

Ordinance No. 257
East Norriton Township
Montgomery County, Pennsylvania

AN ORDINANCE REQUIRING EXECUTION OF HOME BUYER'S NOTICE PRIOR TO THE ISSUANCE OF A USE AND OCCUPANCY PERMIT.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, under and by virtue of the Authority granted by the Second Class Township Code, do hereby enact and ordain.

Section 1. The Home Buyer's Notice is hereby formally adopted by the Board of Supervisors of East Norriton Township. A copy of said Notice is attached to this Ordinance, incorporated by reference, and labeled Exhibit "A".

Section 2.

A.) Anyone selling a residence within East Norriton Township as a result of which the residence will be occupied for the first time shall deliver to the Buyer(s) a copy of the Home Buyer's Notice at the time of signing the agreement of sale for the purchase of the residence.

B.) Prior to the issuance of a Use and Occupancy Permit by the Township of East Norriton, the Applicant(s)/Buyer(s) shall execute a copy of the Home Buyer's Notice which shall then be presented to the Township.

Section 3. No Use and Occupancy Permit shall be issued by the Township of East Norriton to an Applicant unless the Township of East Norriton is in receipt of a Home Buyer's Notice signed and dated by the Applicant.

Section 4. All Ordinances, or parts thereof, inconsistent with this Ordinance are hereby repealed.

Section 5. The provisions of this Ordinance are severable, and if any of its provisions shall be held to be illegal, invalid, or unconstitutional by any court or administrative or governmental agency of competent jurisdiction, the decisions of any court, administrative, or governmental agency shall not affect or impair any of the remaining provisions of this Ordinance.

Section 6. This Ordinance shall become effective _____
_____, 1987.

Enacted and ordained by The Board of Supervisors of East
Norriton Township, Montgomery County, Pennsylvania, this *16th* day
of *November*, 1987.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

By: *John S. Lawley*
Chairman

Attest

William J. Baerwald
Secretary

HOME BUYER'S NOTICE

Welcome to the Township of East Norriton. The Township Supervisors and staff of the Township of East Norriton welcome you to the Township and hope that your home buying experience will be a pleasant one.

In order to caution you against problems that the Township has had in the past with new construction, we have required your builder to have you execute this form.

Prior to approving the Subdivision in which your home is located, the Board of Supervisors of East Norriton Township, pursuant to the Second Class Township Code and the Municipalities Planning Code, have required that your builder escrow funds of money to insure the proper completion of the public improvements involved in your development. Among other things, these public improvements include streets, sidewalks, curbs, sanitary sewer system, storm drainage system (including detention basins, if applicable), street signs and street lights. Included in the storm drainage system is the proper grading of your individual lot along with your driveway. Those escrowed funds are to insure that if for any reason your builder does not complete the aforementioned public improvements, that the Township will have the funds to complete them.

Also, your builder was required to obtain a building permit from the Township of East Norriton, and that building permit fee provides for inspection by Township officials to insure that your home is built in accordance with the Township Building Code. You should be aware that the Building Code does not address cosmetic or incomplete minor items. Rather, the Building Code provides for the basic structural soundness of your house.

With respect to the grading that was mentioned before, you should be aware that the grading happens in two basic phases. Your lot is at least rough graded at the time that you occupy your home and subsequent to that time when the builder is getting ready to dedicate all of the various improvements to the Township of East Norriton, the final grading will be done which could be done long after you have moved into your home. The builder will require access to your property in order to complete this grading. He, of course, will be responsible for reseeding anything that is disturbed.

The main point of this notice is to advise you of two critical facts. The first fact is that the Township of East Norriton has provisions in its ordinances which require that a Use and Occupancy Permit must be obtained prior to any occupancy of the house. You may decide to buy your lot first and then have a home built on it. Some people have the builder do some of the work and they finish the home themselves. In any event, no

occupancy may be had prior to the issuance of the Use and Occupancy Permit. You should, therefore, make sure that your home is ready to be occupied before you plan settlement. If you have already sold your prior house or your lease is about to expire, make sure that your home is ready. You should be aware that if you move into your new home without having a Use and Occupancy Permit, you and/or the seller will be subject to a \$300. per day fine by the Township. This fine would be imposed for your own safety because a house without a Use and Occupancy Permit is a house that should not be occupied by anyone.

The second point which we want to bring to your attention is that the Township cannot legally assist you in any fashion with respect to claims against your builder for items that are incomplete or completed improperly other than the public improvements. If you feel that you have a problem that you cannot resolve with your individual builder, you should seek your own legal counsel to handle those matters.

This form must be executed by all buyers and returned to the Township of East Norriton prior to the issuance of a Use and Occupancy Permit.

Once again, welcome to East Norriton Township.

THE BOARD OF SUPERVISORS
OF EAST NORRITON TOWNSHIP

By: 
Helmuth J. Baerwald
Township Manager

The undersigned acknowledges receipt of a copy of this form.

Witness

Buyer

Witness

Seller

Dated: _____