

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Dennis M. Davin, in his capacity as :  
Secretary for the Department of :  
Community and Economic :  
Development, :  
Petitioner :  
v. : No. 569 M.D. 2011  
City of Harrisburg, :  
Respondent :

*Re: Application for Entry of Administrative order to Modify Order of Relief*

**ORDER**

AND NOW, this 30th day of November, 2018, upon consideration of the City of Harrisburg’s Application for Entry of Administrative Order to Modify Order of Relief (Application), requesting the Court to vacate provisions of its Order of September 11, 2018, the Application is GRANTED.

The Court’s Order of September 11, 2018, authorized the Council for the City of Harrisburg to defer final action on the Recovery Coordinator’s proposed Act 47 Exit Plan until November 15, 2018, at the latest. Following that Order, on October 24, 2018, the Intergovernmental Cooperation Authorities Act for Cities of the Third Class, Act 124 of 2018, was enacted. Section 706(1) of Act 124 provides:

Notwithstanding the provisions of the act of July 10, 1987 (P.L. 246, No. 47), known as the Municipalities Financial Recovery Act, to the contrary, a plan adopted for a city under the Municipalities Financial Recovery Act shall continue until an intergovernmental cooperation agreement is entered into by the city and an authority under section 203(d) [pertaining to intergovernmental cooperation agreements].

Because it appears that Council is no longer required to approve an Exit Plan under the Municipalities Financial Recovery Act, and that, pursuant to Section 706(1) of Act 124, the current recovery plan shall remain in place pending compliance with Act 124, the **Court's Order of September 11, 2018** is hereby **VACATED**.



**BONNIE BRIGANCE LEADBETTER,**  
Senior Judge

Certified from the Record

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And Order Exit