

ARTICLE VIII - ADMINISTRATION, ENFORCEMENT, AND PENALTIES

Section 800. Administration.

- A. The Board of Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein.
- B. Officials of the Township having regulatory duties and authorities connected with, or pertinent to, the subdivision, use or development of land shall have the duties and authorities for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein or in any other ordinance, resolution, or motion adopted by the Board of Supervisors.
- C. Permits required by the Township for the erection or alteration of buildings, the installation of sewers or sewage disposal systems, or for other appurtenant improvements to, or use of, the land shall not be issued by the Township official until it has been ascertained that the site for such building, alteration, improvement or use is located in a development approved and publicly recorded in accordance with the provisions of this Ordinance.
- D. Such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded Final Plan or other land description acceptable in accordance with the provisions of this Ordinance, and that it is in compliance with all applicable provisions of this Ordinance.
- E. The Township building permit officer shall require that application for building permits contain all the information necessary to ascertain that, and shall not issue any building permit until it is determined that, the site and plan for the proposed building, alteration or other improvement is acceptable in accordance with the provisions of this Ordinance.
- F. The Township Sewage Enforcement Officer shall require that applications for sewage disposal system permits contain all the information necessary for him to ascertain that, and he shall not issue any sewage disposal system permit until he determines that, the site for the proposed system is acceptable in accordance with the provisions of this Ordinance.
- G. A municipality 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 or real property in violation of any ordinance adopted pursuant to this article. 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.

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 municipality 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.

Section 801. Violations, Enforcement and Penalties.

No person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, nor sell, transfer or agree to enter into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or erect any building thereon, unless and until a Final Plat has been prepared and approved in full compliance with the provisions of this Ordinance.

The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring any property shall not exempt the seller or transferor from the penalties, or the transferee from the remedies, herein provided.

The Board of Supervisors may initiate and maintain any form of civil action to obtain a writ of injunction against the owner or agency who is in violation of any provision of this Ordinance, or who attempts the improper sale or conveyances of land; and in proper cases to set aside and invalidate any conveyances or agreements to convey land made prior to Final Plan approval of any subdivision or land development.

Nothing herein shall prevent the Board of Supervisors from taking such other action necessary to prevent or remedy any violation.

- A. Duly authorized representatives of Liberty Township have the right to enter private property at reasonable times to investigate any condition associated with this ordinance.
- B. Any person who violates any of the provisions of this Ordinance shall, upon being found liable therefor in civil enforcement proceedings commenced by Liberty Township, shall be subject to a fine not exceeding the maximum amount permitted by the law of the Commonwealth of Pennsylvania for such violations, including reasonable attorney fees incurred by Liberty Township.
- C. Upon discovery of any violation of this Ordinance, Liberty Township may, at its sole and unfettered discretion, forgo any prosecution here-under, and may grant to the owner a period of seven (7) calendar days to comply with the provisions of this Ordinance. Upon failure of the owner to effect such compliance, the Township may initiate prosecution as provided in this section.

In addition to other remedies, the municipality may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises.

Section 802. Appeals.

Decisions made by the Township may be appealed in accordance with the Pennsylvania Municipalities Planning Code.

Section 803. Repealer.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 804. Severability.

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of the remaining provision, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Liberty Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.