



LAND OWNER COPY
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

E. Whiteland Outdoor, LLC
PO Box 1421
Malvern, PA 19355

County: Chester
City-Boro-Twp.: East Whiteland Township
S.R.: SR-202 Segment: 202
Permit No.: 06-4133
MAIL DATE: 08-17-2022

RE: NOTICE OF INTENT TO REVOKE PERMIT

Dear Sign Owner:

As part of the Department of Transportation's administration of the Outdoor Advertising Control Act, it must ensure that outdoor signs are erected and maintained according to the Act and regulations.

A recent review indicated that your sign may not be in compliance, and sufficient cause may exist to revoke your permit for the reasons provided at the end of this letter.

Within 30 days of the above "mail date," you may respond in writing to: (1) provide evidence to refute the alleged violation(s); (2) propose specific means to correct the alleged violation(s) for Department approval; or, (3) identify the date by which you will remove the sign structure.

In addition, you may also request a meeting with the District Right-of-Way Administrator and the District Highway Beautification Manager to discuss this problem, in an effort to reach a resolution.

If we do not receive a response or if efforts to resolve the problem are not successful, the Department will have no other recourse but to revoke your permit.

Please note: This notice does not revoke your permit or affect your rights under the permit. Also, if a revocation notice is subsequently issued, you will have the right to appeal the specific revocation notice.

NO: 08-17-2022

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Should you have any questions, please telephone JoAnne Parkins at: (610) 205-6521

Thank you for your cooperation in our efforts to resolve this matter.

Indicated Violations:

Pursuant to the Outdoor Advertising Control Act of 1971 ("Act") and the accompanying regulations, outdoor advertising devices are generally prohibited except in limited circumstances. 36 P.S. § 2718.104. Outdoor advertising devices are authorized in zoned or unzoned commercial or industrial areas along the primary system. 36 P.S. § 2718.104(1)(vi) and 67 Pa. Code § 445.4(a)(3). An annual permit shall be required for each outdoor advertising device regulated under the Act and accompanying regulations, including signs in zoned or unzoned commercial or industrial areas. 36 P.S. § 2718.107 and 67 Pa. Code § 445.6(a)(2). Vegetation located in the highway right-of-way may not be destroyed, damaged, removed or disturbed in maintaining, repairing or erecting an outdoor advertising device. 67 Pa. Code § 445.9(c). The penalty for violation of this section is as follows:

In the case of a first offense, the Department will, in lieu of removal of the sign, accept payment of double the value of the vegetation for a violation of subsection (c). If the Department accepts payment in lieu of removal under subparagraph (i), the owner of the sign will be required to post a bond, in a form acceptable to the Department, to guarantee payment of removal costs of the sign in the event of a subsequent violation of this section with reference to the sign. 67 Pa. Code §§ 445.9(d)(2)(i), (ii).

The Department has determined that vegetation located within the highway right-of-way was destroyed, damaged, removed or disturbed in connection with the erection of the above-referenced sign after the permittee

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Indicated Violations (Cntd.):

represented in its application that vegetation would not be destroyed, damaged, removed or disturbed. Therefore, the Department intends to revoke your outdoor advertising device permit and require the removal of the sign at your expense. See 67 Pa. Code § 445.8.

Pursuant to 67 Pa. Code §§ 445.9(d)(2)(i), in lieu of permit revocation and removal of the sign, the Department is willing to accept payment of \$95,644.00, representing double the value of the vegetation you illegally removed from the highway right-of-way. Payment must be made payable to PennDOT within 30 days of the mailing date of this notice. In addition, should you choose to make payment in lieu of revocation of the permit and removal of the sign, the Department will require that you post a bond in the amount of \$90,000.00 to guarantee payment of removal costs of the sign upon a subsequent violation of section 445.9 of the Act.

Failure to make payment in full within 30 days will result in revocation of your permit. This will be followed by removal of the sign by the Department, the costs of which will be charged to you.

Sincerely,

Louis R. Belmonte, P.E.
Engineering District
District Executive

CC: Central Office Outdoor Advertising Manager
Permit Attorney, Office of Chief Counsel