



Proposed Legislation in Pennsylvania

By *David H. Comer*

House Bill No. 1831 proposes to amend the Pennsylvania Municipalities Planning Code (MPC) by adding language to the MPC that would allow zoning ordinances to include provisions enabling municipalities to charge applicants for review fees incurred by municipalities in their evaluation of conditional use applications.

The proposed legislation provides that review fees “may include reasonable and necessary charges by the municipality’s professional consultants for review and report on a conditional use application to the municipality.” Furthermore, the proposed legislation states that the review fees are to be based upon a schedule established by ordinance or resolution and in no event shall the fees exceed the rate or cost charged by the professional consultants for comparable services to the municipality for services not reimbursed or otherwise imposed on applicants.

The proposed legislation adds that the governing body, upon making a decision on an application, shall submit to the applicant an itemized bill, and the applicant has the right to dispute the amount of review fees not later than 30 days after the transmittal of the bill to the applicant. The proposed legislation provides procedures for the parties to follow in the event that the applicant disputes the amount of review fees.

For more information about this topic, please contact David Comer at 610.397.7963 or dcomer@foxrothschild.com.



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