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Pennsylvania’s 2010–2011 budget allows for permit extensions related to development projects

By Andrew T. Bockis

Signed into law on July 6, 2010, Pennsylvania’s new budget includes a provision that allows expiration dates on certain development-related permits to be automatically extended until July 1, 2013. This provision will impact a number of permits and approvals, including those issued under The Clean Streams Law, the Sewage Facilities Act, the Dam Safety and Encroachments Act, and the Municipal Planning Code, in addition to Erosion and Sediment Control Plans approved by County Conservation Districts, among others.

The law provides for an automatic extension of expiration dates on permits related to a variety of development categories, including building projects, residential subdivisions, land development, demolition projects and earth moving activities. The extension is available for permits that were granted or in effect as of January 1, 2009, and the extension will be available for permits that are granted through July 1, 2013.

Each affected government agency is required to publish notice of the applicability of the extension period in the *Pennsylvania Bulletin* within 30 days. Further, agencies are authorized to charge a fee to extend an approval, although the fee can be no more than 25 percent of the original application fee, with a maximum fee of \$5,000.

There are a number of exceptions to the permit extension provision, including permits or approvals issued by the Department of Environmental Protection that involve Exceptional Value or High Quality waters.

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