

of this Commonwealth, or before any county or municipal body, officer, or committee thereof.

When
effective.

Section 2. This act shall become effective immediately upon final enactment.

APPROVED—The 25th day of June, A. D. 1937.

GEORGE H. EARLE

No. 434

AN ACT

To amend article six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for county and regional planning, and the creation, organization and powers of county and regional planning commissions, and imposing duties on certain city, borough, town, and township authorities.

Article 6,
act of May 2,
1929 (P. L.
1278), amended.

Section 1. Be it enacted, &c., That article six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," is hereby amended to read as follows:

ARTICLE VI
COUNTY AND REGIONAL PLANNING
(COMMISSION) COMMISSIONS

Section 501. Creation and Powers [in Second Class Counties] of *County Planning Commissions*.— In counties of the second class, a department is hereby created to be known as the Department of County Planning, which shall be in charge of the county planning commission, and in each other county the county commissioners may create a county planning commission, consisting of nine persons, who shall be residents of the county, four of whom shall be residents of the city or cities therein, and five of whom shall be residents of the boroughs and townships therein, and who shall have knowledge and experience in respect to one or more of the following subjects: finance, commerce, industry, agriculture, transportation, architecture, landscape architecture, real estate, building, engineering, social welfare, civic administration, and law, and at least seven of whom shall not be paid county employes. All of said persons shall be appointed by the county commissioners; three of them shall be designated to serve until the first day

of January, [one thousand nine hundred and thirty-one] of the second year following the year in which they are appointed, three of them until the first day of January, [one thousand nine hundred and thirty-three] of the fourth year following the year in which they are appointed, and three of them until the first day of January, [one thousand nine hundred and thirty-five] of the sixth year following the year in which they are appointed: *Provided, however, That in counties of the second class, the members of the county planning commission in office at the time this amending act becomes effective, shall remain in office until the end of their respective terms.* Their successors shall be appointed at the expiration of their respective terms, to serve six years. An appointment to fill a casual vacancy shall be only for the unexpired portion of the term. Three members shall constitute a quorum. They may make and alter rules and regulations for their own organization and procedure, consistent with the resolutions of the county commissioners and the rules of the Commonwealth. They shall serve without compensation, and shall make annually to the county commissioners a report of their transactions and recommendations. They may employ engineers and other persons, whose salaries and wages, and other necessary expenses of the commission shall be provided for, in the discretion of the county commissioners, by proper appropriation and resolution. *The county planning commission may be given the additional power and duty of serving as the county zoning commission with all the powers and duties that have been, or may be, conferred upon such county zoning commission by other acts of Assembly.*

Section 502. Submission of Resolutions for Certain Improvements; Reports Thereon.—All resolutions of the county commissioners relating to the location of any public building in the county, and to the location, extension, widening, enlargement, ornamentation, or parking, of any street, boulevard, parkway, bridge, tunnel, subway, or underground road, park, playground, or other public grounds, to the vacation of any highway or portion thereof, or to the making or alteration of the county plan of highways, or to any surface, underground, or elevated railway, shall be furnished to the County Planning Commission, *if one has been created*, twenty days before their passage and adoption by the county commissioners. The said commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said commissioners. If the said report is made by the commission prior to the expiration of the said twenty days, the county commissioners may immediately proceed with the adoption of the said resolution. All such reports, when

delivered to the said commissioners, shall be for the information of the public, as well as for the commissioners, and the commissioners shall furnish to any newspaper of the county on request for publication a copy of any such report.

Section 503. Appearance in Court.—The County Planning Commission may appear in any proceeding in the court of quarter sessions of said county, with reference to the opening or vacation of any public road or highway, bridge, tunnel, subway or underground road, and file a report, stating its view with reference thereto, and may produce testimony before the said court in connection therewith.

Section 504. Plans of Subdivisions.—All plans of streets or highways for public use, and all plans, plots, and replots of land laid out in building lots, and the streets, highways, alleys or other portions of the same intended to be dedicated to public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto, located within the county limits, except those located within any city or borough within the said counties shall be submitted to the County Planning Commission, *if one has been created*, and approved by it before they shall be recorded. And it shall not be lawful to receive or record any such plan in any public office, unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commission, *if one has been created*. The disapproval of any such plan by the County Planning Commission shall be deemed a refusal of the proposed dedication shown thereon. The approval of the commission shall be deemed an acceptance of the proposed dedication, but shall not impose any duty upon the county concerning maintenance or improvement of any such dedicated lots until the proper authorities of the county shall have made actual appropriation of the same by entry, use or improvement. The owners and purchasers of such lots shall be conclusively presumed to have notice of public plans, maps, and reports of the commission affecting such property within its jurisdiction.

Section 505. Maps of County.—The County Planning Commission may make, or cause to be made, and laid before the said county commissioners, and in its discretion cause to be published, a map or maps of the county, and any portion or portions thereof, including the territory extending three miles beyond the county limits, showing the highways and other public improvements hereinbefore specified, and other natural or artificial features, and also locations proposed by it for any new highways, or other of such improvements, or any widening, extension or relocation of the same, or any change in the county plan by it deemed advisable.

