

**TOWNSHIP OF DOVER
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2022-02

**AN ORDINANCE OF THE TOWNSHIP OF DOVER, YORK COUNTY,
PENNSYLVANIA PROVIDING FOR THE AMENDMENT OF CHAPTER 27 OF
THE DOVER TOWNSHIP CODE OF ORDINANCES, “ZONING” TO ADD A NEW
PART 13, “PLANNED RESIDENTIAL DEVELOPMENT”**

WHEREAS, On February 14, 2022, the Board of Supervisors adopted a Statement of Legislative Findings in support of the updating of the Township’s zoning ordinance to support design standards and housing type flexibility within subdivisions, which Statement of Legislative Findings is incorporated herein by reference thereto.

NOW, THEREFORE, the Board of Supervisors hereby amends the Township’s Code of Ordinances, Chapter 27, “Zoning,” by adding a new Part 13, Planned Residential Development” as follows:

**Part 13
Planned Residential Development**

§ 27-1301. Purpose.

The purposes of the Planned Residential Development District, otherwise known as PRD District, are to:

1. Encourage innovations in residential and commercial development and renewal so that the growing demand for live/work/shop communities and housing may be met by greater variety in type, design and layout of dwelling, and by the conservation and more efficient use of open space ancillary to said dwellings.
2. Provide greater opportunities for better housing and recreation for all who are or will be residents of the PRD District and/or the Township.
3. Encourage a more efficient use of land and public services, so that the economies secured may inure to the benefit of those who need homes.
4. To encourage more flexible land development which will respect and conserve natural resources such as streams, lakes, floodplains, groundwater, wooded areas, steep sloped areas, and areas of natural beauty or importance to the natural ecosystem.
5. In aid of these purposes, provide a procedure which can relate the type, design, and layout of residential and commercial development to the particular site and the particular demand for housing existing at the time of development in a manner consistent with the preservation

of the property values within existing residential areas and ensure that the increased flexibility of the regulations over land development established hereby is carried out pursuant to sound, expeditious and fair administrative standards and provisions.

6. Reduce the excessive sprawl of development and the segregation of land uses that cause unnecessary traffic congestion.

7. Promote the creation of places which are oriented to the pedestrian, thereby promoting citizen security and social interaction.

8. Preserve the remaining rural, historic and agricultural character of the community by directing new development to appropriate locations and minimizing the visual impact of development upon the viewsheds of public roadways.

9. Promote alternative land development practices, which will otherwise promote the public health, safety, and welfare. Neotraditional neighborhoods and developments, including hamlets and villages, with well-designed and connected open spaces for community gathering and recreation are the desired alternative to conventional, modern use-segregated developments, such as large lot suburban subdivisions and strip commercial developments.

10. Reduce the excessive sprawl of development and the segregation of land uses that result in unnecessary traffic congestion. Discourage the development of drive-through facilities which encourage the use of private automobiles, which contribute to traffic congestion.

11. Discourage generic-type modern suburban development that bears no relation to the historic development pattern of York County.

12. Promote the creation of new neighborhoods and developments that exhibit the design features of traditional neighborhoods, hamlets, villages and small towns of York County.

13. Promote the creation of places which are oriented to pedestrians, thereby promoting citizen security and social interaction.

14. Promote developments with a mix of residential dwelling types, a range of lot sizes, mixed-use structures with offices and/or apartments above ground level, retail uses surrounding a community green and related community facilities.

15. Promote developments where the physical, visual and spatial characteristics are established and reinforced through the consistent use of compatible urban design and architectural design elements. Such elements shall relate the design characteristics of an individual structure or development to other existing and planned structures or developments in a harmonious manner, resulting in a coherent overall development pattern and streetscape.

16. Promote the creation of developments that are identifiable in the landscape, surrounded by open space and help preserve sensitive natural features.

17. Address the design principles embodied in Article VII-A of the Pennsylvania

Municipalities Planning Code pertaining to traditional neighborhood development.

18. The planned residential development shall be generally consistent with the Dover Township Comprehensive Plan or any specific plan.

