



pennsylvania
GOVERNOR'S CENTER FOR
LOCAL GOVERNMENT SERVICES

Pennsylvania Municipalities Planning Code

**Provisions Specifying
Time Limits, Time Periods, Etc.**

Second Edition November 2006

(Note: Below information is general in nature. Users should refer to the section cited for additional details and requirements related to timing provisions.)

Section	Subject	Time period	Description
ARTICLE I General Provisions			
107	Public notice	Once each week for 2 successive weeks	How often notice shall be published in a newspaper of general circulation (required for certain public hearings and meetings)
107	Public notice	30 days/7 days	First publication shall be no more than 30 days and second publication shall be no less than 7 days from the date of the hearing/meeting.
ARTICLE II Planning Agencies			
203(b)	Planning commissions	4 years	Term of each planning commission member.
206	Removal of planning commission member	15 days	Advance notice that must be given to a planning commission member prior to vote by the governing body to remove the member.
207	Annual report	By March 1	Date each year by which a planning commission shall submit a written report of its record of business.
ARTICLE III Comprehensive Plan			
301(c) 302(d)	Comprehensive plan review and update	At least every 10 years	Time frame within which a municipal or multimunicipal comprehensive plan shall be reviewed and a county comprehensive plan shall be updated.
301.3	Submission of municipal plan to county planning	At least 45 days	Time prior to the required public hearing in which a copy of a proposed municipal comprehensive plan or amendment must be forwarded to the county planning agency for comments.
301.4	County comprehensive plan	3 years	Period beginning with the effective date of the act (Act 170 of 1988) by which counties shall have prepared and adopted a comprehensive plan.
302(a)	Comments on a municipal comprehensive plan	45 days	Time allotted to the county, contiguous municipalities, and the local school district to make comments on a municipal comprehensive plan; the governing body may act to adopt the plan upon receipt of comments from all said bodies, or after 45 days if comments are not received.

302(a.1)	Comments on a county comprehensive plan	45 days	Time allotted to municipalities and school districts within the county and contiguous municipalities, school districts, and counties to make comments on a county comprehensive plan; the governing body may act to adopt the plan upon receipt of comments from all said bodies, or after 45 days if comments are not received.
303(b)	Planning agency comments on certain municipal actions affecting a comp plan	45 days	Time within which recommendations of a planning agency regarding whether certain proposed municipal actions are in accord with the objectives of the adopted comprehensive plan shall be made in writing to the governing body.
304(b)	County planning agency recommendations on certain municipal actions affecting a county comp plan	45 days	Time within which recommendations of a county planning agency regarding certain proposed municipal actions shall be made to the municipal governing body; the governing body may take said action upon receipt of recommendations from the county planning agency, or after 45 days if recommendations are not received
305	Municipal and county planning agency recommendations on certain school district actions affecting municipal & county comp plans	At least 45 days	Time allotted to municipal and county planning agencies to make recommendations prior to execution of certain actions by a school district.
306(b)	Forwarding of adopted municipal comp plan	30 days	Time after adoption within which a municipal governing body shall forward a certified copy of its comprehensive plan or amendment thereto to the county planning agency.
307	State land use and growth management report	2005, then 5-year intervals	Year by which the Center for Local Government Services shall issue a land use and growth management report, and interval at which the report shall be reviewed and updated.
ARTICLE IV Official Map			
402(a)	Planning agency review of proposed official map or amendment	45 days	Time, after referral by the governing body to the planning agency of a proposed official map or amendment thereto, within which the planning agency shall report its recommendations to the governing body on a proposed official map or amendment, unless the governing body agrees to an extension of time, and after which the governing body may proceed without planning agency recommendations.

