

AN ACT

Authorizing cities of the third class to regulate the location of business, trades, and industries; the location, size and use of buildings, and the areas of yards, courts, and open spaces.

Cities of the third class.

Location of business, etc., to be regulated by council.

Alteration of regulations.

Duty of City Planning Commission, etc.

Hearing.

Notice.

Changes.

Proviso.

Protest by owners.

Section 1. Be it enacted, &c., That for the purpose of promoting the public health, safety, order, convenience, prosperity and general welfare, cities of the third class may, by ordinance, regulate the location of business, trades, and industries, the location, size, and use of buildings, and the areas of yards, courts, and open spaces therein, and may make different regulations for different districts thereof, and may alter the same; but no alteration of such regulations may be made, except by the affirmative vote of not less than two-thirds of the elected or appointed members of the council or other local legislative body having jurisdiction.

Section 2. It shall be the duty of the city planning commission of said cities, where such bodies exist, of a committee of the council, or such other commission or committee as may be created by the council for the purpose, to recommend to the council the boundaries of districts and appropriate regulations and restrictions to be imposed therein. Such body shall make a tentative report, and hold public meeting thereon, before submitting its final report. At such time as the council may require, after such final report, council shall afford persons interested an opportunity to be heard, at a time and place to be specified in a notice of hearing to be published for ten consecutive days in a daily newspaper or newspapers of general circulation in said cities. And the said cities shall not determine the boundaries of any district, nor impose any regulations or restrictions, until after the final report and after said hearing before council.

The council of said cities may, from time to time, after public notice and hearing, amend, supplement, or change said regulations, restrictions, or district boundaries: Provided, That if a protest against a proposed amendment, supplement, or change be presented, duly signed, by the owners of twenty per centum, or more, of the frontage proposed to be altered, or by the owners of twenty per centum of the frontage immediately in the rear thereof, or by the owners of twenty per centum of the frontage directly opposite the frontage proposed to be altered, a three-fourths vote of the members of council shall be required.

Section 3. This act shall not apply to any existing or proposed building, or extension thereof, used or to be used by public service corporations, if upon petition of the corporation, the Public Service Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

Application of act to public service corporations.

Public Service Commission.

APPROVED—The 3d day of April, A. D. 1923.

GIFFORD PINCHOT.

No. 34.

AN ACT

To amend section one of the act, approved the seventh day of July, one thousand nine hundred and thirteen (Pamphlet Laws, six hundred and ninety-three), entitled "An act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon, as provided by Article eighteen, section one, of the Constitution."

Section 1. Be it enacted, &c., That section one of the act, approved the seventh day of July, one thousand nine hundred and thirteen (Pamphlet Laws, six hundred and ninety-three), entitled "An act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon, as provided by Article eighteen, section one, of the Constitution," is hereby amended to read as follows:—

Constitutional amendments.

Section 1, act of July 7, 1913 (P. L. 693), amended.

Section 1. Be it enacted, &c., That, unless the General Assembly shall prescribe otherwise with respect to any particular proposed amendment or amendments, the manner and time of submitting to the qualified electors of the State any proposed amendment or amendments to the Constitution for the purpose of ascertaining whether the same shall be approved by a majority of those voting thereon, the said amendment or amendments heretofore, or which may hereafter be proposed, and which have not been submitted to the qualified electors of the State, shall be submitted to the qualified electors of the State for the purpose aforesaid at *either the municipal or general* [regular November] election, occurring at least three months after the date upon which such proposed amendment or amendments shall have been agreed to for the second time by a majority of the members elected to each house of the General Assem-

Submission of proposed amendments to vote.

Municipal or general election.