

**CHADDS FORD TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 118
CERTIFICATE OF COMPLIANCE**

Certificate required.

Any individual, partnership, corporation, governmental authority, company, association, trust, joint venture, unincorporated association, or other entity which owns improved residential or commercial real property situate within the Township of Chadds Ford and who desires to sell or lease such property and said property is located within 150 feet of a Township sewer line shall first obtain a Certificate of Compliance from the Office of Codes Enforcement of Chadds Ford Township or other official as designated by the Township and provide a copy of such certificate to the buyer at settlement or to the tenant at the time of commencement of the lease.

Components of certificate.

The Township Office of Codes Enforcement or other official as designated by the Township shall, when appropriate, issue a Certificate of Compliance which shall contain the following certifications:

- A. A statement by the Office of Codes Enforcement, Designee (SEO), Township Engineer or other official as designated by the Township that there are no uncorrected violations of record of any ordinances, codes or regulations of Chadds Ford Township or Chadds Ford Township Sewer Authority on the property or leasehold.

Inspection of properties.

All properties being sold or leased and which are located within 150' of a Township sewer line will be inspected by the Township Office of Codes Enforcement or other official as designated by the Township to:

- A. Determine if the property is in compliance with the Chadds Ford Township Sewer Ordinance and all rules and regulations of the Township and the Township Sewer Authority relating thereto.
- B. Any commercial, residential or agricultural building located within 150' of a Township sewer line must connect to the Township sewer system prior to issuance of the Certificate of Compliance regardless of the condition of the on-lot sewage system.

Inspection violations.

Any violations discovered on a property or leasehold as a result of inspection must be corrected prior to the issuance of any Certificate of Compliance. If the seller or landlord of the property cannot correct all violations found on the property or leasehold, a Certificate of Compliance may be issued by the Office of Codes Enforcement or other official as designated by the Township only if the Township finds that the following conditions will be sufficient to guarantee further compliance and insure that no danger to the health and safety of the residents will be posed by the issuance of a Certificate of Compliance:

- A. The seller or landlord must place sufficient funds in an escrow account to cover, in full, the cost of the required improvements and/or repairs. The amount of the funds required to be deposited in escrow shall be determined by the Office of Codes Enforcement or other official as designated by the Township;
- B. The buyer or tenant may sign an agreement with seller by which the buyer or tenant must demonstrate, to the satisfaction of the Township, that the buyer or tenant has the financial ability to correct all of the violations, either by depositing funds in escrow or by some other means acceptable to the Office of Codes Enforcement or other official as designated by the Township; and
- C. All corrections, improvements and repairs must be completed within thirty (30) days from the date of the issuance of the Certificate of Compliance. An extension of time within which to complete such repairs, corrections and improvements may be granted by the Township Board of Supervisors upon good cause shown. If the required improvements are not made within the six month time period, or any extension thereof granted by the Township Board of Supervisors, the Township will pursue legal action against the buyer or tenant and will seek therein recovery of all legal fees incurred by the Township in such proceedings.

Fees.

A fee for the issuance of the Certificate of Compliance shall be \$75.00 pursuant to the fee schedule authorized by the Board of Supervisors and posted in the Chadds Ford Township Municipal Building.

Application for issuance of certificate.

- A. An application for issuance of a Certificate of Compliance shall be submitted to the Office of Codes Enforcement or other official as designated by the Township at least two weeks prior to the date of settlement or the commencement of the lease. The application shall include the name of the seller or landlord and the address of the property

as well as a description of the current and intended uses of the property or leasehold.

B. The Township will issue the Certificate of Compliance as soon as practicable but no later than two weeks after submission of the application.

Violations and penalties.

Failure of any person, firm, partnership, corporation, association or governmental unit to comply with the regulations of this chapter may result in the following penalties:

A. Each violation continuing for a separate day after notice by the Township and each violation of any provision of this chapter shall constitute a separate and distinct violation subject to a separate and additional fine of \$1,000; and

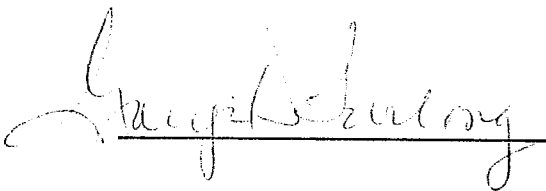
B. Any person or entity who violates or permits the violation of any provision of this chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by Chadds Ford Township, pay the fine prescribed by this chapter, plus all court costs, including reasonable attorney fees, incurred by Chadds Ford Township.

Enforcement.

Enforcement of this chapter shall be the responsibility of the Office of Codes Enforcement or other official as designated by the Township.

Adopted this 2nd day of April, 2007.

ATTEST:



**BOARD OF SUPERVISORS
CHADDS FOR TOWNSHIP**



DEBORAH LOVE D'ELIA



GEORGE THORPE

GARRY PAUL