

WEST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. __ - 2021

ORDINANCE CREATING Chapter 85 Resale Certificates Required

WHEREAS, the Township of West Goshen desires to create Chapter 85 Resale Certificates Required, to require residential structures be inspected prior to the transfer of ownership, verifying basic life-safety features are in place and that stormwater is not infiltrating the public sewer system.

NOW, THEREFORE, BE IT ORDAINED that the Township of West Goshen, Chester County, Pennsylvania, does hereby state the following:

Chapter 85 Resale Certificates Required:

§ 85-1 Definitions

Authorized Agent- Any person who has legal authority by contract to represent the owner of the subject property which is being transferred for resale.

Board of Appeals- An independent board setup by the West Chester Area Council of Governments to hear building code and property maintenance code related appeals.

Municipal Checklist- Basic life-safety checklist used by the resale inspector prior to the issuance of a resale certificate.

Owner- Any person who has legal or equitable title to the property of which is being transferred for resale.

Resale Certificate- is a document obtained from the Township of West Goshen prior to the transfer of any residential property that is being offered for resale.

Resale Inspector- Any person authorized by the Township of West Goshen's Department of Code Enforcement who will verify the municipal resale checklist is complete.

Temporary Resale Use and Occupancy Permit- a document issued in accordance with Act 133 of 2016 that authorizes the purchaser to fully utilize or reside in a property while correcting code violations noted during the resale inspection. A temporary resale use and occupancy permit shall be good for a period of twelve months (12) unless otherwise negotiated with the municipality and the buyer and will be issued in the case of an as-is transfer or if a seller will not have the opportunity to make the corrections prior to the transfer of the real property.

§ 85-2 Application and Procedure

- A. An application for a resale certificate shall be obtained from the Township of West Goshen no less than fifteen (15) days prior to the transfer of residential property.
- B. The application shall be filled out completely by the owner or their authorized agent. The application shall be returned to the Township of West Goshen with the appropriate inspection fee defined by the Township of West Goshen fee schedule.
- C. The owner or their authorized agent shall be responsible to schedule the resale inspection with the West Goshen Department of Code Enforcement and shall make themselves available for the resale inspector during normal business hours.
- D. Resale inspections will only take place during regular business hours.
- E. The resale inspection fee shall cover two inspections, an initial inspection and a follow-up inspection. Additional visits shall result in a re-inspection fee as defined by the Township of West Goshen fee schedule.
- F. If an owner or their authorized agent fails to show for the scheduled inspection, the subject property will fail and this will count toward the initial visit.
- G. Once the resale inspector has completed the municipal checklist, a resale certificate will be issued by the Department of Code Enforcement within three (3) business day.
- H. If a temporary resale use and occupancy permit is required, the township and the buyer will negotiate a timeframe for repairs to be completed.
- I. If a temporary resale use and occupancy permit was issued and the buyer has completed the repairs within the timeframe outlined by the temporary permit, the municipality will re-inspect the property. Once a re-inspection shows that all violations have been fixed, the temporary certificate will be replaced with a permanent one.

§ 85-3 Resale Use and Occupancy Inspection

- A. The seller will self-certify that the smoke detectors within the home are in compliance with the following: All residential dwelling units shall be provided with a minimum of one single-station smoke detector on each habitable floor level including the basement and one single-station smoke detector within each bedroom. When activated, the smoke detector shall provide an audible alarm to warn the occupants within the individual room or unit.

B. The resale inspector shall inspect for the following items:

- 1) Address Identification- The proper address was identified with 4” numbers on the house and/or mailbox.
- 2) Sump Pump and Condensate Lines- The sump pump and condensate lines are not connected to the public sewer system and drain to the exterior of the home.
- 3) Roof Drains- Roof drains are not connected to the public sewer system and discharge in a lawful manner.
- 4) Sewer Vents and Clean-outs- The inspector will verify that the sewer vent and clean-out are not broken and properly capped to prevent storm water from entering the public sewer system.

§ 85-4 Means of Appeal

- A. Any applicant who has filed for a resale certificate has the right to an appeal if the they the resale inspector has misinterpreted the code. The West Chester Area Council of Governments (WCACOG) has formed a Board of Appeals, which shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code. The Board of Appeals shall be appointed by the WCACOG and shall be governed by the rules and regulations adopted by the WCACOG. The Board of Appeals shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

§ 85-5 Violations and Penalties

- A. Any person who violates or permits the violation of any provision of this chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be subject to the payment of a fine of not less than \$100 and not more than \$1,000, plus the costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. Each section or provision of this chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than \$100 and not more than \$1,000, plus the costs of prosecution, or upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. All fines and penalties collected for the violation of this chapter shall be paid to the Township Treasurer.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 610 of the Pennsylvania Municipalities Planning Code, the Township of West Goshen Board of Supervisors hereby approves the creating of Chapter 85 Resale Certificates.

