

Article XXV: Administration, Enforcement, Amendments

SECTION 240-2500. PURPOSE

This Article outlines the procedures by which this Chapter shall be administered, including, but not limited to, obtaining and regulating permits, enforcing this Chapter, and Zoning Officer responsibilities.

SECTION 240-2501. AUTHORITY

Provisions of this Chapter shall be administered and enforced by a Zoning Officer and any Deputy Zoning Officers who is appointed by the Board of Supervisors and who shall not hold any elective office in the Township. In this Chapter, when the term Zoning Officer is used it also includes the term Deputy Zoning Officer. Zoning Officer's duties shall meet § 240-2502.

SECTION 240-2502. ZONING OFFICER DUTIES AND POWERS

- A. Review of permits. Receive, examine, and process all applications for zoning and other applicable permits and refer applications to the Planning Commission and other appropriate Township entities for review, recommendation, or determination.
- B. Preliminary opinions. Make preliminary opinions of whether permit applications and related materials are in compliance with this Chapter.
- C. Issuance of permits. Issue permits only when there is compliance with the provisions of this Chapter and with other Township ordinances; provided, however, the issuance of such permit shall not be deemed a waiver of the requirements of any Township ordinance.
- D. Applications for conditional use. Receive, examine, and process applications for conditional uses and forward these applications per this Article.
- E. Applications for special exception. Receive, examine, and process applications for special exceptions and forward these applications to the Zoning Hearing Board per this Chapter.
- F. Applications for appeals and variances. Receive, examine, and process applications for zoning appeals and variances and forward these applications for action thereon per this Chapter.
- G. Inspections and surveys. Conduct inspections or field surveys to determine compliance or noncompliance with the terms of this Chapter.
- H. Noncompliance notices and orders. Issue notices of noncompliance, stop, cease, and desist orders, and orders for correction of conditions, in writing, for violations of this Chapter. Such written notices and orders shall be delivered personally or by certified mail to persons or entities deemed by the Zoning Officer to be violating the terms of this Chapter. It shall be unlawful for any person or entity to violate any such notice or order lawfully issued by the

Zoning Officer, and any person or entity violating any such order shall be guilty of a violation of this Chapter.

- G. Halting of activities. With the approval of the Board of Supervisors, or when directed by it, institute in the name of the Township any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; to restrain, correct, or abate such violation so as to prevent the occupancy of or use of any building, structure, or land; or to prevent any illegal act, conduct, business, or use in or about such premises within the context of this Chapter.
- H. Revocation of orders. Revoke by order a permit issued under a mistake of fact or contrary to the law or the provisions of this Chapter.
- I. Maintenance of the Zoning Ordinance and Map. Maintain an up-to-date copy of the Zoning Ordinance and amendments thereto and maintain the Zoning Map showing the current zoning classification of all land.
- J. Maintenance of records. Keep an official record of all business and activities, including complaints of a violation of any of the provisions of this Chapter and of the subsequent action taken on each such complaint. Record and file all applications for permits with accompanying plans and documents.
- K. Flood Insurance Program. Administer the National Flood Insurance Program in the Township and specifically in those areas where records must be maintained relative to the types of land use permitted and occurring within the Floodplain District and other administrative functions necessary for participation in the National Flood Insurance Program.
- L. Presentation of facts. Upon the request of the Board of Supervisors, Planning Commission, or Zoning Hearing Board, present to such bodies facts, records, or reports which they may request to assist them in making decisions.

SECTION 240-2503. PERMITS AND CERTIFICATES

- A. General
 - 1. Applications for permits shall be made, in writing, on an appropriate form to the Zoning Officer and shall contain all information necessary for such Officer to ascertain whether the proposed use of land, buildings, or other improvements which are the subject of the application comply or shall comply with the provisions of this Chapter and all other applicable Township ordinances and statutes of governing authorities having jurisdiction.
 - 2. All applications for special exception uses, variances, as well appeals to interpretation of any part or provision of this Chapter shall be made to the Zoning Hearing Board on forms that may be obtained from the Zoning Officer.
 - 3. All applications for conditional use shall be made to the Board of Supervisors on forms that may be obtained from the Zoning Officer.

