
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **550** Session of
1961

INTRODUCED BY MR. BELL, APRIL 24, 1961.

REFERRED TO COMMITTEE ON JUDICIARY GENERAL,
APRIL 24, 1961.

AN ACT

Amending the act of May 4 1927 (P L 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing that appeals to the court of common pleas from the board of adjustment shall be de novo

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

- 1 Section 1 Subsections (j) and (l) of section 3307 act of May 4 1927
- 2 (P L 519) known as "The Borough Code" reenacted and amended

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 July 10 1947 (P L 1621) and amended August 25 1959 (P L 757) are
2 amended to read

3 Section 3307 Board of Adjustment * * *

4 [(j) Upon presentation of the petition in proper form the court
5 shall forthwith issue a writ of certiorari directed to the board of adjust-
6 ment commanding it within twenty (20) days after the service thereof
7 to certify to the court under the certificate of its chairman its entire
8 record in the matter in which the appeal has been taken The prothono-
9 tary shall serve the board of adjustment by registered mail with a copy
10 of the writ and a copy of the appeal petition On or before the return
11 day of the writ the board of adjustment shall file the entire record
12 with the writ in the office of the prothonotary]

13 * * *

14 (l) [If upon the hearing of the appeal it shall appear to the court
15 that testimony is necessary for the proper disposition of the appeal it
16 may take evidence or appoint a referee to take such evidence as it may
17 direct and report the same to the court with his findings of facts and
18 conclusions of law] The court shall hear the appeal de novo as to facts
19 and as to the law The court may reverse or affirm in whole or in part

1 or may modify the decision appealed from as to it may appear just and

2 proper.

3 * * *

We certify that this bill has passed the Senate and the House of
Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1961.

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Governor