

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1281** Session of
2007

INTRODUCED BY FREEMAN, ARGALL, BARRAR, COHEN, FABRIZIO, GEIST,
GINGRICH, GOODMAN, GRUCELA, HARHAI, HARPER, HENNESSEY,
HERSHEY, JAMES, JOSEPHS, KORTZ, LEACH, LEVDANSKY, MAHONEY,
MANN, MUNDY, MURT, MYERS, O'NEILL, SANTONI, SAYLOR, SCAVELLO,
SCHRODER, McILVAINE SMITH, K. SMITH, STABACK, WALKO,
WOJNAROSKI, YOUNGBLOOD AND YUDICHAK, MAY 8, 2007

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 8, 2007

AN ACT

1 Amending the act of April 28, 1978 (P.L.87, No.41), entitled "An
2 act authorizing the Commonwealth of Pennsylvania, through the
3 Department of Environmental Resources, to enter into such
4 agreements and to acquire such interest as may be necessary
5 to establish, protect and maintain the Appalachian Trail, and
6 providing for the establishment, protection and maintenance
7 of such trail," further providing for actions by
8 municipalities and their powers and duties.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 4 of the act of April 28, 1978 (P.L.87,
12 No.41), known as the Pennsylvania Appalachian Trail Act, is
13 amended to read:

14 Section 4. Municipalities; powers and duties.

15 Political subdivisions, including municipalities as defined
16 in the Pennsylvania Municipalities Planning Code, through which
17 the Appalachian Trail passes shall have the power and their duty
18 shall be to take such action consistent with applicable law, as
19 at least an interim measure, to preserve the natural, scenic,

1 historic and esthetic values of the trail and to conserve and
2 maintain it as a public natural resource. Such action shall
3 include, but not be limited to, the adoption, implementation and
4 enforcement of zoning ordinances and subdivision and land
5 development ordinances as necessary to preserve those values.
6 Such municipalities may act hereunder in that section of the
7 municipality through which the Appalachian Trail passes without
8 zoning the entire municipality as required under section 605 of
9 the Pennsylvania Municipalities Planning Code.

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