



# Douglass Township, Montgomery County

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## NEW RESIDENTIAL SALE NOTICE / DISCLOSURE REQUIREMENT

Douglass Township, Montgomery County, adopted Ordinance No. 2005-03 on January 18, 2005. The ordinance applies to newly constructed residential dwelling units within the Township. A copy of the New Residential Sale Notice/Disclosure requirements may be reviewed at the following location:

<https://ecode360.com/39417145>

Pursuant to the Douglass Township Subdivision and Land Development Ordinance, the seller of any newly constructed residential property is required to provide the buyer with a copy of the New Residential Sale Notice/Disclosure Statement Ordinance and to review the document with the buyer prior to the execution of an agreement of sale.

As a condition of issuing a Use and Occupancy Permit for the property, Douglass Township requires submission of a completed disclosure form bearing the signatures and dates of both the seller and buyer. **Failure to provide the required documentation may delay the issuance of the Use and Occupancy Permit until compliance has been demonstrated.**

Property Address: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_  
(If Applicable)

Builder: \_\_\_\_\_

Lot Number: \_\_\_\_\_  
(if Applicable)

**PLEASE READ AND REVIEW ORDINANCE 2005-03 IN ITS ENTIRETY. THIS IS INTENDED TO PROTECT BOTH PARTIES.**

SELLER:

BUYER(s):

Name: \_\_\_\_\_  
(Print)

Name: \_\_\_\_\_  
(Print)

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name: \_\_\_\_\_  
(Print)

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Township of Douglass, PA  
Thursday, June 11, 2026

## Chapter 230. Subdivision and Land Development

### Article X. New Residential Sale Notice/Disclosure

[Added 1-18-2005 by Ord. No. 2005-03]

#### § 230-86. Applicability.

This article shall apply to the record owner (the "seller") of a vacant subdivided residential lot or a newly constructed home within the Township ("new residential property") who is selling such new residential property to a member(s) of the general public (the "buyer"). This article is not intended to duplicate any information required to be included in disclosures made under the Pennsylvania Uniform Planned Community Act, the Pennsylvania Uniform Condominium Act and/or the Pennsylvania Real Estate Seller Disclosure Act.<sup>[1]</sup> To the extent there is any conflict between this article or any provisions hereof and any of the foregoing Acts, or any other state or any federal law, the foregoing Acts or any other state law or any federal law, shall take precedence.

[1] *Editor's Note: See 68 Pa.C.S.A. § 5101 et seq., 68 Pa.C.S.A. § 3101 et seq., and 68 Pa.C.S.A. § 7301 et seq., respectively.*

#### § 230-87. Intent.

The requirements of this article are imposed with an intention to inform the Buyer of important information pertaining to the new residential property that the buyer should consider obtaining and to inform the buyer as to where to obtain such information, including but not limited to the general nature of the subdivision and/or land development project in which the new residential property is located (the "project") and limitations, easements and restrictions relating to the new residential property. The notices and/or disclosures required under this article are not intended to constitute an exhaustive recitation of items which may be of importance in any particular transaction involving new residential property, but instead are intended to alert buyers as to potential issues of importance.

#### § 230-88. Disclosure requirements.

- A. Before signing a sales agreement for any new residential property, the seller shall provide a notice/disclosure statement to the buyer which conforms with the requirements of this article (the "disclosure statement") and shall obtain from the buyer a signed disclosure statement that verifies that the seller has provided the information that is required by this article.
- B. The seller of any new residential property shall display the final, municipally approved record subdivision or land development plan for the project (the "plan") in the location where property sales are transacted by the seller or shall otherwise make the plan available for review by the buyer(s). A copy of the plan must also be made available for purchase by buyer(s) at no greater than the cost to seller to duplicate the plan or, alternatively, may be provided by seller to the buyer(s) at no cost to the buyer(s). The seller shall also make the full set of the approved plans for the project available for review by the buyer. Anything herein to the contrary notwithstanding, in the event an agreement of sale is entered into before final approval for the project has been received from the Township, the

seller shall only be obligated under this subsection to 1) make the latest version of the full set of plans for the project available for review by the buyer prior to the execution of the agreement of sale 2) inform the buyer that the buyer should review the final plans before completing settlement and 3) make the plan and the full set of final, approved plans available for the buyer's review and make the plan available for the buyer's purchase after the plans have been approved by the Township.