§27-1302. Definitions

1. Zero Lot Line Single Family Detached: A building containing only one dwelling unit and having two side yards. A zero-lot-line property is one where a home or building has at least one wall placed on the boundary line of the property, leaving virtually no room between the building and the boundary line. This can occur when individual plots are small, and it maximizes living space at the expense of the yard.
2. Zero Lot Line Single Family Semi-Detached: a portion of a building containing one dwelling unit, having one side yard and having one party wall in common with another dwelling unit. Each dwelling unit is located on its own lot. A zero-lot-line property is one where a home or building has at least one wall placed on the boundary line of the property, leaving virtually no room between the building and the boundary line. This can occur when individual plots are small, and it maximizes living space at the expense of the yard.

§27-1303. General Requirements for a Planned Residential Development.

1. The Board of Supervisors shall hear and decide requests for a planned residential development.
2. The proposed planned residential development shall consist of one or more contiguous parcels of land under single ownership or control.
3. The proposed planned residential development shall contain a minimum of twenty-five (25) acres of land.
3. The planned residential development shall be permitted to locate only in the R-3 Residential District, R-4 Residential District, BP- Business Office Park District and C- Commercial District.
4. A planned residential development shall be served by public water and public sewer.
5. An application for development of a planned residential development shall be governed by this Part and the procedures of Article VII of the Pennsylvania Municipalities Planning Code (MPC).

§27-1304. Preapplication Meeting.

1. Before submission of an application for tentative approval under MPC §707, the applicant shall have a meeting with the Township to determine the feasibility, suitability and timing of

the application. The intent of this step is for the applicant to obtain information and guidance from Township personnel before entering into any commitments or incurring substantial expenses with regard to the site and the PRD site plan preparation.

2. Township Planning Commission. The preapplication meeting shall include a meeting with the Dover Township Planning Commission in order for the Planning Commission to provide comments on the proposed planned residential development.

3. The preapplication meeting shall include the following topics:

A. Pedestrian design approach such as internal pedestrian trails or sidewalk system, or to the extent applicable, connection to an existing rail trail or other existing pedestrian system.

B. Open Space design parameters, such as incorporating stormwater management facilities, neighborhood park and play areas.

C. Community green area and any amenities such as a gazebo or benches for residents to gather.

D. Architectural design standards for the PRD.

E. Gateways and focal points.

F. Proposed mix of residential and non-residential uses.

G. Block and street layout.

H. Parking and pedestrian improvements.

3. Relationship to formal review process. The submission of a preapplication conference submission shall not be deemed the beginning of the time period for review as prescribed by law. The preapplication conferences are intended to be advisory only and shall not bind the Township to approve any application for development.

§27-1305. Application for Tentative Approval.

1. The application for tentative approval shall be filed with the zoning officer for the Township. An initial filing fee in an amount established by the Township shall be paid upon filing of the application to be applied against review fees and other expenses related to the approval process. Additional deposits shall be made from time to time as requested by the Township to be applied against review fees and other expenses related to the approval process.

2. Application content. An application for tentative approval of a planned residential development shall include the following:

A. Nine (9) sets of the application and supporting documentation.

B. The application shall contain the following information:

- (1) Location, size and topography of the site and the nature of the landowner's interest in the land proposed to be developed;
- (2) The density of land use to be allocated to parts of the site to be developed.
- (3) The location and size of the common open space and the form of organization proposed to own and maintain the common open space.
- (4) The use and the approximate height, bulk and location of buildings and other structures.
- (5) The feasibility of proposals for water supply and the disposition of sanitary waste and storm water.
- (6) The substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including proposed easements or grants for public utilities.
- (7) The provisions for parking of vehicles and the location and width of proposed streets and public ways.
- (8) The required modifications in the municipal land use regulations otherwise applicable to the subject property.
- (9) The feasibility of proposals for energy conservation and the effective utilization of renewable energy sources.
- (10) The incorporation of the design standards as set forth in §27-1303(3).
- (11) In the case of development plans which call for development over a period of years, a schedule showing the proposed times within which applications for final approval of all sections of the planned residential development are intended to be filed and this schedule must be updated annually, on the anniversary of its approval, until the development is completed and accepted.
- (12) The application for tentative approval of a planned residential development shall include a written statement by the landowner setting forth the reasons why, in his opinion, a planned residential development would be in the public interest and would be consistent with the comprehensive plan for the development of the municipality.

C. Environmental impact assessment documenting compliance with the MPC. Such assessment shall indicate reasons why the planned residential development is consistent with the Comprehensive Plan and is in the interest of the Township.

