

SURVEY AND REGULATION CITY OF PHILADELPHIA

Act of Jun. 6, 1871, P.L. 1353, No. 1258

Cl. 11

AN ACT

Relative to plans of survey and regulation in the city of Philadelphia.

Section 1. Confirmation or Rejection of Plans of Surveys

The board of surveyors of the City of Philadelphia, as elected and constituted under acts of Assembly, be and the same is hereby invested with full authority to examine and finally confirm or reject all original plans and revisions of plans of the City of Philadelphia when the same have been made by direction of the council of the said city; and for the purpose of enabling the said board to carry out the intent of this act it is hereby authorized, through its presiding officer, to administer oaths and affirmations and hear testimony, and shall use a seal for all official papers. 1871, June 6, P.L. 1353, Sec. 1; 1945, May 3, P.L. 404, Sec. 1.

Section 2. Confirmation of Plans

No plan for survey or regulation, or a revision of either or both, shall be finally acted upon by the said board of surveyors until advertisement shall have been made for two times in each of three daily newspapers of general circulation in the City of Philadelphia. The first insertion in each newspaper to be inserted at least fifteen days immediately preceding the proposed action, and the second notice to be inserted not less than five days thereafter, and that handbills be posted upon and throughout the area covered by the plan to be considered, giving notice of a hearing thereof for at least fifteen days prior to said hearing; and that upon the confirmation of any plan of surveys and regulations by the said board of surveyors, the seal of the board shall be affixed thereto and attested by the presiding officer; said confirmation to be final and conclusive without appeal. 1871, June 6, P.L. 1353, Sec. 2; 1945, May 3, P.L. 404, Sec. 1; 1947, June 21, P.L. 871, Sec. 1.

Section 3. When Streets shall be Added to Plans; Appeal; Dedicated Property; Plans to be Recorder

No street shall hereafter be added to any confirmed plan of the City of Philadelphia, until the same shall have been approved by the board of surveyors as to location, width and grades: Provided, That an appeal may be taken to the court of quarter sessions of the City and County of Philadelphia at any time within three months after said board of surveyors shall have finally confirmed any plan as aforesaid, when said court may, after a hearing, confirm said plan as submitted or remand it back to the board of surveyors for reconsideration and revision. All plans and revisions of plans of land laid out in plots, or building lots, and the streets, highways, alleys or other portions of the same intended to be dedicated to public use; or the use of purchasers or owners of lots fronting thereon, or adjacent thereto, located within the city limits shall be recorded in the office of the recorder of deeds after submission to, and approval by, the board of surveyors. And it shall not be lawful to receive or record any such plan in any public office unless the same shall bear thereon, by endorsement or otherwise, the approval of the board of surveyors. The approval of any such plan by said board shall not impose any duty upon the city concerning the improvement or maintenance of any such dedicated streets or highways until the proper authorities of the city shall have made actual appropriation for such improvements and maintenance, and the disapproval of

any such plan by the board of surveyors shall be deemed a refusal of any proposed dedication. The owners and purchasers of such lots shall be conclusively presumed to have notice of public plans, maps, and reports of the said board affecting such property within its jurisdiction. 1871, June 6, P.L. 1353, Sec. 3; 1945, May 3, P.L. 404, Sec. 1.