Section 506. Recommendations to County Commissioners and Others.—It may make recommendations to the said commissioners, from time to time, concerning any such matters and things aforesaid, for action of the county commissioners thereon, and, in so doing, have regard for present conditions and future needs and growth of the county, and the distribution and relative location of all the principal streets and railways, waterways, and all other means of public travel and business communication, as well as the distribution and relative location of public buildings, public grounds, and open spaces devoted to public use, and the planning and laying out for dwelling and business purposes of private grounds brought into the market from time to time.

The County Planning Commission may make recommendations to any public authorities, or any corporations or individuals in such counties, with reference to the location of any buildings, structures, or works to be erected or constructed by them.

Section 507. Cooperation between Commission and Political Subdivisions.—The County Planning Commission shall encourage the cooperation of the political subdivisions within the county in any matters whatsoever which may concern the integrity of the county plan, or maps prepared by the commission as an aid toward coordination of municipal plans with the county plans, and it shall be the duty of every city, borough, town and township within a county having a County Planning Commission, having prepared any maps or plans by a duly authorized planning commission, to file a copy thereof, and any subsequent amendments thereto, with the County Planning Commission within sixty days from the effective date of this act, or within thirty days of the completion of such plan or map.

Section 507.1. Local Authorities to Submit Plans to County Planning Commission.—Before the approval of a plat by any city, borough, town or township authority having the power of approval of plats, such authority shall transmit a copy of the proposed plat to the County Planning Commission, if one has been created, and the commission shall make a report thereon to such local authority. Pending the receipt and consideration of such report, such local authority shall defer action thereon, but if such report be not received by the local authority within twenty days from the submission of the plat to the County Planning Commission, or within such further time as may be agreed upon by the local authorities, such local authority may proceed to final action thereon.

Section 507.2. Creation of Regional Planning Commission.—The councils or corresponding administrative bodies of any group of political subdivisions, independently or together with the county commissioners of any

county or counties in which such group of political subdivisions is located, or of any adjoining county or counties, or the council or corresponding administrative body of any political subdivision, together with the county commissioners in which such political subdivision is located, or the county commissioners of any two or more adjoining counties, may cooperate in the creation of a regional planning commission for any region defined, as may be agreed upon by said cooperating councils, authorities, and county commissioners, or by said cooperating county commissioners. The number and qualifications of the members of any such regional planning commission and their terms and method of appointment or removal shall be such as may be determined and agreed upon by said cooperating authorities and county commissioners: Provided, however, That a majority of the members of the regional planning commission shall hold no other public office or position, excepting appointive membership on a municipal or other planning commission. Members of the regional planning commission shall serve without salary, but may be paid expenses incurred in the performance of duties. The proportion of the expenses of the regional planning commission to be borne, respectively, by the political subdivisions and counties, or by the counties cooperating in the establishment and maintenance of the commission, shall be such as may be determined and agreed upon by the cooperating authorities and county commissioners, and said authorities and county commissioners are hereby authorized to appropriate their respective shares of such expenses. Within the amounts thus agreed upon and duly appropriated, any such regional planning commission shall have the power to appoint such employes and staff as it may deem necessary for its work, and contract with planners and other consultants for such services as it may require. The regional planning commission shall elect its chairman, who shall hold no other public office or position, except that he may be a member of a municipal or other planning commission. The term of the chairman shall be one year, with eligibility for reelection. The commission may create and fill such other offices as it may determine. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. The county commissioners or other county official, or the chief executive officer or body of any political subdivision, may, from time to time, upon the request of the commission, and, for the purpose of special surveys, assign or detail to the commission any officers or employes of the county or political subdivision to make, for the commission, special surveys or studies requested by the commission.

Section 507.3. Regional Planning Commission to Make Master Plan.—It shall be the function and duty of the regional planning commission to make a master plan and such surveys and studies as may be essential thereto for the physical development of the region, as created in accordance with the provisions of section 507.2 of this act. Such master plan shall include all the elements of physical development that may be locally important and desirable.

Section 507.4. Delegated Powers of Regional Planning Commission.—The council or corresponding administrative bodies of any political subdivision, and the county commissioners of any county so cooperating, may delegate to the regional planning commission, by ordinance or resolution, any or all of the powers and duties of the planning commission of such political subdivision, with respect to the territory of the political subdivision so enacting or resolving, and, in case of a county, any and all of the powers and duties of a county planning commission for the territory of the county so resolving.

APPROVED—The 25th day of June, A. D. 1937.

GEORGE H. EARLE

No. 435

AN ACT

To amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by conferring on such counties the power to adopt ordinances and resolutions providing for the zoning and regulation of the location, height, bulk, and use of buildings and other structures, and of the uses of land, and the requirement of building permits in the portions of counties lying outside of cities, boroughs, and townships of the first class; providing for the creation, organization, powers, and duties of county zoning commissions and boards of adjustment; imposing duties on the State Planning Board and on State officials, departments, and agencies; and prescribing penalties.

Section 1. Be it enacted, &c., That article five of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," is hereby amended by adding immediately after the article heading thereof a new section to read as follows:

Article 5,
act of May 2,
1929 (P. L.
1278), amended
by adding a
new section.