



**pennsylvania**

OFFICE OF OPEN RECORDS

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JAN 29 2019

CALN TWP  
RTKO

**STANDARD RIGHT-TO-KNOW REQUEST FORM**

DATE REQUESTED: 1/29/2019

REQUEST SUBMITTED BY:  E-MAIL  U.S. MAIL  FAX  IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Moyer Contracting  
1265 Knollwood Drive  
West Chester, PA 19380

NAME OF REQUESTER: Rod Moyer

STREET ADDRESS: Same

CITY/STATE/COUNTY/ZIP(Required): Same

TELEPHONE (Optional): \_\_\_\_\_ EMAIL (optional): [REDACTED]

RECORDS REQUESTED: *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

Information/ reasons for why property 3647 Humpton Road, tax parcel #39-4-36.2B was issued a 'Notice of Condemnation'.

DO YOU WANT COPIES?  YES  NO

DO YOU WANT TO INSPECT THE RECORDS?  YES  NO

DO YOU WANT CERTIFIED COPIES OF RECORDS?  YES  NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100?  YES  NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

**FOR AGENCY USE ONLY**

OPEN-RECORDS OFFICER: A Swan

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY: 1/29/19

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE: 2/5/19

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*



December 10, 2018

Hugo F. Aguilar Camacho  
C/O Cinthia M. Kettering  
54 Lakewood Drive  
Pequea, PA17565

Re: **Unsafe structure at 3647 Humpton Road, tax parcel #39-4-36.2B**

## NOTICE OF CONDEMNATION

You are hereby notified that the property owned by you located at the following **3647 Humpton Road, tax parcel #39-4-36.2B**, Caln Township, Chester County, Pennsylvania has been **CONDEMNED** for the reasons specified in this **NOTICE**.

### VIOLATION:

The Township was notified of a transfer of ownership of the dwelling located at **3647 Humpton Road, tax parcel #39-4-36.2B** on **December 10, 2018**. This dwelling was under a temporary access use and occupancy certificate, which expire in July of 2018. As a result the property is unsafe per the **2018 International Property Maintenance Code as per the following:**

1. **Section 108.1 General.** When a structure or equipment is found by the Code Official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.
2. **Section 108.1.1 Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.
3. **Section 108.1.5 Dangerous structure or premises.** For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:
  10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system,

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### DEPARTMENT OF BUILDING & LIFE SAFETY

Raymond Stackhouse, Director

253 Municipal Dr, Thorndale, PA 19372 | Phone: 610-384-0600 | Fax: 610-384-0689

codes@calntownship.org | www.calntownship.org



plumbing system or other cause, is determined by the code official to be a threat to life or health.

4. **Section 108.1.3 Structure unfit for human occupation.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or the public.
5. **Section 108.5 Prohibited occupancy.** Any occupied structure condemned and placarded by the Code Official shall be vacated as ordered by the Code Official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy a placarded premises or operate a placarded equipment shall be liable for the penalties provided by this code.

**CORRECTION ORDER:**

Prior to occupying the aforementioned dwellings, all unsafe conditions shall be corrected within the structure as follows:

- A property transfer permit must be submitted, paid for and an inspection completed- the seller was sent a Notice for this
- A renovation permit shall be obtained from Caln Township
- Occupancy of the dwelling is prohibited until express permission is given by an inspector of this Department
- All work shall be done only after a building permit is approved
- Occupancy shall only be approved once all required work completed, all listed violations corrected and a final inspection completed by an inspector of this Department
- **It is the responsibility of the owner/agent to assure that any required permits and contractor registrations are applied for and approved PRIOR to any work being performed.**

**APPEAL RIGHTS:**

You have the right to appeal this NOTICE to the Caln Township Building Appeals Board within thirty (30) days of your receipt of the NOTICE or the Posting of the Property with this NOTICE, both as described above, whichever first occurs. Such appeal must be filed in writing or in person at the Township Municipal Building at the above address, Monday through Friday from 8:00 AM to 4:30 PM prevailing time.

This Notice is issued not to exacerbate your trying situation, but is issued to try to protect the health and safety of all occupants. Your cooperation in this matter will be greatly appreciated. You may contact Building and Life Safety Office at 610-384-0600 between the hours of 8:00 AM and 4:00 PM Monday through Friday.