D. Graphic and architectural guidelines shall be included as part of the application for review and approval by the Board of Supervisors.

E. Within sixty (60) days after the filing of an application for tentative approval, unless such time period is waived by the applicant, a public hearing pursuant to public notice shall be held by the Board of Supervisors in the manner prescribed by Article IX of the MPC. The Board of Supervisors may continue the hearing from time to time, provided, however, that in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing unless such time period is waived by the applicant.

F. York County Planning Commission review and comment. At least 30 days before the public hearing, the Township shall submit the application for tentative approval of a planned residential development to the York County Planning Commission for review and comment as required by the MPC. At least 30 days before the public hearing, the Township shall submit the application for tentative approval of a planned residential development to the Dover Township Planning Commission for review and comment.

3. Findings. Within sixty (60) days following the conclusion of the public hearing or within one hundred eighty (180) days after the date of filing the application, whichever occurs first (unless extended by the applicant), the Board of Supervisors shall make findings by official written communication to the landowner in accordance with §709 of the MPC.

4. The Board of Supervisors may permit the modification of the requirements of the PRD ordinance in order to encourage innovative design, provided that the modification best serves the intended purpose and goal of the PRD Ordinance and the modification would not result in an adverse impact to adjoining properties.

5. Official written communication.

The official written communication shall be certified by the Township Secretary and shall be filed with the Township, and a certified copy shall be mailed to the landowner. Where tentative approval has been granted, it shall be deemed an amendment to the zoning map, effective upon final approval and shall be noted on the zoning map.

§27-1306. Final Approval.

1. Submission of application. The application for final approval of a planned residential development shall be submitted within twelve (12) months after tentative approval unless the Board of Supervisors grants an extension upon written request of the applicant to a date not to exceed twenty-four (24) months from the date of tentative approval. Phased planned residential developments, however, shall have applications for final approval made pursuant to the phase schedule set forth in the official written communication of the findings of the Board of Supervisors with respect to tentative approval.

2. Application content. An application for final approval of a planned residential development shall include the following:

- A. Nine (9) sets of the application and supporting documentation.
- B. Application fee and review fees for final approval of a planned residential development.
- C. Plans and documentation as required by the Dover Township Subdivision and Land Development Ordinance §601 and §602.
- D. Typical drawings, including floor plans and elevations (but not including working drawings for buildings), for all structures and buildings, other than a single-family detached dwelling.
- E. The final plan for the planned residential development shall contain those items approved in the application for tentative approval.
- F. A development schedule showing:
 - (1) The proposed dates for the beginning of construction on said sections.
 - (2) The proposed dates for the completion of construction on said sections.
 - (3) The proposed schedule for the construction and improvement of the common areas.
 - (4) Deed restrictions or Declarations or other proposals to preserve the character of the common areas.
- G. If the applicant elects the association or nonprofit corporation method of administering common areas, the proposed bylaws of the association or the certificate of incorporation and the incorporated bylaws of the nonprofit corporation.
- H. If the developer elects the condominium or Planned Community method of ownership of common areas, the proposed declaration of condominium bylaws and related documents.
- I. Instruments dedicating all public and private rights-of-way, easements and other public lots shown on the final development plan from all persons having any interest in said lots.

3. Action on application for final approval. Action on the application for final approval shall be in accordance with §711 of the MPC.

4. Recording of final development plan. Recording of the final development plan shall be in accordance with §711(d) of the MPC.

5. No development shall take place until the final development plan has been approved and recorded.

6. Approval period.

A. In the event the application for final approval has been filed, together with all drawings, specifications and other documents in support thereof, and as required by this Part and the official written communication of tentative approval, the municipality shall, within forty-five (45) days from the date of the regular meeting of the Board of Supervisors next following the date the application is filed, grant such development plan final approval, provided, however, that should the next regular meeting occur more than thirty (30) days following the filing of the application, the 45-day period shall be measured from the 30th day following the day the application has been filed.

B. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Board of Supervisors may refuse to grant final approval and shall, within forty-five (45) days from the date of the regular meeting of the Board of Supervisors next following the date the application is filed, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more of said variations are not in the public interest, provided, however, that should the next regular meeting occur more than thirty (30) days following the filing of the application, the 45-day period shall be measured from the 30th day following the day the application has been filed. In the event of such refusal, the landowner may either:

§27-1307. Financial Security.

