

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1812 Session of
2007

INTRODUCED BY GILLESPIE, BOYD, CREIGHTON, DePASQUALE, GINGRICH,
HARPER, HENNESSEY, M. KELLER, R. MILLER, MUSTIO, PETRONE,
REICHLEY, SCAVELLO, SIPTROTH, K. SMITH, STEIL, SWANGER AND
WAGNER, SEPTEMBER 4, 2007

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, SEPTEMBER 4, 2007

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
26 Planning Code, reenacted and amended December 21, 1988

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

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

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

29 (b) The governing body of the municipality may appear and
30 comment before the governing body of a contiguous municipality

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

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