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**House of Representatives**  
Commonwealth of Pennsylvania  
Harrisburg

**House Committees:**  
Aging and Older Adult Services  
Insurance  
Professional Licensure  
Transportation

**MEMORANDUM**

**TO:** All House Members  
**FROM:** Representative Marguerite Quinn  
**DATE:** February 3, 2012  
**SUBJECT:** Proposed Legislation Amending the PA Municipalities Planning Code

In the near future, I will introduce legislation which would amend the PA Municipalities Planning Code (MPC) regarding curative amendments.

A curative amendment is a process where a "cure" is proposed to fix a problem with a municipal zoning ordinance. The MPC provides for curative amendments initiated by landowners or municipal officials. However, there are currently no provisions in the MPC for a curative amendment relating to zoning ordinances invalidated in whole or part by appellate court decisions.

In the case of appellate court decisions, my legislation would permit the local officials to consider and adopt a curative amendment through an open and public process. Municipal officials would have 30 days to declare their intention to utilize the curative amendment procedure and a total of 210 days to enact a curative amendment.

It is my belief that local elected officials are in a better position to enact a curative amendment than the courts or landowners who brought the challenge. This approach would also allow local officials to insure that any new ordinance, and resulting development, is consistent with the municipality's comprehensive plan.

Thank you for your consideration. If you wish to co-sponsor this legislation, please contact Nicole Wilbourn in my office at [nwilbour@pahousegop.com](mailto:nwilbour@pahousegop.com) or 717-772-1413.