1. The completion of the required improvements or the posting of financial security to guarantee completion of the required improvements shall be in accordance with the Dover Township Subdivision and Land development Ordinance and §509 of the MPC.
2. The release from any financial security shall be in accordance with the Dover Township Subdivision and Land development Ordinance and §510 of the MPC.

§27-1308. Uniformity with the Subdivision and Land Development Ordinance.

The provisions of this Part are intended to make uniform the requirements of this Part and the Township Subdivision and Land Development Ordinance. Whenever this Part does not address a specific requirement, then the Township's Subdivision and Land Development Ordinance shall control, including but not limited to, the payment of recreation fees. Whenever a provision of the Township's Subdivision and Land Development Ordinance is amended, any provision referenced in this Part shall be incorporated into this article as of the effective date of the amendment.

§27-1309. Uses Permitted.

1. Residential Uses permitted. Residential uses permitted in planned residential developments are the following as defined in the Township's Zoning Ordinance:

A. Single-family detached dwellings.

- B. Single-family semidetached dwellings.
- C. Two-family detached dwellings.
- D. Single-family attached dwellings (townhouses).
- E. Multiple-family dwellings.
- F. Zero Lot Line Single-family detached dwellings
- G. Zero Lot Line Single-family semidetached dwellings

2. Commercial Uses.

The following commercial uses are permitted in a planned residential development and shall be reviewed in accordance with the requirements of Chapter 27, Part 6 for each use:

- A. Child Day Care (large or small)
- B. Banks
- C. Commercial school
- D. Drive-thru, fast food restaurant (abutting arterial road)
- E. Farmer's market
- F. House of worship
- G. Laundry
- H. Medical facilities
- I. Personal services
- J. Retail sales & services
- K. Service station (abutting arterial road) or Convenience store
- L. Sit-down restaurant that permit outside cafes on sidewalks
- M. Tavern
- N. Brew pub/wine tasting
- O. Commercial recreational facility
- P. Hotel/motel
- Q. Conference center
- R. Pet grooming/animal day care
- S. Business and Professional Offices
- T. Care facilities
- U. Public and Semi-Public Facilities and Uses

3. Commercial use regulations.

A. To the extent feasible, commercial uses shall be grouped together adjacent to an arterial or collector street located within the planned residential development and be provided with shared off-street parking, signage and landscaping.

B. The minimum portion of the planned residential development for commercial uses shall be 25% of the lot area.

C. Maximum impervious surface. On any portion of the planned residential development dedicated to commercial uses, no combination of structures and impervious surfaces, including asphalt or concrete paved areas for parking, access, driveways, pedestrian access walkways and rock-lined stormwater detention facilities, shall exceed 60% of the lot area

dedicated to commercial uses.

§27-1310. Maximum Dwelling Units.

The maximum number of dwelling units permitted in a planned residential development shall be calculated as follows:

1. Residential Districts. The maximum number of dwelling units shall be 5 units per acre based on total lot area.
2. BP and Commercial Districts. The maximum number of dwelling units shall be five (5) units per acre.

§27-1311. Mix of Housing Types.

1. A planned residential development shall have a mix of housing types, consisting of the following types, within the following proportions:
 - A. Single-family detached dwellings: a maximum of 50% of all proposed dwelling units.
 - B. Single-family semidetached dwellings: a maximum of 35% of all proposed dwelling units.
 - C. Two-family detached dwellings: a maximum of 35% of all proposed dwelling units.
 - D. Single-family attached dwellings (townhouses): a maximum of 35% of all proposed dwelling units.
 - E. Multiple-family dwellings: a maximum of 60% of all proposed dwelling units.
2. The remainder of the housing types shall be left to the discretion of the applicant. The requirements of this section may be waived by the Board of Supervisors upon the applicant successfully demonstrating that the required housing type(s) are not then presently marketable. Upon granting a waiver, the required percentage of the remaining housing types shall be increased proportionately.
3. Buildings containing dwelling units shall be designed to vary in appearance. Building designs shall vary in terms of footprint, architectural elevations, fenestration, type of roof, height, front entrance and porch locations. Colors, materials and architectural details should be limited in number, compatible, and used through the neighborhood; however, a monotonous pattern should be avoided.
3. The PRD shall have a minimum of three (3) housing types.

