



Virtual Municipal Meetings and Hearings During the COVID-19 Emergency

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The Pennsylvania Legislature has enacted Act 15 of 2020 which allows for the temporary alteration of normal local government procedures during the COVID-19 emergency declaration.

Act 15 addresses a variety of health care issues, emergency tax measures, and emergency notarial measures; however, as it pertains to local government procedures, the anticipated legislation would make the following changes:

- Local government meetings and hearings are now expressly allowed to be conducted using an “Authorized Telecommunication Device,” which is defined as any device which permits, at a minimum, audio communication between individuals.
- No physical quorum of governing board members needs to be present; the quorum may be established electronically only.
- Public access is still a requirement. The Legislation allows public participation by: (1) allowing the submission of written questions by US mail or by email to an account designated to receive such comments; and/or (2) by Authorized Telecommunication Device.
- In order to allow for this electronic meeting or hearing procedure, the local government must post a notice on its website and/or advertise in the paper, “to the extent practicable.” The notice must include the date, time, technology to be used, and the public participation information.
- Notice about consideration at a meeting or hearing of any “application, plat, plan, submission, appeal, or curative amendment” unrelated to the coronavirus emergency must be posted on the Municipality’s website at least 5 days’ in advance of the meeting or hearing.
- Time limits, such as provided in the Municipalities Planning Code, are tolled from the date the Governor declared a disaster for COVID-19 (March 6) until **30 days** after the legislation becomes effective (now established as May 20, a total of 75 days). Also, applicants must be notified in writing of the tolling period and the right to request a meeting or hearing on their application, plan, etc. This part of the legislation may present issues for municipalities who do **not** proceed with hearings/meetings electronically, depending upon when the emergency Executive Orders are lifted. These issues may require factual discussion with your Solicitor on a case-by-case basis.

- Draft minutes of a meeting called without notice to the public, to address exigent matters related to the COVID-19 emergency, must be posted on the website within 20 days after the meeting or, by the next regularly scheduled meeting, whichever is sooner.
- These are temporary measures until the end of the COVID-19 emergency.

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If you wish to obtain more information about Act 15 and its impact on your community, please contact an attorney in our [Municipal](#) or [Real Estate, Zoning, and Land Development](#) Group.

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