

LUZERNE COUNTY
OFFICE OF LAW
ROMILDA P. CROCAMO, ESQUIRE
CHIEF COUNTY SOLICITOR



LUZERNE COUNTY
COUNTY MANAGER
C. DAVID PEDRI, ESQUIRE

COUNTY of LUZERNE
P E N N S Y L V A N I A
ESTABLISHED 1786

April 23, 2018

Brent Smith
Sedora Consulting
15 N. Richardson Ave.
Lansdale, PA 19446
Email: xbas1220x@gmail.com
RE: RTK Request # 18-80

Dear Mr. Smith:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. My email is Jackie.Carroll@luzernecounty.org.

On April 20, 2018, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. Your request is granted and denied.

It is granted as to the following information and denied in that Luzerne County does not have Dupont Borough's records.

The correct location is Dupont Borough, not Pittston.

<i>Open building or fire code violations</i>	We have no County records/ within Dupont Borough jurisdiction
<i>Date of last fire safety inspection</i>	We have no County records/ within Dupont Borough jurisdiction
<i>Copy of Occupancy Permit</i>	Built before the County assumed jurisdiction from Dupont Borough in 2000. Dupont Borough would be the source of any such record.

Compliance with local zoning ordinance (conforming use?) It conforms with the County Ordinance currently. However, since it was built while still under Dupont Borough Zoning, Dupont Borough would be the source of compliance with their zoning when it was built.

USTs, HAZMAT response incidents, other environmental hazards. We have no County records/ within Dupont Borough jurisdiction.

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Luzerne County does not maintain the records requested by you, therefore, your request is denied pursuant to §705 of the RTKL. §705 of the RTKL states that “when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record”.

You may contact Dupont Borough at 600 Chestnut Street, Dupont, PA 18641; phone (570) 655-6216; or their email: dupontboro@comcast.net.

You have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal for any reason, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

Very truly yours,



JACQUELINE MUSTO CARROLL, ESQUIRE
Luzerne County – Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711



pennsylvania

OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: April 20, 2018 to Luzerne County Zoning and Planning Commission

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

NAME OF REQUESTOR: Sedora Consulting

STREET ADDRESS: 15 N Richardson Ave

CITY/STATE/COUNTY/ZIP (Required): Lansdale PA 19446, Montgomery County

TELEPHONE (Optional): 484-3631507 / xbas1220x@gmail.com

RECORDS REQUESTED:

**Provide as much specific detail as possible so the agency can identify the information.*

Records of:

**Holiday Inn Express
30 Concorde Drive
Pittston PA 18641**

- **Open building or fire code violations**
- **Date of last fire safety inspection**
- **Copy of Occupancy Permit**
- **Compliance with local zoning ordinance (conforming use?)**
- **USTs, HAZMAT response incidents, other environmental hazards**

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

FOR LOCAL AGENCY USE

RIGHT TO KNOW OFFICER:

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

***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.)*