

## No. 236.

## AN ACT

Amending an act, entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts, and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof," approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy); providing for twenty days notice to the city planning commission of any proposed amendment or change, for an enforcing officer, and a board of appeal to review his actions.

Section 1. Be it enacted, &c., That section two of an act, entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the areas of yards, courts, and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing for the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof," approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy), which reads as follows:—

"Section 2. It shall be the duty of the city planning commission of said cities to recommend the boundaries of districts and appropriate regulations and restrictions to be imposed therein. Such commission shall make a tentative report and hold public meetings 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 two (2) daily 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 of the city

Cities of the second class.

Buildings and building districts.

Section 2, act of June 21, 1919 (P. L. 570), cited for amendment.

planning commission and after said hearing before council.

"The said cities may, from time to time, after public notice and hearing, amend, supplement, or change said regulations, restrictions, or districts: Provided, That if a protest against a proposed amendment, supplement, or change be presented, duly signed by the owners of twenty (20) per centum or more of the frontage proposed to be altered, or by the owners of twenty (20) per centum of the frontage immediately in the rear thereof, or by the owners of twenty (20) 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," be, and the same is hereby, amended to read as follows:—

City planning  
commission.

Section 2. It shall be the duty of the city planning commission of said cities to recommend the boundaries of districts and appropriate regulations and restrictions to be imposed therein. Such commission shall make a tentative report and hold public meetings 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 two (2) daily 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 of the city planning commission and after said hearing before council.

Tentative report.

Final report.

Public hearing.

Amendment of  
regulations.

The said cities may, from time to time, after public notice and hearing, amend, supplement, or change said regulations, restrictions, or districts: Provided, That if a protest against a proposed amendment, supplement, or change be presented, duly signed by the owners of twenty (20) per centum or more of the frontage proposed to be altered, or by the owners of twenty (20) per centum of the frontage immediately in the rear thereof, or by the owners of twenty (20) 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: *Provided further, That before any such amendment, supplement, or change shall be voted on by council, the said city planning commission shall have been given by the clerk of council twenty (20) days notice thereof and of the date of hearing: And provided further, That all ordinances passed under the terms of this act shall be enforced by such officer of the city as may be designated by ordinance; and that, upon the application of any aggrieved person, the action or actions of such officer may be reviewed, and affirmed, modified, or reversed, by a board of appeal of three (3) members, one of whom shall be a*

Protests by land-  
owners.

Notice to city  
planning com-  
mission.

Enforcement of  
orders.

Appeals.

*member of the city planning commission; the said board of appeal and the procedure and the method of such application for review to be provided for by ordinance.*

Section 2. If any provision of the act to which this is an amendment or of this act shall be held by any court to be unconstitutional, such judgment shall not affect any other section of either act.

Construction.

APPROVED—The 11th day of May, A. D. 1921.

WM. C. SPROUL.

No. 237.

AN ACT

Amending section one of the act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred and seventeen), entitled "An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire-extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same," as amended.

Section 1. Be it enacted &c., That section one of the act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred and seventeen), entitled "An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire-extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same," which, as amended by the act, approved the twentieth day of April, one thousand nine hundred and twenty-one, entitled "An act to amend section one of an act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred and seventeen), entitled 'An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire-extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same,' as amended," reads as follows:—

Buildings not in cities of first and second class.

"Section 1. Be it enacted, &c., That every building in this Commonwealth, other than buildings situated in cities of the first and second classes, having more than two stories, and buildings having one or more galleries above the first or ground floor, now used or hereafter to be used, in whole or in part, as a public building, office building, public or private institution, sanitorium,

Section 1, act of May 3, 1909 (P. L. 417), as amended by section 1, act of April 20, 1921, cited for amendment.