4. Applications for permits required under this Chapter shall be submitted by the property owner or a designated representative thereof; however, responsibility for obtaining any required permit in compliance with this Chapter and all Township ordinances and statutes shall be the responsibility of the property owner in title. Parcel(s) of land, buildings, or structures, or parts thereof, for which an application is submitted shall be in full ownership of the applicant or proof of equitable ownership shall be furnished at the time of application.
 5. No permit shall be issued except in conformity with the provisions of this Chapter and other existing Township ordinances and statutes, except upon written order of the Zoning Hearing Board, Board of Supervisors, or a court of competent jurisdiction, as applicable; provided, however, that permits issued pursuant to such written orders shall be subject to any conditions and stipulations contained in such orders.
 6. In all instances in which the Zoning Officer has or expresses a reasonable doubt as to the ability of the proposed use, or the land on which the use is proposed to be conducted or constructed, to meet all of the requirements of this Chapter or any other applicable Township ordinance or statute, it shall be incumbent upon the applicant to furnish adequate evidence of compliance in support of the application. If the Zoning Officer determines that such adequate evidence has not been furnished, the permit shall be denied.
 7. Completeness of applications.
 - a. No permit application is complete until all necessary documents have been filed and all fees have been paid.
 - b. The Zoning Officer shall issue a permit only upon determination that a permit application is complete and has met the provisions of this Ordinance and other applicable ordinances.
 - c. If the Zoning Officer reviews and determines a permit application is not complete, the Zoning Officer shall reject the application in writing indicating the reasons for such refusal prior to taking other action or review.
 - d. If the Zoning Officer determines the application is complete, the Zoning Officer shall grant or deny the permit request per the requirements of this Chapter.
 - e. Issued permits shall be valid under the requirements of this Chapter.
 8. After the Zoning Officer issues a permit, no changes of any kind shall be made to the application, permit, or any of the plans, specifications, or other documents submitted with the application without the written consent of the Zoning Officer.
- B. Zoning permits.
1. A zoning permit shall be required prior to a change in use of land or buildings; a change in the principal use or expansion of a nonconforming use or building/structure; development or use of land; construction or use of a building; or development within the Flood Hazard District. The placing of vacant land under cultivation shall not require a zoning permit. It shall be unlawful to commence any site work or other work requiring a zoning permit until a permit has been properly issued.
 2. Uses permitted by-right. A zoning permit for a permitted-by-right use shall be issued by the Zoning Officer after the applicant has met all requirements of this Chapter.

3. Special exception uses. A zoning permit for a special exception use shall be issued by the Zoning Officer only upon the order of the Zoning Hearing Board.
4. Conditional uses. A zoning permit for a conditional use shall be issued by the Zoning Officer only upon the order of the Board of Supervisors.
5. Zoning permits shall be granted or refused within fifteen (15) days after the written application has been filed with the Zoning Officer, except as provided for special exception, variance, and conditional use applications.
6. Upon completion of the activity authorized by any zoning permit, the holder of such permit shall notify the Zoning Officer of such completion.
7. All applications with accompanying plans and documents shall become public record, subject to disposition by the Board of Supervisors.
8. No permit for any new use or construction which will involve on-site disposal of sewage or waste and no permit for a change in use or a building alteration which will result in an increased volume of sewage or waste to be disposed of on the site shall be issued until a certificate of approval has been issued by the Chester County Department of Health. Other required permits shall be obtained prior to the issuance of the zoning permit.
9. Zoning permits shall be issued with a two (2) year life, provided that if work is not commenced or a change in use of building or land is not commenced within ninety (90) days after issuance of the zoning permit, the permit shall be required to be reissued before such work or change in use commences.

C. Building permits.

1. A building permit shall be required prior to the construction or alteration of or addition to any building or other structure or portion thereof.
2. All applications for building permits shall be made to the Township Building Official in accordance with the Building Code.
3. No building permit shall be issued until the Zoning Officer has certified that the proposed building, structure, extension, or alteration complies with the provisions of this Chapter and all applicable Township ordinances and statutes.
4. The applicant shall demonstrate compliance with this Chapter and any other applicable ordinance requirements prior to the issuance of a building permit.
5. Residential permits shall be granted or denied within fifteen (15) days from the date of review. Nonresidential permits shall be granted or denied within thirty (30) days from the date of review. Permits shall be valid for a period not to exceed one (1) year from the date of issuance. If construction is commenced after any such permit is issued and within said period, the Zoning Officer is authorized to extend the permit for a period not to exceed one (1) additional year from the date of expiration of the initial one (1) year permit period. The Zoning Officer is authorized to revoke any building permit where there has been a cessation of construction work of more than six (6) months.