§27-1312. Additional Standards.

1. Housing and other facilities near the periphery of the planned residential development shall be designed so as to be harmonious with neighboring residential uses and zoning districts.
2. No structures or building shall be within twenty (20) feet of the right- of-way or access roads.
3. No structures or building shall be less than fifty (50) feet from the property lines of the development
4. A planting strip of at least twenty (20) feet shall be provided along all property lines at the periphery of the development.
5. To the extent feasible, the minimum yard setbacks shall apply for the underlying zoning district. Minimum yard setbacks for the BP and C districts shall follow the minimum yard setbacks for the R-4 district. The Board of Supervisors may modify the minimum yard setbacks if the applicant can demonstrate to the Board of Supervisors that a modification of the minimum yard setbacks is necessary to accommodate the mix of housing types and that the modification requested will not adversely impact the overall design and layout of the planned residential development.
6. Building height. The maximum shall be in accordance with the regulations specified in the underlying zoning district.
7. Buffers and screening.

Buffers and screening shall be provided in accordance with the requirements contained in the Township's Subdivision and Land Development Ordinance or Zoning Ordinance, as applicable.

8. Outdoor lighting.

Outdoor lighting shall meet the requirements contained in the Township's Subdivision and Land Development Ordinance or Zoning Ordinance, as applicable.

9. Minimum Lot Size – The minimum lot size for residential uses shall meet the minimum lot requirements for the R-3 District, and commercial uses shall meet the minimum lot size requirements for the Commercial District.
10. In order to ensure that a PRD with a mixture of residential and commercial uses is built out with a balance between residential and commercial uses, the applicant shall be required to construct at least 25% of commercial uses after 50% of residential dwelling units are constructed.

§27-1313. Parking.

1. Parking requirements shall be in accordance with either the Township's Subdivision and Land Development Ordinance or Part 7 of the Zoning Ordinance, as applicable. A minimum of two off-street parking spaces per dwelling unit is required.
2. The required off-street parking spaces for guests shall be situated within two hundred (200) feet of the dwelling units to be serviced. The minimum guest parking shall be calculated at 1.5 spaces per dwelling unit.

§27-1314. Sidewalks, Streets and Access Drives.

1. A pedestrian system shall be provided interconnecting all residential areas and individual dwelling units with other dwelling units, nonresidential uses and common open spaces, as well as connecting to adjoining developments and public and semipublic uses. Sidewalks shall be of barrier-free design to the greatest extent possible and shall meet the requirements of the Americans With Disabilities Act. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping and other street furniture where appropriate.
2. Nonmotorized paths shall be provided where possible, linking internal open space areas with perimeter open space areas and open space areas on adjacent tracts. Nonmotorized paths shall be a minimum of ten (10) feet wide and may use asphalt paving. Nonmotorized paths shall be designed for shared use by both bicyclists and pedestrians and shall be set back from curbs a minimum of five (5) feet.
3. Streets, driveways, service or access drives, sidewalks and walkways shall be designed and installed in the manner prescribed by the Township's Subdivision and Land Development Ordinance or Zoning Ordinance as applicable.

§27-1315. Open Space.

The open space shall be located so as to be consistent with the objectives and purposes of a planned residential development and shall adhere to the following requirements:

1. A minimum of 30% of the lot area of the planned residential development shall be devoted to common open space. Stormwater facilities shall be excluded from the calculation for open space unless the stormwater facilities are included in the landscaping plan.
2. There shall be provisions which ensure that the open space land shall continue as such and be properly maintained. The developer shall either:
 - A. Dedicate such land to public use if the Township or another public agency has indicated it will accept such dedication;

- B. Retain ownership and responsibility for maintenance of such open space land; or

C. Provide for and establish one or more organizations for the ownership and maintenance of all common open space.

D. The organizational documents for such organization shall be reviewed and approved by the Township Solicitor and shall, at a minimum provide for:

- (1) operated with financial subsidization by the developer, if necessary, before the sale of any lots within the development;
- (2) Mandatory membership in the organization for all owners of dwelling units;
- (3) Maintenance of insurance and taxes on common open space.
- (4) Maintenance and development common open space;
- (5) Provisions for governance of the organization;
- (6) Provisions for remedies for failure to maintain common open space

3. Common open space shall be provided in the form of internal open space, greenways, and perimeter buffers. Internal open space shall be designed to provide a variety of outdoor experiences and amenities, such as pocket parks, plazas, greens/squares, mini park/play areas, or neighborhood parks. There shall be at least one (1) internal open space type located within fifteen hundred (1,500) feet of ninety (90) percent of all dwellings within a new neighborhood, determined by a fifteen-hundred-foot-radius from the outermost boundary of such open space.