402(b) 408(b)	County review of proposed official map or amendment	45 days	Time, after a proposed official map or amendment thereto shall be forwarded to a county planning agency (or county governing body if no planning agency exists), within which the county planning agency shall make comments to the municipal governing body, and after which the municipal governing body may proceed without county comments. This 45-day time period shall occur at the same time as 45-day municipal planning agency review period.
402(b) 408(c)	Adjacent municipality review of proposed official map or amendment	45 days	Time, after a proposed official map or amendment thereto that shows any street or public lands intended to lead into an adjacent municipality shall be forwarded to an adjacent municipality, within which the adjacent municipality shall make comments to the governing body proposing the official map or amendment, and after which the governing body of the proposing municipality may proceed without adjacent municipality comments. This 45-day time period shall occur at the same time as 45-day municipal planning agency review period.
402(b)	Other public body review of proposed official map or amendment	45 days	Same time period as open for review and comments by the municipal planning agency, county planning agency, and adjacent municipalities within which local authorities, park boards, environmental boards, or similar public bodies may offer comments and recommendations to the governing body or planning agency, if requested by same.
402(c)	Recording of official map or amendment	60 days	Time from the effective date within which a copy of an official map or amendment thereto, verified by the governing body, shall be submitted to the county recorder of deed and recorded.
405	Planning agency review of proposed special encroachment permit	30 days	Time, before granting any special encroachment permit authorized in Section 405, which the governing body may allow the planning agency to review and comment on the special permit application.
406	Time limitation on official map public reservations	1 year	Time after which the reservation for streets, watercourses, and public grounds shall lapse and become void after an owner of such property submitted written notice of intention to build, subdivide, or develop the land or made application for a building permit, unless the governing body shall have acquired the property or begun condemnation proceedings.

408(c)	Forwarding an official map or amendments to the county and adjacent municipalities	30 days	Time after adoption within which a municipality shall forward a certified copy of an official map, the adopting ordinance, and later amendments to the county planning agency (or county governing body where no county planning agency exists) and any adjacent municipalities into which proposed streets or lands are intended to lead.
ARTICLE V Subdivision and Land Development			
502(b)	County planning agency review of municipal subdivisions & land developments	30 days	Time allotted to the county planning agency to for review and report on applications for subdivisions or land developments in municipalities with their own S&LD ordinance. Municipalities shall not approve such applications until receipt of the county report or expiration of the 30 days.
503(1)(i)	Applicant dispute of S&LD review fees	45 days	Time from the applicant's receipt of the bill for the S&LD fees within which the applicant shall notify the municipality that such fees are disputed (in which case the municipality shall not delay approval or disapprove the application).
504(a)	Municipal and county planning agency review of proposed S&LD ordinance	At least 45 days	Time prior to a public hearing on a proposed S&LD ordinance in which the governing body shall submit the proposed ordinance to the planning agency (unless the proposed ordinance was prepared by the planning agency) and the county planning agency (where one exists) for recommendations.
504(b)	Forwarding an adopted S&LD ordinance to the county	30 days	Time after adoption within which a municipal (not including county) governing body shall forward a certified copy of the S&LD ordinance to the county planning agency (or county governing body where no county planning agency exists).
505(a)	Municipal and county planning agency review of proposed S&LD amendments	At least 30 days	Time prior to a public hearing on a proposed S&LD amendment in which the governing body shall submit the proposed ordinance to the planning agency (unless the proposed ordinance was prepared by the planning agency) and the county planning agency (where one exists) for recommendations.
505(b)	Forwarding an adopted S&LD amendment to the county	30 days	Time after adoption within which a municipal (not including county) governing body shall forward a certified copy of a S&LD amendment to the county planning agency (or county governing body where no county planning agency exists).

506(a)	Publication and advertisement of proposed S&LD ordinance or amendment	60 days/7 days	Time no more than (60 days) nor less than (7 days) prior to passage of a proposed S&LD ordinance or amendment during which the governing body shall publish the proposed ordinance or amendment (or the title and a brief summary prepared by the municipal solicitor) in a newspaper of general circulation in the municipality.
506(b)	Readvertisement of proposed S&LD ordinance or amendment in the event of changes	At least 10 days	In event substantial amendments are made to the proposed S&LD ordinance or amendment, time prior to enactment in which the governing body shall readvertise in a newspaper of general circulation a brief summary of all the provisions in reasonable detail together with a summary of the amendments.
508	Decision on applications for plat approval	No later than 90 days	Time during which the governing body or planning agency shall render its decision on an application for plat approval and communicate the decision to the applicant. The 90-day time period begins following the date of the regular meeting of the governing body or planning agency (whichever first reviews the application) next following the date the application is filed, or after a final order of court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court, the said 90-day period shall be measured from the 30th day following the day the application has been filed.
508(1)	Decision on applications for plat approval	No later than 15 days	Time following a decision on an application for plat approval in which the governing body or planning agency shall communicate a written decision to the applicant personally or by mail to the last known address.
508(3)	Decision on applications for plat approval	No later than 90 days; no later than 15 days	Time frames, in accord with 508 and 508(1), within which if the governing body or planning agency fails to render or communicate a decision the plat shall be deemed approved unless the applicant agrees to a time extension or a change in the manner of presentation/communication of the decision.