D. Use and occupancy permits.

1. A use and occupancy permit shall be required prior to the use and occupancy of any land, building, or structure following approval and receipt of any required zoning permit, building permit, or other requirement of this Chapter or other applicable ordinances.

- 2. Pending completion of a building or structure or of alterations thereto, a temporary use and occupancy permit may be issued by the Township for temporary occupancy of part or all of the building or structure, provided that such temporary occupancy will not adversely affect the health, safety, and welfare of the public or property, and providing further that a time limit for temporary permits not exceeding six (6) months shall be established.

- E. Sign permits. Signs shall be permitted as per Article XXI.

- F. Other permits. The Township may require additional permits specified in other related applicable ordinances and laws.

SECTION 240-2504. MUNICIPAL LIABILITY

The granting or denial of any permit under this Chapter shall not constitute a representation, guarantee, or warranty of any kind by, or create liability upon or a cause of action against, the Township or any of its officials or employees for any injury or damage that may occur from use, development, erection, alteration, enlargement, or other modification of buildings, structures, or the use of land.

SECTION 240-2505. FEES

The applicant for any permit established under this Article shall, at the time of making application, pay to the Zoning Officer a fee in accordance with a Township fee schedule adopted by resolution of the Board of Supervisors. Such fee schedule shall not be considered an amendment to this Chapter. Fees paid by the applicant shall be nonrefundable. An application under this Chapter shall be considered incomplete until all applicable fees, charges, and expenses are paid in full, and no action shall be taken on any permit, conditional use, special exception, variance, validity challenge, curative amendment, petition for a zoning change, appeal, or other items under this Chapter until all applicable fees, charges, and expenses are paid in full.

SECTION 240-2506. BOARD OF SUPERVISORS JURISDICTION

The Board of Supervisors shall have exclusive jurisdiction to hear and render final adjudications in the following matters, based on Act 247 Section 909.1:

- A. Applications for planned residential developments under Act 247 Article VII.

- B. Applications for conditional use under this Ordinance under Act 247 Section 603(c)(2).

- C. Applications for subdivisions or land development approval under Act 247 Article V.

- D. Applications for curative amendment to a zoning ordinance pursuant to Act 247 Sections 609.1 and 916.1(a)(2).

- E. Petitions for amendments to this Chapter, pursuant to Act 247 Section 609. Any action on such petitions shall be deemed legislative acts, provided that nothing contained in this clause shall be deemed to enlarge or diminish existing law with reference to appeals to court.
- F. Appeals from the determination of the Township Engineer or Zoning Officer in the administration of sedimentation and erosion control and storm water management of this Chapter insofar as the same relates to applications under Act 247 Article V (Subdivision and Land Development) or Act 247 Article VII (Planned Residential Development). However, where such appeal of a determination does not relate to an application under Act 247 Article V or VII, the appeal from such determination shall be to the Zoning Hearing Board per Article XXIII.
- G. Applications under Act 247 Article IV.

SECTION 240-2507. CONDITIONAL USE PROCESS

This Section provides for consideration of certain uses to be permitted in the Township by conditional use. Such have the potential for greater impact on the community and may not be appropriate at every location within a zoning district, and accordingly as permitted by Act 247, this Section establishes procedures, standards, and criteria by which to evaluate applications for conditional use.

- A. General requirements.
 - 1. Ownership. The tract of land under application for conditional use approval shall be in single ownership, or shall be subject of an application filed jointly by the owners of the entire tract, and shall be under unified control. If ownership of the entire tract is held by more than one (1) person or entity, the application shall identify and be filed on behalf of all of the said owners. Approval of the application shall be conditioned upon agreement by the applicant(s) that the tract shall be developed under single direction in accordance with the approved application.
 - 2. Site work. No site preparation or construction shall be permitted other than in accordance with the approved application. If ownership of all or any portion of the tract changes subsequent to approval of the application, no site preparation or construction by such new owner(s) shall be permitted unless and until such owner(s) shall review the terms and obligations of the approved plan and agree in writing to be bound thereby with respect to development of the tract.
 - 3. The Board of Supervisors shall hold hearings and decide on requests for conditional uses per Subsection C. The Board of Supervisors shall have the power to approve or deny conditional uses by the procedures set forth in this Section, Article, and any other reasonable conditions and safeguards to protect the health, safety, and general welfare of the community.
 - 4. Nothing in this Section shall be construed to relieve the applicant for a conditional use approval from obtaining other required approvals, such as those mandated by the Subdivision and Land Development Ordinance and any other applicable Township, county, state or federal regulations.

