

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 437 Session of
2005

INTRODUCED BY MAITLAND, SATHER, DENLINGER, GINGRICH, HERSHEY,
SOLOBAY AND WALKO, FEBRUARY 14, 2005

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 14, 2005

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 ordinance provisions.

21 The General Assembly of the Commonwealth of Pennsylvania

22 hereby enacts as follows:

23 Section 1. Section 603 of the act of July 31, 1968 (P.L.805,
24 No.247), known as the Pennsylvania Municipalities Planning Code,
25 reenacted and amended December 21, 1988 (P.L.1329, No.170), is
26 amended by adding a subsection to read:

27 Section 603. Ordinance Provisions.--* * *

1 (m) Zoning ordinances shall permit amateur radio antennas
2 built to Federal Communications Commission specifications in all
3 zoning districts of the municipality as a use permitted by
4 right, except that such permission shall not supersede any deed
5 restriction, covenant or agreement restricting the use of land
6 nor any master deed, bylaw or other document applicable to a
7 common interest ownership community.

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