

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1840

Session of  
2003

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INTRODUCED BY GILLESPIE, ARMSTRONG, BALDWIN, BARRAR, CLYMER,  
CRAHALLA, CREIGHTON, FRANKEL, FREEMAN, GOODMAN, HENNESSEY,  
McGEEHAN, R. MILLER, NAILOR, NICKOL, O'NEILL, REICHLEY,  
SAYLOR, STEIL, STETLER, WEBER AND MELIO, JULY 9, 2003

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REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, JULY 9, 2003

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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 contiguous  
21 municipalities.

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

24 Section 1. Section 502.1 of the act of July 31, 1968  
25 (P.L.805, No.247), known as the Pennsylvania Municipalities

1 Planning Code, reenacted and amended December 21, 1988  
2 (P.L.1329, No.170) and added June 22, 2000 (P.L.495, No.68), is  
3 amended to read:

4 Section 502.1. Contiguous Municipalities.--(a) (1) The  
5 county planning commission shall offer a mediation option to any  
6 municipality which believes that its citizens will experience  
7 harm as the result of an applicant's proposed subdivision or  
8 development of land in a contiguous municipality if the  
9 municipalities agree. In exercising such an option, the  
10 municipalities shall comply with the procedures set forth in  
11 Article IX. The cost of the mediation shall be shared equally by  
12 the municipalities unless otherwise agreed. The applicant shall  
13 have the right to participate in the mediation.

14 (2) Notwithstanding whether an agreement exists between  
15 contiguous municipalities for a mediation option as provided  
16 under paragraph (1), whenever the governing body of a  
17 municipality or the various boards and commissions of the  
18 municipality consider an applicant's proposed subdivision,  
19 change of land use or land development that may be a development  
20 of regional significance and impact, as that term may be further  
21 defined by published guideline of the county planning  
22 commission, to a contiguous municipality, the governing body or  
23 the appropriate officer of the board or commission shall provide  
24 notice of receipt of the application and the municipality's  
25 consideration thereof to any contiguous municipality prior to  
26 any hearing on the application and the county planning  
27 commission shall provide similar notice to the contiguous county  
28 planning commission of the county or counties expected to be  
29 most impacted by the development.

30 (b) The governing body of the municipality may appear and

1 comment before the governing body of a contiguous municipality  
2 and the various boards and commissions of the contiguous  
3 municipality considering a proposed subdivision, change of land  
4 use or land development.

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