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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 764**      Session of  
2007

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INTRODUCED BY BROWNE, RAFFERTY, WONDERLING, BOSCOLA, WASHINGTON,  
COSTA AND EARLL, APRIL 12, 2007

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REFERRED TO LOCAL GOVERNMENT, APRIL 12, 2007

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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," amending the title of the act; and providing  
21 for compensation for the forced removal of a lawfully erected  
22 sign.

23 The General Assembly of the Commonwealth of Pennsylvania

24 hereby enacts as follows:

25 Section 1. The title of the act of July 31, 1968 (P.L.805,  
26 No.247), known as the Pennsylvania Municipalities Planning Code,  
27 reenacted and amended December 21, 1988 (P.L.1329, No.170) and

1 amended December 14, 1992 (P.L.815, No.131), is amended to read:

2 AN ACT

3 To empower cities of the second class A, and third class,  
4 boroughs, incorporated towns, townships of the first and  
5 second classes including those within a county of the second  
6 class and counties of the second through eighth classes,  
7 individually or jointly, to plan their development and to  
8 govern the same by zoning, subdivision and land development  
9 ordinances, planned residential development and other  
10 ordinances, by official maps, by the reservation of certain  
11 land for future public purpose and by the acquisition of such  
12 land; to promote the conservation of energy through the use  
13 of planning practices and to promote the effective  
14 utilization of renewable energy sources; providing for the  
15 establishment of planning commissions, planning departments,  
16 planning committees and zoning hearing boards, authorizing  
17 them to charge fees, make inspections and hold public  
18 hearings; providing for compelled removal; providing for  
19 mediation; providing for transferable development rights;  
20 providing for appropriations, appeals to courts and penalties  
21 for violations; and repealing acts and parts of acts.

22 Section 2. The act is amended by adding a section to read:

23 Section 919. Compelled Removal.--(a) Subject to subsection  
24 (b), the requirement by a governmental entity that a lawfully  
25 erected display be removed as a condition or prerequisite for  
26 the issuance or continued effectiveness of a permit, license or  
27 other approval for any use, structure, development or activity  
28 other than a display shall constitute a compelled removal  
29 requiring monetary compensation.

30 (b) Subsection (a) shall not apply if the permit, license or

1 approval is requested for the construction of a building or  
2 structure which cannot be built without physically removing the  
3 display.

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