4. Internal open spaces shall contain a minimum area of five hundred (500) square feet and shall be shaped in a rectangular or square shape. Internal open space shall be spatially enclosed on at least two sides by the buildings that front on the area or front upon the streets bounding the area. The internal open space shall be landscaped such that a minimum of seventy-five (75) percent of the area is covered with trees, shrubs, lawn and/or ground cover, where a majority of all vegetation is native species. A minimum of fifty (50) percent of internal open spaces shall be designed as active gathering places for strolling, sitting, social interaction and informal recreation.

5. Each development shall be designed to have one primary internal space, which shall be considered as part of the thirty (30) percent common open space requirement and shall be referred to as the "community green." The community green shall have a minimum area of 10,000 square feet, and the size, shape and design of the community green shall provide adequate space for concerts, outdoor exhibits and community gatherings, based on the number of residents expected in the development. Public rest rooms shall be considered in each community green. The community green should be surrounded by development which may include residential, commercial and other public or civic uses. If the development includes a Main Street commercial area, the community green shall either front or terminate the Main Street or incorporated into a combined community focus for the development.

§27-1316. Enforcement and Modification of the Plan.

To further the mutual interest of the residents of the planned residential development and of the public in the preservation of the integrity of the development plan, as finally approved, and to insure that modifications, if any, in the development plan shall not impair the reasonable reliance of the said residents upon the provisions of the development plan, nor result in changes that would adversely affect the public interest, the enforcement and modification of the provisions of the development plan as finally approved, whether those are recorded by plat, covenant, easement or otherwise shall be subject to the following provisions:

1. The provisions of the development plan relating to:

- A. The use, bulk and location of buildings and structures;
- B. The quantity and location of common open space, except as otherwise provided in this article; and
- C. The intensity of use or the density of residential units; shall run in favor of the Township and shall be enforceable in law or in equity by the Township, without limitation on any powers of regulation otherwise granted the Township by law.

2. All provisions of the development plan shall run in favor of the residents of the planned residential development but only to the extent expressly provided in the development plan and in accordance with the terms of the development plan, and to that extent said provisions, whether recorded by plat, covenant, easement or otherwise, may be enforced at law or equity by said residents acting individually, jointly, or through an organization designated in the development plan to act on their behalf; provided, however, that no provisions of the development plan shall be implied to exist in favor of residents of the planned residential development except as to those portions of the development plan which have been finally approved and have been recorded.

3. All those provisions of the development plan authorized to be enforced by the Township under this section may be modified, removed, or released by the Township, except grants or easements relating to the service or equipment of a public utility, subject to the following conditions:

A. No such modification, removal or release of the provisions of the development plan by the municipality shall affect the rights of the residents of the planned residential development to maintain and enforce those provisions, at law or equity, as provided in this section.

B. No modification, removal or release of the provisions of the development plan by the municipality shall be permitted except upon a finding by the Board of Supervisors following a public hearing thereon pursuant to public notice called and held in accordance with the provisions of this Part, that the same is consistent with the efficient development and

preservation of the entire planned residential development, does not adversely affect either the enjoyment of land abutting upon or across the street from the planned residential development or the public interest, and is not granted solely to confer a special benefit upon any person.

C. Residents of the planned residential development may, to the extent and in the manner expressly authorized by the provisions of the development plan, modify, remove or release their rights to enforce the provisions of the development plan but no such action shall affect the right of the Township to enforce the provisions of the development plan in accordance with the provisions of this section.

§27-1317. Violations.

Any person, partnership, corporation or other entity, who or which has violated the provisions of this Part shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the appropriate rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the defendant violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of planned residential development provisions shall be paid over to the Township.

ENACTED AND ORDAINED this 24th day of October, 2022.

ATTEST:

DOVER TOWNSHIP

Brooke Searce, Secretary

BY: _____
Stephen Stefanowicz, Chairman