

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 391 Session of  
2003

INTRODUCED BY ROHRER, CREIGHTON, HENNESSEY, HERSHEY, HORSEY,  
LEWIS, PETRI, SOLOBAY, E. Z. TAYLOR, THOMAS AND YOUNGBLOOD,  
FEBRUARY 24, 2003

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 24, 2003

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 contents of subdivision  
21 and land development ordinances and for recording plats and  
22 deeds.

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

25 Section 1. Section 503(1) of the act of July 31, 1968  
26 (P.L.805, No.247), known as the Pennsylvania Municipalities  
27 Planning Code, reenacted and amended December 21, 1988

1 (P.L.1329, No.170) and amended June 22, 2000 (P.L.495, No.68),  
2 is amended to read:

3 Section 503. Contents of Subdivision and Land Development  
4 Ordinance.--The subdivision and land development ordinance may  
5 include, but need not be limited to:

6 (1) Provisions for the submittal and processing of  
7 plats, including the charging of review fees, and  
8 specifications for such plats, including certification as to  
9 the accuracy of plats and provisions for preliminary and  
10 final approval and for processing of final approval by stages  
11 or sections of development. Such plats and surveys shall be  
12 prepared in accordance with the act of May 23, 1945 (P.L.913,  
13 No.367), known as the "Engineer, Land Surveyor and Geologist  
14 Registration Law," except that this requirement shall not  
15 preclude the preparation of a plat in accordance with the act  
16 of January 24, 1966 (1965 P.L.1527, No.535), known as the  
17 "Landscape Architects' Registration Law," when it is  
18 appropriate to prepare the plat using professional services  
19 as set forth in the definition of the "practice of landscape  
20 architecture" under section 2 of that act. Such plat shall,  
21 if a property line or boundary survey is included, contain  
22 the original signature and seal of the licensed professional  
23 land surveyor who prepared the survey and the date on which  
24 the survey was prepared. Review fees may include reasonable  
25 and necessary charges by the municipality's professional  
26 consultants or engineer for review and report thereon to the  
27 municipality. Such review fees shall be based upon a schedule  
28 established by ordinance or resolution. Such review fees  
29 shall be reasonable and in accordance with the ordinary and  
30 customary charges by the municipal engineer or consultant for

1 similar service in the community, but in no event shall the  
2 fees exceed the rate or cost charged by the engineer or  
3 consultant to the municipalities when fees are not reimbursed  
4 or otherwise imposed on applicants.

5 (i) In the event the applicant disputes the amount  
6 of any such review fees, the applicant shall, within 14  
7 days of the applicant's receipt of the bill, notify the  
8 municipality that such fees are disputed, in which case  
9 the municipality shall not delay or disapprove a  
10 subdivision or land development application due to the  
11 applicant's request over disputed fees.

12 (ii) In the event that the municipality and the  
13 applicant cannot agree on the amount of review fees which  
14 are reasonable and necessary, then the applicant and the  
15 municipality shall follow the procedure for dispute  
16 resolution set forth in section 510(g), provided that the  
17 professionals resolving such dispute shall be of the same  
18 profession or discipline as the consultants whose fees  
19 are being disputed.

20 \* \* \*

21 Section 2. Section 513(a) of the act, amended December 20,  
22 2000 (P.L.940, No.127), is amended to read:

23 Section 513. Recording Plats and Deeds.--(a) Upon the  
24 approval of a final plat, the developer shall within 90 days of  
25 such final approval or 90 days after the date of delivery of an  
26 approved plat signed by the governing body following completion  
27 of conditions imposed for such approval, whichever is later,  
28 record such plat in the office of the recorder of deeds of the  
29 county in which the municipality is located. Whenever such plat  
30 approval is required by a municipality, the recorder of deeds of

1 the county shall not accept any plat for recording, unless such  
2 plat officially notes the approval of the governing body and  
3 review by the county planning agency, if one exists[.], and if  
4 such plat includes a property line or boundary survey, then the  
5 original signature and seal of the licensed professional land  
6 surveyor who prepared the survey and the date on which the  
7 survey was prepared.

8 \* \* \*

9 Section 3. This act shall take effect in 60 days.