

ARTICLE XIV
ENFORCEMENT REMEDIES

§14-1401. Violations

Unless and until a plat has been prepared in full compliance with the provisions of this Chapter and the Pennsylvania Municipalities Planning Code (Act 247) and all amendments thereto, and the regulations adopted hereunder, any person, partnership, or corporation that is the owner or agent of the owner of any lot, tract or parcel of land shall not (1) lay out, construct, open or dedicate any street, sanitary service, storm sewer, water main or other improvement for public use, travel or other purpose or for the common use or uses of occupants of buildings abutting hereon, or (2) sell, transfer or agree to sell or enter an agreement to sell land in a subdivision or land development. Any such person, partnership or corporation, including the members of such partnership or the officers of the corporation, or the agent of any of them, responsible in law or in fact for such violation, upon being found liable hereof in a civil enforcement proceeding commenced by the Center Township, must pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. Each day that a violation continues shall be a separate violation.

- A. No judgment shall commence or be imposed or payable until the District Justice having jurisdiction determines the date of violation.
- B. If the defendant neither pays nor timely appeals the judgment, the Township shall enforce the judgment pursuant to the rules of civil procedure.
- C. 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.
- D. Any fines or judgments collected shall be deposited in the Township's General Fund.

§14-1402. Preventative Remedies

In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations or to prevent illegal occupancy of a building, structure or premises. A description by metes and bounds in the instrument of transfer or other documents used

in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

- A. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any amendment adopted pursuant to these regulations. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - 1. The owner of record at the time of such violation.
 - 2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- B. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property and abate all violations noted.