5. Upon receiving conditional use approval, full engineering and construction details shall be required at the subdivision and land development stage in accordance with Township standards for such.
- B. Application. Application for conditional use shall be filed in writing with the Township on such forms furnished by the Township and shall include the application form, required filing fee, and the following information necessary to enable the Township to ascertain compliance with this Section and other applicable provisions of this Ordinance:
1. Name and address of the applicant and of the owner(s) of the tract to be affected by the proposed conditional use application and standards in Subsection A.1.
 2. Description and location of the tract on which the conditional use is proposed.
 3. Statement of the present zoning classification, present land use, and existing improvements for the tract in question.
 4. Statement of the Section(s) of this Chapter allowing the proposed conditional use.
 5. Description of the proposed use and site improvements.
 6. Site Plan. The application for conditional use shall be accompanied by a proposed unified overall site plan covering the entire tract, regardless of any intended phasing of development, to be drawn to a scale of one (1) inch equals fifty (50) feet and to include the following information:
 - a. North point and date of site plan preparation.
 - b. Approximate tract boundaries.
 - c. Location of tract by indicating nearest street(s) intersection and zoning district.
 - d. Dimensional features showing compliance with the applicable area, width, coverage, yard, and design standards specified in this Chapter.
 - e. Existing and proposed streets on and adjacent to the tract.
 - f. Existing topographical and physical features on and adjacent to the tract, such as structures and improvements, historic resources, easements, nature resources (soils, floodplains, wetlands, watercourses, and woodlands), and a description of how such features will be affected, and if impacted mitigated, by the proposal.
 - g. In the case of an associated subdivision, proposed general lot layout.
 - h. In the case of an associated land development, proposed general layout of the development, including locations of proposed structures, parking areas, and open spaces.
 - i. In the case of no associated subdivision or land development, proposed general layout of the use, including locations of proposed structures, parking areas, and open spaces.
 - j. Proposed method of water supply, sewage disposal and treatment, and stormwater management.
 - k. The Board of Supervisors may, at its discretion, request one (1) or more of the detailed site analysis plans and/or impact studies as may be required for a subdivision or land development plan, as described in the Subdivision and Land Development Ordinance.
 7. The Board of Supervisors may, at its discretion, request a market analysis. If such an analysis is requested, it shall contain information indicating the likelihood of the

proposed conditional use meeting with market support. The market analysis shall contain the following information:

- a. Uses evaluated. A description of the land uses evaluated as a part of the market analysis shall be provided. Included shall be the nature of the proposed uses in terms of the intended attraction of the proposed use to neighborhood, community, and/or regional populations and markets.
 - b. Identification of competition. Existing and approved developments that are likely to be in competition with the proposed use shall be identified. The analyst selected to perform the market study shall determine the area within which existing developments are likely to compete with the proposed use.
 - c. Analysis. Dependent upon type of use proposed, the market analysis shall include identification of the trade area to be served; where relevant, the supportability of floor areas to be devoted to specific use(s); a computation of existing floor areas of a nature similar to the use proposed; and a determination of the net supportable floor area within the trade area or study area defined.
 - d. Conclusions. The analyst shall proffer an opinion regarding the likelihood of the proposed use meeting with market support. Included in the conclusions shall be a statement regarding the appropriate time frame to consider construction of the development and scheduling of the development. Additionally, the types of tenants (if a leased project) which are likely to meet with market support in the development shall be identified.
8. In addition to the applicable above information, conditional use applications for the open space design option shall include sufficient information for determining compliance with Article XVII, and conditional use applications for other proposed conditional uses shall include sufficient information for determining compliance with the applicable regulations in Article XIX.
- C. Application review procedure.
1. Application completeness. The Township shall determine if the conditional use application is complete.
 2. Planning Commission review. Upon Township determination that the conditional use application is complete; the Township shall submit the application for recommendation to the Township Planning Commission, which shall begin review of the application at its next regularly scheduled meeting or a special meeting, as necessary. Upon completion of its review, the Planning Commission shall provide its comments and recommendations to the Board of Supervisors prior to the first conditional use hearing.
 3. Board of Supervisors review. The Board of Supervisors shall hold a public hearing, per Subsection C.5 based upon Act 247 Section 913.2, for public review and comment and to decide the approval or disapproval of the proposed use, taking into consideration the Planning Commission's recommendations on the matter.
 4. Conditions for approval. In reviewing an application for conditional use, the Township Planning Commission and Board of Supervisors shall evaluate the application for its degree of compliance with the following conditions with which the applicant shall be responsible for demonstrating compliance.

