

## **CHAPTER 4**

### **BUILDINGS**

(See also §5-101 et seq., Creation of the Office of Building Inspector; §5-201 et seq., BOCA National Building Code; §11-201 et seq., Numbering of Buildings.)

#### **PART 1**

##### **DISPLAY OF FINAL APPROVED SUBDIVISION PLAN**

- §4-101. Applicability**
- §4-102. Intent**
- §4-103. Disclosure Requirements**
- §4-104. Residential Disclosure Statement**
- §4-105. Plan of Lot**
- §4-106. Penalties**

**Exhibit “A”, Residential Disclosure Statement**



**PART 1**

**DISPLAY OF FINAL APPROVED SUBDIVISION PLAN**

**§4-101. Applicability.**

The requirements of this Part shall apply to all developers, owners and/or owner's agents (hereinafter referred to as the "seller") who are selling a new residential or subdivided residential lot or a lot for a residential building located within the boundaries of East Rockhill Township (hereinafter referred to as "new residential property") to a member of the general public.

(Ord. 181, 11/17/1998, §1)

**§4-102. Intent.**

These requirements are intended to inform home buyers about limitations, easements and restrictions on their property, the general nature of the subdivision and/or land development in which the property is located.

(Ord. 181, 11/17/1998, §2)

**§4-103. Disclosure Requirements.**

1. Before signing a sales agreement for any new residential or subdivided residential property, or lot for residential building, the sellers shall provide and the buyers shall sign a disclosure statement in the form attached as Exhibit "A," that verifies that the seller has provided, shown and explained all of the information that is required by this Part.
2. The seller of any new residential property or of a subdivided lot for residential building shall prominently display the approved subdivision and/or land development plans for all phases in the office or other place where property sales are transacted, so that they are plainly visible to all potential buyers of the new residential property or lot. The approved subdivision and/or land development plan shall include the record plan and all other accompanying plans approved with the record plan.
3. The information listed below shall be clearly shown or noted on the approved plans and summarized in the text narrative, and a copy of the plans and text narrative shall be given to the potential home buyer. The approved plans and text narrative shall show and describe the following:
  - A. Common areas, such as park lands, streets and open space which are part of the subdivision or adjacent to the land and/or building being sold.

## BUILDINGS

- B. All lot lines within the development.
- C. All uses permitted within the development by East Rockhill Township's current Zoning Ordinance [Chapter 27] including accessory uses, and all limitations, easements, deed restrictions and other restrictions which affect the development of the lots and use thereof.
- D. Membership in a homeowners association, if applicable. A copy of the homeowners association or condominium agreement shall be provided at that time.
- E. All current dimensional requirements for the primary uses on each lot, such as setback requirements, building coverage, impervious coverage and height limits.
- F. All current dimensional requirements for the accessory uses permitted on each lot, such as size, setback requirements and height limits.
- G. The location of all easements through the development, describing the uses of the easements, including any underground pipe (i.e., sanitary water, gas lines), showing which lots are affected by these easements, and the limitations it imposes on the lot and copies of the applicable sections of the Zoning Ordinance [Chapter 27].
- H. The location of all areas within the development and on each lot which are classified as wetlands, under the currently used definition, with a reference to Federal, State and local requirements which govern wetlands and the limitation it imposes on the lot and development. Location of wetlands shall be highlighted by crosshatching all affected areas on the plan and copies of the applicable sections of the Zoning Ordinance [Chapter 27] shall be attached.
- I. The location within the development and on each lot of floodplain areas, as defined by the Township's ordinances, the requirements which govern floodplains and the limitations it imposes on the lot and copies of the applicable sections of the Zoning Ordinance [Chapter 27].
- J. The location of stormwater drainage facilities including detention/retention basins, the paths of stormwater runoff and the homeowners responsibility.
- K. The existing zoning of land which abuts the development, and a description of permitted uses and dimensional requirements for each contiguous zoning district.
- L. The date of the Zoning Ordinance [Chapter 27] and this Part the particular plan is being developed under shall be provided to the prospective pur-

chaser. If the plan is developed by stipulation, such copy, including all amendments, shall also be included in its entirety.

(Ord. 181, 11/17/1998, §3)

**§4-104. Residential Disclosure Statement.**

1. The initial retail purchasers of newly constructed residences, improved or unimproved lots shall complete the following statement prior to the signing of any agreement of sale. The seller will be obligated to provide originally signed statements to the Code Enforcement Officer within five days of execution. The seller shall maintain an originally signed copy for a period of not less than 10 years and provide the purchaser with same.
2. It is the intent of this Part that information regarding the nature of the property to be sold by conveyed to the consumer purchasing the property for residential purposes. Any attempt to bypass the intent of this Part by transfer of title to a party or entity who does not intend to make such use of the property will be considered a violation of this Part and shall not exempt the seller from complying with its terms when the property is sold on a retail basis.

(Ord. 181, 11/17/1998, §4)

**§4-105. Plan of Lot.**

The developers of a subdivision, wherein the developer is building and selling newly constructed residences, shall present to a prospective purchaser before the agreement of sale for such property is signed, an individual plan of the lot involved, showing the street upon which the building will front and the building envelope with rear, front and side yard shown and the currently approved grading plan for the lot.

(Ord. 181, 11/17/1998, §5)

**§4-106. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 181, 11/17/1998, §8; as amended by Ord. 192, 4/18/2000)