

RESOLUTION NO. 3 of 2017
A RESOLUTION OF PLYMOUTH BOROUGH,
COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA,
AUTHORIZING THE CONDEMNATION OF 111 EAST MAIN STREET,
PLYMOUTH, PENNSYLVANIA

WHEREAS, the property located at 111 East Main Street(a/k/a 111-113 East Main Street) Plymouth Borough, Luzerne County, Pennsylvania, Pin No. H8SE4 011 004, owned by Sustainable Wyoming Valley, Inc., P.O. Box 105, White Haven, Pennsylvania 18661 is currently in a state of collapse and puts emergency personnel and citizens in the vicinity in danger as determined by the Plymouth Borough Fire Chief;

WHEREAS, Construction Consultation Services, Inc., who was appointed to do an inspection of the aforementioned property for the Borough has inspected the property and determined the structure located on the premises is unoccupied and is unsafe due to inadequate means of ingress and egress, inadequate light and ventilation, a fire hazard, constitutes a danger to human life and the public welfare, is unsafe and unsecured;

WHEREAS, the aforementioned property is on the verge of imminent collapse onto an adjoining property and possess an immediate threat to the users and invitees of the adjoining property;

WHEREAS, numerous efforts have been made to no avail to have the current owner remedy the situation and either remove the structure or make the structure safe and in compliance with the International Property Maintenance Code, which has been adopted by Plymouth Borough;

WHEREAS, the Borough is authorized and has the power to condemn the aforementioned premises in accordance with the Pennsylvania Eminent Domain Code, 26 Pa. C.S. §101 et seq.;

WHEREAS, condemnation is allowed in accordance with 26 Pa. C.S. § 204 because the property is being taken because is a threat to the public health and safety since it is a public nuisance, it is beyond repair and is unfit for human habitation and is abandon;

WHEREAS, based upon the foregoing the property is blighted in that it meets many of the requirements specified in 26 Pa. C.S § 205(b);

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Plymouth that it incorporates herein all of the whereas clauses stated above, determines that the property is a nuisance, unsafe, a fire hazard, a danger to the public health and safety, is in danger of collapse, a danger to both adjoining properties, is blighted as defined by 26 Pa. C. S. § 205(b) and therefore approves the condemnation of the property know as 111 East Main Street, a/k/a 111-113 East Main Street, Plymouth Borough, Luzerne County, Pennsylvania, recorded in Luzerne County Record Book 3015, Page 7825 et sec., PIN No. H8SE4-011 004. In accordance with the Pennsylvania Eminent Domain Code, 26 Pa. C.S. §101 et seq. it is resolved to proceed with the condemnation of the aforesaid property.

It is further resolved that the Borough Solicitor is authorized to proceed within one year of today With the institution and filing of the aforesaid condemnation and to take all steps necessary to accomplish the same in accordance with Pennsylvania Law. The President of Council is authorized to execute any and all necessary documents regarding the same and the Borough Secretary are authorized to attest to his signature whenever required.

This resolution was adopted by the Plymouth Borough Council at a rescheduled regular meeting held on November 19, 2017.


Plymouth Borough

By:



Gary Kochinski, President of Council

ATTEST:



Holly Spece, Secretary

[SEAL]