508(4)(ii)	Application of S&LD ordinance changes to approved plat	5 years	Time from approval of a plat within which no subsequent change or amendment in the zoning, subdivision, or other governing ordinance or plan shall be applied to adversely affect the right of the applicant to commence and complete any aspect of the approved development in accordance with the terms of such approval. (NOTE: Please refer to Sections 508(4)(iii), (iv), (v), (vi), and (vii) for additional criteria and provisions related to the 5-year vested interest in an approved plat.)
508(6)	Action on state high occupancy permit	60 days	Time from the date of an application for a state highway occupancy permit for driveway access (presumably for a proposed subdivision or land development, though the MPC is silent on this) within which the PA Department of Transportation shall act on the permit application by either approval, denial, return of the application for more information or correction, or determination that no permit is required.
509(b)	Resolution of contingent approval of a final plan	90 days	Time after which a resolution of the governing body or planning agency indicating approval of a final plat contingent on the developer obtaining satisfactory financial security shall expire unless a written extension, not to be unreasonably withheld, is granted in writing by the governing body.
509(f)	Estimate of cost of completion of required improvements	90 days following scheduled completion date	Date on which a cost estimate for required improvements in a subdivision or land development is based for purposes of determining the amount of required financial security (110% of said cost estimate)
509(h)	Increase in amount of financial security	1 year	Time after posting of financial security in which, if more time is needed to complete required improvements, the amount of financial security may be increased by an additional 10% for each one-year period or to an amount not exceeding 110% of the cost of completing improvements as reestablished on the expiration of the preceding one-year period.
509(j)	Partial release of financial security	45 days	Time, after receipt of a request to release such portions of financial security necessary for payment to contractors performing work on required improvements, which the municipal engineer shall have to certify in writing to the governing body that such portion of work has been completed in compliance with the approved plat, and after which the governing body if failing to act shall be deemed to have approved the release of funds as requested. (The governing body may require retention of 10% of the estimated cost of said work.)

509(k)	Financial security for performance	Not to exceed 18 months	Term permissible for financial security which may be required to secure the structural integrity and functioning of required improvements.
510(a)	Release from improvement bond/inspection	10 days	Time, after receipt of notice by registered mail of the completion of required improvements, within which the municipality shall direct the municipal engineer to inspect said improvements.
510(a)	Release from improvement bond	30 days	Time, after receipt by the municipal engineer of the notice of completion of improvements, within which the engineer shall file with the governing body and make and mail to the developer by registered mail a written report indicating approval or rejection of said improvements.
510(b)	Release from improvement bond	15 days	Time, after receipt of the engineer's report, in which the governing body shall notify the developer in writing by registered mail of the governing body's action (presumably with regard to approval or rejection). (NOTE: If the governing body or engineer fail to comply with the specified time limitations, all improvements will be deemed to have been improved and the developer shall be released from liability pursuant to its financial security.
510(g)(1)	Developer reimbursement of inspection expense	30 working days	Time, after date of billing for reimbursement of expenses incurred for inspection of required improvements, within which an applicant shall notify the municipality that such expenses are disputed as unreasonable or unnecessary (in which case the municipality shall not delay approval or disapprove the subdivision or land development or related permit).
510(g)(2)	Failure to agree on amount of inspection expenses	45 days	Time, from the date of billing, within which, if the municipality and the applicant cannot agree on the amount of expenses that are reasonable and necessary, the applicant and municipality shall by mutual agreement appoint another licensed professional engineer to make a determination of the amount of reasonable and necessary expenses.
510(g)(3)	Decision on disputed amount of inspection expenses	50 days 60 days	Time, from the date of billing, within which the mutually appointed engineer(arbitrator) shall hear evidence, review documentation, and render a decision on the amount of reasonable and necessary expenses. Time limit for adjusted payments determined by arbitrator.