- a. The proposed use is consistent with the purpose of the zoning district in which it is permitted, the overall purpose for zoning as described in Article I, and the policies of the Comprehensive Plan.
- b. The proposed use is capable of satisfying the applicable provisions and requirements of the Subdivision and Land Development Ordinance and other applicable ordinances, codes and/or regulations.
- c. The proposed use is limited to those allowed as conditional uses within the zoning district in which the lot or tract is located.
- d. The proposed use and its proposed construction is located in an area for which site conditions are suited.
- e. The proposed use is compatible with land uses on adjacent properties, including historic structures, and will be designed, constructed and maintained in a manner which complements the appearance and character of the neighborhood.
- f. If containing more than one (1) building, the proposal consists of a harmonious grouping of buildings or other structures.
- g. The proposed use serves the health, safety, and general welfare of the Township.
- h. The proposed use is consistent with and will have no adverse effect upon the logical extension of public services and utilities, such as public water, public sewer, police, fire protection, recreational opportunities, open space, and public schools.
- i. The proposed use reflects an environmentally sensitive approach to land planning and design and will be sited in a manner sensitive to existing site conditions, including watercourses, vegetation, and other natural resources, and is consistent with Article XVIII.
- j. The proposed use provides safe and adequate access to existing or proposed streets, will not result in excessive traffic volumes, and will make improvements needed to create compatibility with adjacent streets and public services.
- k. Interior traffic circulation for the proposed use provides safe and convenient circulation for all users, including vehicular and pedestrian modes of traffic, parking areas, and addresses emergency management considerations.
- l. Evidence of adequate water supply and sewage disposal capability for the proposed use is provided. The tract or lot shall be served by a water supply system and a sewage disposal system deemed acceptable by the Board of Supervisors, upon recommendation of the Township Engineer. Such facilities shall be designed and constructed in compliance with the applicable sections of the Subdivision and Land Development Ordinance and Act 537 Sewage Facilities Plan.
- m. The proposed use will be developed using best stormwater management practices and soil erosion and sedimentation control techniques consistent with the requirements of the Subdivision and Land Development Ordinance and other applicable codes and ordinances.
- n. Development of a tract carried out in either a single phase or in stages shall be executed in accordance with a development agreement. The owner, developer, and Township shall enter into said agreement embodying all details regarding compliance with this Chapter to assure the binding nature thereof on the overall tract and its development, which agreement shall be recorded with the final development plan.

- o. Review of proposed conditional uses shall take into consideration the applicable requirements of Article XIX, in determining the consistency of the proposed application with the intent of this Chapter. Conditional use applications for the open space design option shall take into consideration requirements of Article XVII.
 - p. Language, terms, and conditions of any proposed covenants, easements, deed restrictions, or other restrictions shall be subject to review and recommendation by the Township Solicitor.
 - q. The Board of Supervisors may impose other conditions of approval, in addition to those required herein, as may be necessary to ensure compliance with this Chapter and any other relevant ordinances, regulations, and codes.
4. Hearings. The Board of Supervisors shall conduct the public hearing or may appoint any member or an independent attorney as a hearing officer. The Board of Supervisors shall make the decision or, where no decision is called for, the findings. However, the appellant or the applicant, as the case may be, in addition to the municipality, may, prior to the decision of the hearing, waive the Board's decision or findings and accept the decision or findings of the hearing officer as final. Public notice shall be given per § 240-2302.B. Hearings shall follow applicable requirements of § 240-2302.C. Decisions shall meet § 240-2303.
5. If the Board of Supervisors approves the conditional use application, such approval shall accompany any application for subdivision of land or land development or permit(s).
- D. Expiration or Extension of Conditional Use Approval. Unless the Board of Supervisors shall grant an extension via the applicant submitting complete forms for such furnished by the Township, any grant of conditional use approval shall be deemed null and void one (1) year from the date of such approval if, within that period, the applicant does not begin work or no application is made for a building permit, use and occupancy permit, or subdivision or land development, as appropriate, or any other approval or permit required by the Township to proceed with construction, occupancy, or use pursuant to the conditional use approval.

