

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 721 Session of 2013

INTRODUCED BY McILHINNEY, GREENLEAF AND ALLOWAY, MARCH 20, 2013

REFERRED TO LOCAL GOVERNMENT, MARCH 20, 2013

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," in appeals to court, further providing for
 21 intervention.

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

24 Section 1. Section 1004-A 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
 27 (P.L.1329, No.170), is amended to read:

28 Section 1004-A. Intervention.--

1 (a) Within the 30 days first following the filing of a land
2 use appeal, if the appeal is from a board or agency of a
3 municipality, the municipality and any owner or tenant of
4 property directly involved in the action appealed from may
5 intervene as of course by filing a notice of intervention,
6 accompanied by proof of service of the same, upon each appellant
7 or each appellant's counsel of record.

8 (b) The zoning hearing board may not intervene or otherwise
9 become a party in a land use appeal.

10 (c) All other intervention shall be governed by the
11 Pennsylvania Rules of Civil Procedure.

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