARY 25, 2013

REFERRED TO COMMITEE ON LOCAL GOVERNMENT, FEBRUARY 25, 2013

AN ACT

Amending the act of July 31, 1968 (P.L.805, No.247), entitled, as amended, "An act to empower cities of the second class A, and third class, boroughs, incorporated towns, townships of the first and second classes including those within a county of the second class and counties of the second through eighth classes, individually or jointly, to plan their development and to govern the same by zoning, subdivision and land development ordinances, planned residential development and other ordinances, by official maps, by the reservation of certain land for future public purpose and by the acquisition of such land; to promote the conservation of energy through the use of planning practices and to promote the effective utilization of renewable energy sources; providing for the establishment of planning commissions, planning departments, planning committees and zoning hearing boards, authorizing them to charge fees, make inspections and hold public hearings; providing for mediation; providing for transferable development rights; providing for appropriations, appeals to courts and penalties for violations; and repealing acts and parts of acts," in zoning, prohibiting the location of advertising signs in certain locations.

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

Section 1. 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), is amended by adding a section to read:

Section 622. Prohibiting the Location of Advertising Signs in Certain Locations.--(a) Notwithstanding any other provision of law to the contrary and except as otherwise provided in subsection (b), an advertising sign may not be placed within 1,000 feet from the property line of an existing school, public playground, public park, residential housing area, child care facility, church, meetinghouse or other actual place of regularly stated religious worship.

(b) Notwithstanding subsection (a), an off-premises sign may be located less than 1,000 feet from the property line of an existing school, public playground, public park, residential housing area, child care facility, church, meetinghouse or other actual place of regularly stated religious worship if, by majority vote of the governing body for the municipality, the governing body gives necessary approvals.

(c) At least 14 days prior to the governing body of a municipality voting on whether to allow an off-premises sign less than 1,000 feet from the property line of a school, public playground, public park, residential housing area, child care facility, church, meetinghouse or other actual place of regularly stated religious worship, one or more public hearings shall be held within the municipality following public notice. All owners of real property located within 1,000 feet of the proposed location shall be provided written notice of the public hearing at least 30 days before the hearing is convened.

(d) As used in this section, the term "off-premises sign" shall mean:

(1) a freestanding sign that:

(i) is supported by one or more poles, uprights or braces;

(ii) consists of 32 square feet or more of gross surface area; and

(iii) is internally illuminated and visible from a public way that utilizes technology to permit the characters, letters or illustrations to be changed or rearranged by computer, electronically or mechanically, without altering the face of the sign; or

(2) an outdoor, off-premises sign on which space is leased or rented by the owner of the sign to others for the purpose of conveying a commercial or noncommercial message.

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