SECTION 240-2508. ZONING ORDINANCE AMENDMENTS

The Board of Supervisors may, from time to time, amend, including supplement, change, modify, or repeal, this Chapter, including the Zoning Map and other adopted materials in the Appendix, by proceeding in the manner prescribed in this Section in accordance with Act 247 Sections 609, 609.1, and 609.2. Proposals for amendment may be initiated by the Board of Supervisors on its own notion, Township Planning Commission, or by landowner(s) petition as follows.

- A. Proposals originated by the Board of Supervisors.
 - 1. Policy Amendment. The Board of Supervisors may determine amendment to this Chapter is needed for reasons of policy or regular Township business. The Board of Supervisors shall refer every proposed amendment to the Township Planning Commission and the County Planning Commission at least thirty (30) days prior to the hearing on such to provide an opportunity for review and to submit recommendation. Such shall consider

- whether the proposed amendment is consistent with the purpose and community development objectives in Article I of this Chapter, the Township Comprehensive Plan, County Comprehensive Plan, and Act 247.
2. Township Curative Amendment. The Board of Supervisors may determine amendment is needed to correct an invalidity in this Chapter. This type of amendment shall follow procedure in Act 247 Section 609.2.
- B. Proposals originated by the Township Planning Commission. The Township Planning Commission may at any time transmit to the Board of Supervisors any proposal for the amendment of the provisions of this Chapter. If the Board of Supervisors decides to move forward with such amendment as drafted, Subsection A.1 shall apply.
 - C. Hearings. In the case of amendments brought about based on Subsection A. and B., the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice, unless such proposal is withdrawn by the applicable party. Such hearing and notice shall meet requirements of Act 247 Section 609. No amendment shall become effective until after a public hearing in relation thereto.
 - D. Proposals originated by landowner’s petition. A landowner(s) who desires to challenge on substantive grounds the validity of this Ordinance or the Zoning Map or any provision thereof, which prohibits or restricts the use or development of land in which the landowner has an interest, may submit a curative amendment to the Board of Supervisors with a written request, along with the applicable fee, that the landowner’s challenge and proposed amendment be heard and decided per Act 247 Section 609.1, including the Board of Supervisors shall commence a hearing thereon within sixty (60) days of the request, the request shall be referred to the Township and County Planning Commissions, and notice of the hearing thereon shall be given.

SECTION 240-2509. VIOLATIONS, CAUSES OF ACTION, ENFORCEMENTS, AND APPEALS

- A. Violation. Whenever a violation of this Chapter occurs or is alleged to have occurred, any person may file a complaint in regard thereto. All such complaints, stating fully the causes and basis of the complaint, shall be in writing and shall be filed with the Zoning Officer. The Zoning Officer shall properly record such complaint, investigate, and take action thereon as provided by this article, and report to the Board of Supervisors regarding the complaint and the action taken thereon.
- B. Causes of Action. Where any building, structure, landscaping, or land is or is proposed to be erected, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Township Zoning Officer, or any other enforcement officer of the Township, in addition to other remedies, may institute an appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land or to prevent in or about such premises any act, conduct, business or use constituting a violation of this chapter.
- C. Enforcement Notice. If it appears to the Township that a violation of this Chapter has occurred, the Township shall initiate enforcement proceedings by sending an enforcement

notice as provided in this Section based on Act 247 Section 616.1. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record. An enforcement notice shall state at least the following:

1. The name of the owner of record and any other person against whom the Township intends to take action.
2. The location of the property in violation.
3. The specific violation, with a description of the requirements which have not been met, citing in each instance the applicable provisions of the Chapter.
4. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
5. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within the period of time and procedures set forth in Article XXII.
6. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions described.

D. Enforcement Remedies. Any person, partnership, or corporation that has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five-hundred dollars (\$500) plus all court costs, including reasonable attorney's fees incurred by the Township as a result thereof.

1. No judgment shall commence or be imposed, levied, or payable until the date of the determination of a violation by the Magisterial District Judge.
2. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.
3. Each day that a violation continues shall constitute a separate violation, unless the Magisterial District Judge determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating the Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth day following the date of the determination of a violation by the Magisterial District Judge, and thereafter each day that a violation continues shall constitute a separate violation.
4. All judgments, costs, and reasonable attorney's fees collected for the violation of the Zoning Ordinance shall be paid over to the Township.
5. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.
6. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.
7. Magisterial District Judges shall have initial jurisdiction over proceedings brought under Enforcement Remedies.

- E. Appeals. Appeals arising from a determination of the Zoning Officer shall be as specified under Act 247. All appeals from determinations adverse to a landowner shall be filed by the landowner within thirty (30) days after notice of the determination is issued.