

No. 352

AN ACT

HB 2516

Amending the act of January 13, 1966 (P.L.1292), entitled "An act enabling certain counties of the Commonwealth to covenant with land owners for preservation of land in farm, forest, water supply, or open space uses," removing a planning requirement and including all counties within the provisions of the act.

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

Section 1. Section 2, act of January 13, 1966 (P.L.1292), entitled "An act enabling certain counties of the Commonwealth to covenant with land owners for preservation of land in farm, forest, water supply, or open space uses," is amended to read:

Section 2. Planning Requirements.—No land shall be subject to the provisions of this act unless designated as farm, forest, water supply, or open space land in a plan adopted following a public hearing by the planning commission of the municipality, county or region in which the land is located **[and unless it is within an area of concentrated population defined by the Federal government as an urban area].**

Section 2. Section 3 of the act, amended December 21, 1967 (P.L.882), is amended to read:

Section 3. Covenant for Farm, Forest, Water Supply or Open Space Uses.—All counties **[of the first, second, second A, third or fourth class]** are hereby authorized to enter into covenants with owners of land designated as farm, forest, water supply, or open space land on an adopted municipal, county or regional plan for the purpose of preserving the land in the designated use. Such covenants and extensions thereof shall take effect upon approval of the court of **[quarter sessions] common pleas** of the county in which such land or the major part thereof lies. The land owner may voluntarily covenant for himself and his successors and assigns in right, title and interest that the land will remain in open space use as designated on the plan for a period of five years commencing with the date of the covenant. The county shall covenant that the real property tax assessment, for a period of five years commencing with the date of the covenant, will reflect the fair market value of the land as restricted by the covenant.

Section 3. This act shall take effect immediately.

APPROVED—The 28th day of December, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 352.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T" at the end.

Secretary of the Commonwealth.