510(g)(4)	Failure to agree on amount of inspection expense and appointed engineer	20 days	Time, from the date of billing, within which, if the municipality and applicant cannot agree on an engineer to resolve disputed inspection expenses, the President Judge of the Court of Common Pleas shall appoint such engineer who shall not be the municipal or applicant's engineer.
513(a)	Recording of plats	90 days	Time, after final approval or the date the approval is noted on the plat, whichever is later, within which the developer shall record such plat in with the county recorder of deeds.
ARTICLE V-A Municipal Capital Improvement			
502-A	Life expectancy of improvements	3 or more years	Required life expectancy of off site road improvements to qualify as "Transportation Capital Improvements"
504-A(b)(4)	Challenge to composition of advisory committee	90 days	Time, following the first meeting of the impact fee advisory committee, after which a legal action challenging the composition of the advisory committee may not result in invalidation of the impact fee ordinance.
504-A(c)(2)(ii)	Land use assumptions	At least 5 years	Future time period for which land use assumptions serving as prerequisite for the transportation capital improvements plan shall project changes in land use and development.
504-A(c)(3)	County planning review of land use assumptions	At least 30 days	Time prior to the required public hearing in which the committee shall forward land use assumptions to the county planning agency for comments.
504-A(d)(1)(v)	Projection of traffic volumes	Not less than 5 years	Time period from the date of the preparation of the roadway sufficiency analysis for which a projection of anticipated traffic volumes must be projected for the analysis.
504-A(e)(3)	Transportation capital improvements plan	At least 10 working days	Time prior to the date of the required public hearing in which the transportation capital improvements plan shall be made available for public inspection.
504-A(e)(4)	Transportation capital improvements plan	No more than annually	Frequency with which the governing body may request the impact fee advisory committee to review and make recommendations on the capital improvements plan and impact fee charges.
505-A(b)	Impact fee ordinance	At least 10 working days	Time prior to adoption of the impact fee ordinance in which the ordinance shall be available for public inspection.

505-A(c)(1)	Impact fee ordinance	Notice before adoption of the resolution creating the impact fee advisory committee/ Not less than 1 nor more than 3 weeks	Two different instances in which a municipality shall publish intention to adopt an impact fee ordinance if it chooses the option to publish such notice.
505-A(c)(2) & (3)	Impact fee ordinance period of pendency	Not to exceed 18 months	Period, after adoption of the resolution creating the impact fee advisory committee, for which an impact fee may have retroactive application (meeting certain provisions). An ordinance adopted after more than 18 months shall not be retroactive to plats submitted for preliminary or tentative approval prior to the legal publication of the proposed ordinance. In such case, any fees collected shall be refunded.
505-A(g)(1)	Certain refunds of impact fees	1 year	Time, following written notice of completion, with undispersed funds, of the transportation capital improvements plan sent by certified mail to those persons who previously paid impact fees, after which if there is no claim for refund the funds may be transferred to other municipal account.
505-A(g)(1)	Certain refunds of impact fees	3 years	Time within which, if the municipality fails to commence any road improvement, any person who paid impact fees shall upon written request receive a refund (plus interest) of that portion of the fee attributable to the uncommenced road improvement.
ARTICLE VI Zoning			
607(e)	Enactment of zoning ordinance Review by County	45-days prior to public hearing	Provides for a 45-day review time by County planning agency.
608	Enactment of zoning ordinance	Within 90 days of last public hearing	Provision for the governing bodies to vote on enactment.
608	Filing zoning ordinance	Within 30 days after enactment	Requirement that the municipal zoning ordinance be filed with the county planning agency or governing body.

