
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 111 Session of
2009

INTRODUCED BY R. TAYLOR, WATSON, BRENNAN, EACHUS, HALUSKA,
HARPER, HORNAMAN, KORTZ, MARKOSEK, MELIO, MURPHY, MURT,
M. O'BRIEN, O'NEILL, PETRI, SABATINA, SWANGER, THOMAS AND
WANSACZ, FEBRUARY 24, 2009

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 24, 2009

AN ACT

1 Imposing limitations on the use of property in Horsham Township,
2 Montgomery County, known as the Willow Grove Joint
3 Interagency Installation, in the event the Commonwealth
4 acquires the property.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Limitation on use of Willow Grove Joint Interagency
8 Installation.

9 (a) General rule.--In the event the Commonwealth or any
10 instrumentality thereof owns, leases or exercises jurisdiction
11 and operational control of the airport at the installation to be
12 established on property known as the Naval Air Station Joint
13 Reserve Base (NASJRB) Willow Grove, in Horsham Township,
14 Montgomery County, the property shall be used by the
15 Pennsylvania National Guard, Department of Defense components,
16 Federal, State and local government agencies and associated
17 users to perform national defense, homeland security and
18 emergency preparedness missions. The Commonwealth may not permit

1 use of airfield property under its jurisdiction and operational
2 control at the installation for regularly scheduled commercial
3 passenger operations, regularly scheduled cargo operations, for
4 routine reliever airport operations or other nongovernmental
5 aviation operations not performing national defense, homeland
6 security and emergency preparedness missions of the
7 installation.

8 (b) Associated users.--Without regard to the ownership of
9 the land, associated users of the installation shall pay local
10 taxes, including real property taxes, and shall comply with
11 local land use ordinances and regulations, including, but not
12 limited to, the local zoning ordinance, subdivision and land
13 development ordinance, local impact fees and, to the extent
14 required by law, the Uniform Construction Code as adopted by
15 Horsham Township, Montgomery County.

16 (c) Restrictions on installation use and occupancy.--

17 (1) The installation shall be occupied or used only by
18 the governmental agencies, military units and nongovernmental
19 associated users performing the missions of national defense,
20 emergency preparedness and homeland security.

21 (2) The installation shall not be used for any of the
22 following purposes:

23 (i) Commercial passenger operations.

24 (ii) Commercial cargo operations.

25 (iii) Commercial, business or nongovernment aircraft
26 operations, except for flights undertaken in response to
27 exigent circumstances.

28 (iv) As a reliever airport or to relieve congestion
29 at other airports or to provide improved aviation access
30 to overall region, except that this subparagraph shall

1 not apply in exigent circumstances.

2 (d) Covenant.--Documents which convey, lease or license the
3 installation to the Commonwealth shall include language which
4 provides that the restrictions on installation use set forth
5 under this section shall be a binding covenant and restriction
6 that shall run with the land for which the Commonwealth, Horsham
7 Township and the Hatboro Horsham School District shall be third-
8 party beneficiaries.

9 (e) Construction.--Nothing in this section shall be
10 construed to diminish or alter authorized uses of the
11 installation, or any military enclave located thereon, by the
12 Federal Government or its agencies or instrumentalities or to
13 limit use of the property in exigent circumstances.

14 (f) Definitions.--As used in this section, the following
15 words and phrases shall have the meanings given to them in this
16 subsection:

17 "Associated users." Nongovernmental organizations and
18 private entities performing the national defense, homeland
19 security or emergency preparedness missions of the installation,
20 which are tenants of the installation under lease, license or
21 other similar access or use agreements.

22 "Commercial cargo operations." Aircraft operations by a
23 nongovernmental cargo or freight carrier in cases in which cargo
24 is delivered to or flown from the installation.

25 "Commercial passenger operations." Aircraft passenger
26 operations by nongovernmental passenger carriers involving
27 flights where passengers are boarded or deplaned at the
28 installation.

29 "Exigent circumstances." The following limited-duration
30 events:

- 1 (1) Adverse or unusual weather conditions.
- 2 (2) Weather alerts.
- 3 (3) Actual or threatened emergencies that are a danger
- 4 to human health and safety.

5 "Installation." The Joint Interagency Installation
6 established on property known as the Naval Air Station Joint
7 Reserve Base (NASJRB) Willow Grove.

8 Section 2. Effective date.

9 This act shall take effect immediately.