- C. Seller shall provide the buyer with the condominium or homeowners' association documents (including declaration, plats and plans and bylaws) or, in the event the project is not subject to either the Pennsylvania Uniform Planned Community Act or the Pennsylvania Uniform Condominium Act, the declaration of restrictions or similar document applicable to the project, if any. The foregoing documents shall be provided to the buyer before an agreement of sale for new residential property is fully executed.
- D. The seller shall provide the buyer with a list of all utility easements and other easements executed or to be executed by seller in connection with the project which will ultimately be but have not yet been recorded, if any. The foregoing list shall be provided to the buyer before an agreement of sale for new residential property is fully executed.
- E. The seller shall provide the buyer with a list of any permits and/or approvals which are required to develop the project and the new residential property as shown on the plan, and shall inform the buyer that the buyer can contact the applicable permitting or approving agencies to determine the status of such permits or approvals. The foregoing list shall be provided to the buyer before an agreement of sale for the new residential property is fully executed.
- F. In addition to the above items, the seller shall provide the following information to a buyer prior to the execution of an agreement of sale for new residential property by both the buyer and the seller:
  - (1) The seller shall inform the buyer that the plan and/or the full set of approved subdivision/land development plans for the project should be reviewed by the buyer for purposes of identifying, among other things:
    - (a) Common areas, such as parklands, streets, open space, bike paths, walking trails (for pedestrians as well as for animals) and recreational facilities which are part of the project and which may be near or adjacent to the new residential property that the buyer is purchasing (the "new residential property");
    - (b) The lot lines or other boundaries of the new residential property the buyer is purchasing and of lots or units adjacent thereto and any applicable dimensional requirements relating to such lots or units, including setback requirements, and building coverage, impervious coverage and height limitations;
    - (c) Stormwater management facilities and drainage areas, including detention/retention basins and easements;
    - (d) Sanitary sewer facilities and easements;
    - (e) Utility easement areas;
    - (f) The zoning classification of the new residential property at the time the subdivision/land development of which the new residential property is a part was approved by the Township;
    - (g) The existence of any environmentally sensitive areas on the new residential property being purchased or within the project, including steep slopes, wetlands and floodplains, and the fact that governmental laws, rules, regulations and ordinances may limit the use and development of these areas;
    - (h) Restrictions on the project imposed by the Township; and

- (i) The existence and location of on-site water and/or on-site sanitary sewage facilities or systems.
- (2) The seller shall inform the buyer that the buyer should review the current Zoning Map and Chapter 265, Zoning, of the Douglass Township Code, to determine the zoning classification of the property within the project as well as of properties surrounding the project for the purpose of determining permitted principal and accessory uses, and any applicable dimensional requirements such as building size, setback requirements, building and impervious coverage limitations, and height limitations. The seller shall further inform the buyer that the current Zoning, Subdivision and Land Development Ordinances of the Township are available for review and purchase at the Township office, and that such ordinances are subject to change.
- (3) The seller shall inform the buyer that the buyer should review the recorded subdivision and land development plans and the zoning classification of properties surrounding the project for the purpose of identifying conditions and permitted principal uses and permitted accessory uses on surrounding properties which may impact the project generally or the new residential property specifically. The seller shall further inform the buyer that such approved plans are available for review at the Township office and that the recorded portions of such plans are available at the Montgomery County Recorder of Deeds Office. The seller shall further inform the buyer that such zoning information is available in the current Township Zoning Code and Zoning Map, and that the current Zoning, Subdivision and Land Development Ordinances and Zoning Map of the Township are available for review and purchase at the Township office, and that such ordinances are subject to change.
- (4) The seller shall inform the buyer that the buyer should obtain a title report for the new residential property from a reputable title insurer and obtain copies of all plans, documents, easements and restrictions listed therein to determine what easements, restrictions or other limitations affect, may affect or may be imposed on the new residential property.
- (5) The seller shall inform the buyer that the buyer should review any declarations, deed restrictions, homeowners' association documents or other documents relating to the new residential property for the purpose of determining, among other things, what obligations the buyer shall have after purchasing the new residential property with respect to maintenance, repair and replacement of the new residential property, any common replacement of the new residential property, any common areas or any other areas; a description of the real estate the buyer will be purchasing; obligations or potential obligations of the buyer with respect to any homeowners' association and common areas; the ownership of common areas; what future development can take place within the project; and restrictions on the use of the property within the project.
- (6) If applicable, the seller shall inform the buyer that local authorities may require connection to public water and/or sewer systems in the future and that tapping/connecting fees may be imposed.
- (7) The seller shall inform the buyer of the existence, location and record owner of any natural gas or petroleum transmission line located within 100 yards of the new residential property being purchased by the buyer.
- (8) The seller shall inform the buyer that the buyer should consider contacting the township to determine the status of dedication of any roads, common areas, sewer facilities or other areas in the project.

## § 230-89. Residential disclosure statement.

The buyer shall review and sign the notice/disclosure statement just prior to the signing of an agreement of sale for new residential property. The seller will be obligated to provide a copy of the signed disclosure statement to the Code Enforcement Officer prior to the issuance of a certificate of occupancy or use and occupancy certificate for the new residential property, unless the new residential property is

first occupied by seller or a party to whom seller leases the new residential property, in which event the issuance of a certificate of occupancy shall not be conditioned upon receipt of a signed disclosure statement. The disclosure statement required to be provided to buyers hereunder shall be in substantially the following form.<sup>[1]</sup>

[1] *Editor's Note: Said Disclosure Statement is included as an attachment to this chapter.*

## § 230-90. Violations and penalties.

Any person, partnership or corporation who or which has violated the provisions of this article of this chapter shall be subject to the penalties as set forth in § **230-79** of this chapter.