

## No. 1978-60

## AN ACT

## SB 844

Amending the act of July 31, 1968 (P.L.805, No.247), entitled, as amended, "An act to empower cities of the second class A, and third class, boroughs, incorporated towns, townships of the first and second classes including those within a county of the second class and counties of the second class A through eighth classes, individually or jointly, to plan their development and to govern the same by zoning, subdivision and land development ordinances, planned residential development and other ordinances, by official maps, by the reservation of certain land for future public purpose and by the acquisition of such land; providing for the establishment of planning commissions, planning departments, planning committees and zoning hearing boards, authorizing them to charge fees, make inspections and hold public hearings; providing for appropriations, appeals to courts and penalties for violations; and repealing acts and parts of acts," further providing for street standards and providing for additional guarantees for completion of final subdivision plats as specified.

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

Section 1. Clause (3) of section 503 and section 509, act of July 31, 1968 (P.L.805, No.247), known as the "Pennsylvania Municipalities Planning Code," are amended to read:

Section 503. Contents of Subdivision and Land Development Ordinance.—The subdivision and land development ordinance may include, but need not be limited to:

\* \* \*

(3) Provisions governing the standards by which streets shall be graded and improved, and walkways, curbs, gutters, street lights, fire hydrants, water and sewage facilities and other improvements shall be installed as a condition precedent to final approval of plats. *The standards shall insure that the streets be improved to such a condition that the streets are passable for vehicles which are intended to use that street: Provided, however, That no municipality shall be required to accept such streets for public dedication until the streets meet such additional standards and specifications as the municipality may require for public dedication.*

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Section 509. Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval.—No plat shall be finally approved unless the streets shown on such plat have been improved *to a mud-free or otherwise permanently passable condition, or improved* as may be required by the subdivision and land development ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required by the subdivision and land development ordinance have been installed in

accordance with such ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plat, the subdivision and land development ordinance **[may] shall** provide for the deposit with the municipality of a corporate bond, or other *financial* security acceptable to the governing body in an amount sufficient to cover the costs of any improvements which may be required, *which financial security may include among others, a lending institution letter of credit or a restrictive or escrow account in a lending institution.* Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required within **[the period fixed in the subdivision and land development ordinance for such completion] one year of the date fixed in the subdivision plat for completion of such improvements.** In the case where development is projected over a period of years, the governing body or the planning agency may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

Section 2. This act shall take effect in 60 days.

APPROVED—The 9th day of June, A. D. 1978.

MILTON J. SHAPP