Adopted this ____ day of _____, 2021.

Shaun Walsh, Chair

Ashley Gagné, Vice-Chair

Robin Stuntebeck, Member

John Hellmann, Member

Hugh Purnell, Jr., Member

Casey LaLonde, Township Manager

**West Goshen Township
Department of Planning and Zoning
Resale Use and Occupancy Certificate**

Property Address: _____

Seller's Name: _____

Seller's Email: _____

Seller's Phone Number: _____

Buyer's Name: _____

Buyer's Email: _____

Buyer's Phone Number: _____

Tax Parcel #: _____ **Settlement Date:** _____

Will the home be owner occupied or will it be a rental property? _____

HOMEOWNER CERTIFICATION

Smoke Detectors

I, the homeowner or their designee, do hereby certify that the smoke detectors within the home are in compliance with the following: All residential dwelling units shall be provided with a minimum of one single-station smoke detector on each habitable floor level including the basement and one single-station smoke detector within each bedroom. When activated, the smoke detector shall provide an audible alarm to warn the occupants within the individual room or unit.

Print Name

Signature

Date

WEST GOSHEN TOWNSHIP HAS VERIFIED THE FOLLOWING DURING THEIR INSPECTION:

- 1) Address Identification- The proper address was identified with 4" numbers on the house and/or mailbox.
- 2) Sump Pump and Condensate Lines- The sump pump and condensate lines are not connected to the public sewer system and drain to the exterior of the home.
- 3) Roof Drains- Roof drains are not connected to the public sewer system and discharge in a lawful manner.
- 4) Sewer Vents and Clean-outs- The inspector will verify that the sewer vent and clean-out are not broken and properly capped to prevent storm water from entering the public sewer system.

***** For Township Use Only *****

Certificate of Occupancy

The unit has been inspected and found to be in accordance with the four items listed above. The unit was inspected on _____ by _____.

Inspector's Signature

Date of Certificate

The West Goshen Township Department of Code Enforcement recommends that the buyer of any dwelling unit in West Goshen Township look at the following items for their own personal well-being. This list represents some of the most common items that need addressed within a dwelling unit. These are simply recommendations and not are required as part of the sale of any property within West Goshen Township. If you have any questions please do not hesitate to contact the codes office at 610-696-5266. **WELCOME TO WEST GOSHEN, WE ARE GLAD YOU ARE HERE!**

- 1) _____ All windows are operating properly with no broken or cracked glass.
- 2) _____ Insect screens are properly installed.
- 3) _____ Landings 30” above grade shall have the proper guards installed.
- 4) _____ Stairways with 3 or more risers shall have the proper handrail installed.
- 5) _____ Driveways, curbs and sidewalks are being properly maintained and free from any trip hazards.
- 6) _____ Heating and air condition equipment is in proper working condition and has been maintained annually.
- 7) _____ Gas and oil fueled heaters shall have an emergency switch installed secondary to the maintenance switch.
- 8) _____ Water heaters shall have the relief valve piped 6” from the floor and shall be Copper or CPVC.
- 9) _____ Toilets shall be working properly and shall only be filled to the fill line inside the tank.
- 10) _____ GFCI’s should be installed within 6 feet from the edge of any sink, tub, laundry tub or exterior receptacles.
- 11) _____ Properties built after 2009, utilizing fossil fuel for heating and cooking, shall have a working carbon monoxide detector install in accordance with the building code.
- 12) _____ Knock out bushings shall be installed in all opening within the main service panel.
- 13) _____ Properties utilizing an on-site well shall provide a well test showing the water is bacteria free.
- 14) _____ Dryer exhaust shall be vented to the exterior and should be kept clear of any obstructions and should be cleaned regularly to avoid a potential fire hazard.
- 15) _____ Install a frost-free hose bib to avoid a potential pipe burst.
- 16) _____ Verify when the last time the on-lot sewer system was pumped because per the township code requires you to provide us with a receipt that the system was pumped every three years.

West Goshen Township recommends you obtain a private, third party home inspection. This list shall not be taken in lieu of a private, third party home inspection. West Goshen Township will not inspect this list as part of their resale inspection.