Respectfully,



Raymond Stackhouse, BCO  
Director



# TEMPORARY ACCESS CERTIFICATE

This is to certify that the building listed has been inspected per the requirements of the Code of Caln Township and the permits listed below and is NOT FOR OCCUPANCY AND USE as described.

Permit Number(s): **PT-5552**

Zoning District: **R3**

Owner: **Nationstar Bank**

Owner Address: **3647 Humpton Road  
Downingtown, PA 19335**

Buyer: **Charles Sierk  
1653 Lititz Pike  
Lancaster, PA 17601**

Description: **Vacant property conditions not fit for human habitation being purchased for rehab**

Applicable Code: **Chapter 120 as amended, IPMC 2015, IRC 2009, IFC 2009**

Use & Occupancy Classification: **Single Family Dwelling**

Automatic sprinkler system installed: **None**

Special stipulations & conditions: **Buyer agrees to not occupy the dwelling other than for cleaning and repairs until building permit is secured and inspections completed to assure safe conditions exist, and U & O can be issued.**

Certificate Issue Date: **March 23, 2017**

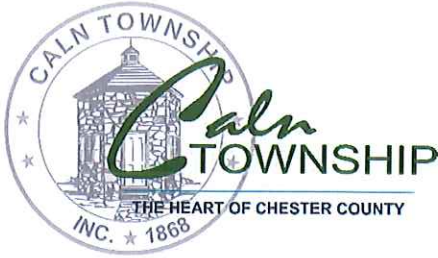
Certificate Expiration Date: **July 27, 2017**

Building Official: **Raymond Stackhouse**

**0001625**

Signature

DLI Registration#



December 10, 2018

Mr. Charles Sierk  
1653 Lititz Pike #235  
Lancaster, PA 17601

**RE: Code Violations noted at 3647 Humpton Road, Caln Township**

## **NOTICE OF VIOLATION**

Mr. Sierk:

You are hereby notified that the property owned by you, located at **3647 Humpton Road, tax parcel #39-4-36.2B, Caln Township**, is in violation of the Caln Township Code, Chapter 120 for the reasons specified below.

### **Violation:**

1. **1001. Certificate of use and occupancy required upon transfer or sale of property and change in tenants for commercial properties.** Whenever there is a change in ownership, or transfer of title to an existing building or structure which would have required an occupancy permit for its use or initial occupancy, or when the tenant changes in a commercial property, or upon written request from the owner of an existing building or structure, the Department of Code Enforcement shall issue a certificate of use and occupancy, provided that there are no violations of the Township Code.

[Amended 1-26-2006 by Ord. No. 2006-2]

### **1005. Procedures.**

1. *It is the responsibility of the seller or the seller's agent to request the inspection required by this chapter.*

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#### **DEPARTMENT OF BUILDING & LIFE SAFETY**

**Raymond Stackhouse, Director**

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**Correction Order:**

The Township will grant you **twenty (20) days** from receipt of this Notice, or by **January 10, 2019 - whichever is longer**, to correct the above referenced violation. **Failure to comply will result in further legal action by the Township in accordance with the adopted code.**

**Action upon Non-Compliance:** Any person who shall violate any of the provisions of this Code or fail to comply with any order issued pursuant to any section thereof shall be guilty of a summary offense and, upon conviction thereof, shall be punished by a fine of not less than \$100 nor more than \$1,000 per day, plus costs and attorney's fees, and upon default of payment of the fine and costs, imprisonment not exceeding 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Appeal Rights:** You have the right to appeal this Notice to the Western Chester County Regional U.C.C. Appeals Board within twenty (20) days of your receipt of the Notice or the Posting of the Property with this Notice, both as described above, whichever first occurs. Such appeal must be filed in writing or in person at the Township Municipal Building at the above address, Monday through Friday from 8:00 AM to 4:30 PM prevailing time.

This Notice is issued not to exacerbate your trying situation, but is issued to try to protect the health and safety of all occupants. Your cooperation in this matter will be greatly appreciated. You may contact the Building and Life Safety Office at 610.384.0600 x 220 between the hours of 8:00 AM and 4:00 PM Monday through Friday with any questions or concerns.

Respectfully,



Raymond Stackhouse, BCO  
Director