
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **482** Session of
1961

INTRODUCED BY MESSRS. STEVENSON, HALUSKA, MALLERY
AND HAYS, APRIL 5, 1961.

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT,
APRIL 5, 1961.

AN ACT

Amending the act of June 23 1931 (P L 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" fixing the number of affirmative votes required in seven and nine member councils under the mayor-council plan A of government to effect certain street improvements and to change zoning ordinances

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

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 Section 1 Sections 2916 and 2935 act of June 23 1931 (P L 932)
2 known as "The Third Class City Code" reenacted and amended June
3 28 1951 (P L 662) are amended to read

4 Section 2916 Ordinances when no Petition is Presented Any ordi-
5 nance for the opening widening straightening extending or vacating of
6 any street without petition of property owners shall be adopted by
7 the affirmative vote of at least four members of any five member council
8 and under the mayor-council plan A of government adopted pursuant
9 to the Optional Third Class City Charter Law by the affirmative vote
10 of at least five members of a seven member council and by the affirma-
11 tive vote of at least seven members of a nine member council No such
12 ordinance shall be finally adopted until the expiration of twenty-eight
13 days from the date of its introduction and in the meantime copies
14 thereof shall be published in one or more of the newspapers of the city
15 once a week for three consecutive weeks immediately following the
16 introduction thereof and in case no newspaper is published in the city
17 then in the same manner in one newspaper published in the county

18 Section 2935 Ordinance for Improvement at Expense of Property
19 Owners without Petition Council may by ordinance provide for the
20 paving macadamizing grading or other improvement of any street or

1 part thereof at the cost and expense of the abutting property owners
2 in whole or in part without petition therefor of abutting property owners
3 if the ordinance for such improvement has been passed by the affirma-
4 tive vote of four members of any five member council and under the
5 mayor-council plan A of government adopted pursuant to the Optional
6 Third Class City Charter Law by the affirmative vote of at least five
7 members of a seven member council and by the affirmative vote
8 of at least seven members of a nine member council Such ordinance
9 shall not be passed in a less period than twenty-eight days from the
10 date of its introduction and in the meantime copies of such ordinance
11 shall be published in one or more newspapers once a week for three
12 weeks in the manner required by section one hundred and nine of this
13 act The requirements for such publication shall not however preclude
14 the amendment of any paving ordinance as to the kind of pavement
15 with which any street or part thereof or sidewalk is proposed to be paved

16 Section 2 Section 4114 of the act added August 19 1953 (P L
17 1127) is amended to read

18 Section 4114 Amendments to Zoning Ordinances The regulations
19 restrictions and the classifications of buildings structures and land and

1 the manner of establishing the boundaries of zones contained in the
2 zoning ordinance may from time to time and after public notice and
3 hearing be amended supplemented or changed by city council

4 After the introduction of any bill proposing amendment supple-
5 ment or change in the zoning ordinance city council shall refer such
6 bill to the City Planning Commission for review A report on said re-
7 view together with any recommendations shall be given to city council
8 in writing within fifteen (15) days from the date of said referral If
9 the Planning Commission shall fail to file such a report within the
10 specified time and manner it shall be conclusively presumed that the
11 Planning Commission has approved the proposed amendment supplement
12 or change

13 Thereupon council shall fix a time for public hearing and notice
14 of such public hearing shall be published in at least one newspaper of
15 general circulation in the city three (3) consecutive times the first in-
16 sertation to appear at least ten (10) days prior to the date fixed for said
17 public hearing

18 An affirmative vote of at least four (4) members of any five mem-
19 ber council shall be required to pass the proposed amendment supple-

1 ment or change Under the mayor-council plan A of government adopted
2 pursuant to the Optional Third Class City Charter Law the affirmative
3 vote of five members of a seven member council or the affirmative vote
4 of seven members of a nine member council shall be required to pass
5 the proposed amendment supplement or change

6 Upon final approval of the ordinance adopted in accordance with
7 the above said ordinance shall be forthwith published in accordance with
8 the provisions of section 1014 of this act relating to publication of
9 ordinances prescribing penalties

10 Section 3 This act shall take effect immediately

527—Printer's No.

6

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

.....
Chief Clerk, Senate

.....
President pro tempore, Senate

.....
Speaker, House of Representatives

Approved The day of A. D. 1961.

.....
Governor