
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **549** 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 June 24 1931 (P L 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" 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 3107 act of June 24
- 2 1931 (P L 1206) known as "The First Class Township Code" reenacted

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

1 and amended May 27 1949 (P L 1055) and amended August 25 1959
2 (P L 760) are amended to read

3 Section 3107 Board of Adjustment * * *

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

13 * * *

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

20 decision appealed from as to it may appear just and proper

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