

Bond Case Briefs

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ZONING - PENNSYLVANIA

PPM Atlantic Renewable v. Fayette County Zoning Hearing Bd.

Supreme Court of Pennsylvania - December 16, 2013 - A.3d - 2013 WL 6592776

Objector, who had been permitted to intervene in developer's appeal from zoning board decision, filed notice of appeal from trial court decision favorable to developer. On developer's motion, the Court of Common Pleas ordered objector to post \$250,000 bond as condition of continuing with appeal. The Commonwealth Court quashed objector's merits appeal due to his failure to post bond or appeal the bond order. The Supreme Court allowed further appeal.

The Supreme Court of Pennsylvania held that in a proceeding where land developer was the appellant before the common pleas court of a zoning board's decision, Municipalities Planning Code (MPC) does not authorize that court to require an objector to post bond in connection with objector's appeal to the Commonwealth Court of a final order of common pleas court.