609(b)(1)	Posting property for zoning map change	One week prior to hearing	Requirement that properties subject to zoning map changes be posted.
609(b)(2)	Zoning map change notice(s)	30 days prior to hearing	Owners of parcels affected by proposed zoning map change to be mailed notice of public hearing (not required for a comprehensive rezoning).
609(c)(i)	Referral to municipal planning agency (amendments)	30 days prior to public hearing	Time of referral to local planning agency of any zoning amendment not prepared by same.
609(e)	Referral to county planning agency (amendments)	30 days prior to public hearing	Time of referral to county planning agency of zoning amendments.
609(g)	Filing zoning amendment	Within 30 days after adoption	Requirement that amendments to the zoning ordinance be filed with the county planning agency or governing body.
609.1(a)	Curative amendment hearing	60 days	Time required for commencement of required hearing.
609.1(a)	Curative amendment planning agency review	30 days	Required referral to planning agency(ies) (per 609). This would include both the municipal and county agencies.
609.1(a)	Curative amendment notice of hearing	60-7 days	A single notice is required not more than 60 nor less than 7 days prior to passage.
609.2(1)	Municipal curative amendment	30 days	Time for municipality to declare by resolution specific substantive problems of a zoning ordinance and begin process of preparing a curative amendment.
609.2(2)	Enactment of municipal curative amendment	180 days	Time from 609.2(1) declaration to enact municipal curative amendment or reaffirm validity.
609.2(4)	Limitation municipal curative amendment	36 months	Time limit to use municipal curative amendment (can be waived if law changes or per Appellate Court order).
610(a)	Notice of enactment	60-7 days prior to enactment	Dates for the publication of a notice of proposed enactment (once only) prior to vote.
610(b)	Notice of enactment substantial amendments	10 days prior to enactment	Time for subsequent notice of enactment if substantial amendments are made to the ordinance prior to vote.
617	Causes of action	30 days	Time of notice an aggrieved owner/tenant must give to municipality before beginning action under 617 (prevent, restrain, correct or abate).

621	Methadone treatment facilities permit	14 days	Time for public hearing(s) prior to vote on permitting Methadone treatment facilities within 500 feet of certain land uses.
ARTICLE VII Planned Residential Development			
704	Referral of tentative approval	30 days	Time period for county planning agency to review and comment on tentative municipal PRD applications.
705(f)(2)	Remedial action for common open space maintenance	30 days and 14 days	The 30-day period is the time in the notice for the corrective action of common open space maintenance. The 14 days is the date of a hearing on such deficiencies, counted from the date of the notice.
705(f)(3) and (4)	Municipal maintenance of common open space	One year	Time period for municipal maintenance of PRD common open space before a second hearing is required on subject.
708(a)	Public Hearing for PRD tentative approval.	60 days	Time period within which a public hearing must be scheduled for a request for the tentative approval of a PRD.
708(b)	Conclusion of hearings for PRD	60 days	Time period after the initial hearing that the hearing process for the PRD application must be concluded.
709(a)	Time period for action	60 days 180 days	The application for tentative approval of a PRD is to be approved, conditionally approved or denied within 60 days from the last hearing or 180 days from the filing of the application – whichever occurs first.
709(a)	Rejection of conditions	30 days	Time period for the developer to reject conditions of a tentative approval, the rejection leads to a deemed denial.
709(c)	Timing for final PRD approval, not phased Timing for final PRD approval phased development	3 months 12 months	Un-phased PRD to be given final approval* Time between application for approval.* *Can be extended upon consent of landowner.
711(b)(c)	Final PRD approval or refusal	45 days	Final approval to be granted from date of meeting of first reviewing body, if meeting date is more than 30 days from first meeting the 45 days to be measured from the 30 th day.
Special Note: 711(c) also contains options for the applicant to file for alternate actions in case of refusal, i.e. delete unapproved variations or file for a public hearing on the application.			

711(e)	Time for PRD development to be considered as abandoned	See 508	See timing required of Section 508.
ARTICLE VII-A Traditional Neighborhood Development			
Section 702-A – Grant of Power – Relates the TND procedures (including timing) shall follow Section 609 (Zoning Ordinance Amendments).			
ARTICLE VIII-A Joint Municipal Zoning			
For adoption, amendments and notices of intent to adopt, the procedures of Article VI Zoning will be used (see 608, 609 and 610). See also 809-A(a) below, also.			
808-A	Withdrawal from a joint zoning ordinance	3 years, 1 year	Any municipality wishing to withdraw from a joint zoning ordinance cannot do so for 3 the first years and must always give a one-year notice to other participants. After 3 years 1 year notice can be waived see 808
809-A(a)	Referral of amendments	30 days	Proposed amendments to be referred to the joint municipal planning commission 30 days prior to public hearing.
ARTICLE IX Zoning Hearing Board and other Administrative Proceedings			
903(a)	Term of Membership Zoning Hearing Board	3 years to 5 years	Three-member board 3 years; five-member board 5 years. Term to be staggered, one per year.
904(b)	Terms of Membership Joint ZHB	5 years	Term for members to a Joint Zoning Hearing Board, except that two of those first appointed shall have 3 years terms.
905	Removal of Zoning Hearing Board member	15 days	Required notice to a Zoning Hearing Board member to be removed for cause.
908(1)	Hearing notices – Zoning Hearing Board Posting of property	See 107 One week	Public hearing notice per Section 107, property to be posted one week prior to hearing.
908(1.2)	Zoning Hearing Board Hearing(s)	60-45 days 100 days	The first hearing to be commenced 60 days from request; subsequent hearing not more than 45 days apart; hearings to conclude 100 days from completion of applicant’s case-in-chief, applicant entitled to 7 hours of hearing. See amendment for details. Process is quite complex.

908(9)	Decision/finding of Hearing Officer with no stipulation of acceptance	45 days 30 days	Time to make Hearing Officer's finding and conclusion available to all parties. Time for board to make decision findings based on Hearing Officer's report.
908(9)	Deemed decision notice	10 days	If Zoning Hearing Board/Hearing Officer fails to meet time requirements (and applicant has not agreed to an extension), notice of deemed approval required.
908(10)	Copy of decision/finding	1 day	Time to deliver/mail copy of decision to applicant. To other parties, a brief summary is sufficient.
909.1(2)	Challenge to procedural defects in adoption	30 days	Time period for procedural deficiency challenge.
913.2(b)(1)	Decision on Conditional Use	45 days	Decision to be within 45 days of last hearing.
913.2(b)(2)	Deemed approval on Conditional Uses	60 or 100 days	Failure to commence hearing within 60 days of request <u>or</u> failure to render a decision in 100 days from presentation of applicant's "case-in-chief" is a deemed approval.
913.2(b)(2)	Notice of deemed approval	10 days	Public notice of deemed decision either by governing body or applicant.
913.2(b)(3)	Copy of decision	1 day	Final decision/findings delivered to applicant or mailed by the day after its date.
914.1	Time limits on appeals	30 days	Limit on time for appeals on approved preliminary or final application to the Zoning Hearing Board.
916.1(c)(6)	Issues on validity, curative amendment, time for decision	45 days	Time from last hearing to Zoning Hearing Board or governing body decision.
916.1(c)(7)	Deemed denial, validity issues and curative amendments	46 days	If no decision is reached in the above-referenced, 46 days - request is a deemed denial.
916(d)	Time to commence Hearings	60 days	Time for Zoning Hearing Board, governing body to commence validity/curative amendment hearing (time extension possible).

916(g)	Time for developer to file application	2 years 1 year	If a curative amendment or validity challenge is upheld, applicant has up to 2 years to file application for preliminary or tentative approval (subdivision PRD or land development) or one year to obtain a building permit (zoning).
916.2	Preliminary approval	2 weeks	A device used to obtain a preliminary opinion to limit challenges to ordinance or map, public notice for 2 successive weeks.
917	Application of amendments	6 months	Once a special exception or conditional use is approved, and the development is a subdivision or land development, the developer has a 6-month window to file for same based on the ordinance at the time of special exception or conditional use approval.
ARTICLE X-A Appeals to Court			
1002-A	Appeals on land use decisions	30 days	Time from date of entry of decision to appeal to Common Pleas Court.
1003-A(a)	Notice of appeal	20 days	Court must advise municipality within 20 days of any land use decision appeal (1002-A).
1003-A©	Notice of appeal	7 days	If appellant is not the landowner time period for a true copy of the appeal to be sent to the landowner or his attorney.
1004-A	Intervention	30 days	Any filing of intervention must occur within 30 days of the filing of appeal.
ARTICLE XI Intergovernmental Cooperative Planning and Implementation Agreements			
1103(c)	County municipal agreement	5 years prior to 8/2000	Time limit for cooperative agreement under county/municipal plans conforming to this article (grandfather clause).
1104(b)(1)	County and/or multi-municipal cooperative agreement	2 years	Time limit to achieve general consistency between county/multi-municipal plan and local ordinance.
1104(b)(4)	Annual Reports	Yearly	Annual Reports on activities under agreements.

Special Note: Amendment of Article VII PRD relative to timing via Act 2 of 2002 had no practical impact.