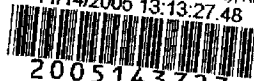




CITY 2005143727



NOV 14 2005 13:13 P 8

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
11/14/2005 13:13:27.48  
  
2005143727

**THIS PAGE INCLUDED FOR INDEXING  
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*City*  
FEE no fee FB 39-09840  
8  
1 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP PW  
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

Temp. 12.4.01

*Gary*

CITY OF OMAHA  
PLANNING DEPT.  
1819 Farnam St., Rm. 1111  
Omaha, NE 68183



City of Omaha  
Mike Fahey, Mayor

## CODE ENFORCEMENT

### NOTICE OF VIOLATION

October 20, 2005

#### Planning Department

Omaha/Douglas Civic Center  
1819 Farnam Street, Suite 1100  
Omaha, Nebraska 68183  
(402) 444-5150  
Telefax (402) 444-6140

Steven N. Jensen, AICP  
Director

Goldome Properties LLC c/o 1st American Comm Real Est Legal Description: Lor 1, Brennan Place Replat 1  
P O Box 167928  
Irving, TX 75016-7928

This notice concerns the Property at: **3828 CASS ST Apt. No. 6 Apartment Exterior.**

The Property is in violation of the Omaha Municipal Code. The violations currently known to exist on this Property are listed in the attached Violations List.

You are ordered to repair or cure the said violations by December 19, 2005. A follow-up inspection, to determine whether the violations have been repaired or cured and whether the Property can thereby be released, will be scheduled on or shortly after that date, or sooner if you so request.

This vacant Property is declared to be unsafe, unfit for human occupancy, or unlawful, because of the violations so designated in the attached Violations List. You are ordered to close the Property and to take measures necessary to prevent occupancy of it within 60 days. Occupancy of the property is prohibited. Of course, if all violations making this property unsafe, unfit or unlawful are repaired or cured by the above date, the property can then be opened and occupied.

While the necessity of City permits to conduct the necessary work will depend on the method of repair chosen by the Property owner, it presently appears that the following types of permits will have to be obtained from the City to perform the necessary work: **Building, Mechanical,**

Any person directly affected by this notice may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$30.00 filing fee with the office of the City Permits and Inspections Division, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite 1100, Omaha, Nebraska, within 20 days of the date of this notice (add an additional three business days if this notice was sent by regular mail). The appeal application shall state all grounds for objection to this notice.

If you desire clarification of this notice or of any of the violations listed, please call the undersigned between the hours of 8:00 a.m. and 9:30 a.m. and arrangements will be made to assist you.

Sincerely,

Roger Carroll  
Code Inspector, 444-5382

Kevin J. Denker  
Chief Code Inspector

C: Norwest Bank Minnestoa, 1031 10th Avenue Southeast, Minneapolis, MN 55414  
B & L Mangement Services, PO Box 6845, Lincoln, NE 68506  
Wells Fargo Bank Nebraska, NA, 1919 Douglas St, Omaha, NE 68102  
Kory J. McCracken, Esq. #22452, Attorney at Law, PO Box 6845, Lincoln, NE 68506

**The City of Omaha Planning Department  
Housing Division  
Permits and Code Requirements**  
for property address: 3828 CASS ST Apt. No. 6  
Structure Type: Apartment  
October 20, 2005

**The following permits are required for the primary structure:**

A Building permit is required for the amount of \$3,000.00. Note: The fee charged for a Building permit is based on the total amount of estimated labor and material costs.

<u>Y</u> General Repair	<u>Y</u> Window Replacement	Interior Inspection. Requested for the following reason(s) :
Fire	Soffits, Gutters, etc.	
Reroof	<u>Y</u> Kitchen Remodel	
Remove Existing Roof	<u>Y</u> Bath Remodel	
Reside	Plans required	
Remove existing siding	Fence	
Basement Finish	Decks/Porches	
Retaining Wall	Fire Escape	

Separate Permits required for the following:

Electrical      Plumbing      Y Mechanical      Wreck

**Special Code Requirements:**

**HVAC Requirements-**

Under 111-116. Chapter 40. Replacement of a forced air furnace shall be done by a licensed, bonded, H.V.A.C. contractor. A City of Omaha H.V.A.C. permit and an inspection by the City H.V.A.C. Inspector is required for conformance.

Other requirements: Passive ventilation shaft window at bathroom caulked shut.

3828 CASS ST

# Violations List

October 20, 2005

Goldome Properties LLC c/o 1st American Comm Real Est  
P O Box 167928  
Irving, TX 75016-7928

Re: 3828 CASS ST Apt. No. 6  
Inspected by: Roger Carroll  
Structure Type: Apartment

Violations and corrective action:

## Owner Violation List Items

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<b>043-71. Required.</b> Except as specified in section 43-72 of this Code, no building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official. (Ord. No. 33582 SS 1(43-71), 6-27-95)	Apartment. Owner.	
<b>048-12 a. Maintenance.</b> Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.	Apartment. Owner.	
<b>048-13. Application of other codes.</b> Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the City's Building Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Fire Code and Electrical Code, all as defined in this code. Nothing in this code shall be construed to cancel, modify or set aside any provisions of Chapter 55 of the Omaha Municipal Code.	Apartment. Owner.	
<b>048-15. Workmanship.</b> Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.	Apartment. Owner.	

Code Section Violated

Location and Nature of Violation

Unsafe/Unfit Designation  
Repaired

**048-33 a. Inspections.** The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise. Apartment. Owner.

**048-53. Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with this code shall be deemed guilty of a misdemeanor, as provided in Section 1-10 of the Omaha Municipal Code. If the notice of violation is not complied with, the code official may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Apartment. Owner.

**048-71c. 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 declared as such by notice pursuant to the provisions of this code. Apartment. Unfit for occupancy.

c) Structure unfit for human occupancy. 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 insanitary, 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 to the public.

**048-74. Placarding.** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard reading "Danger - Closed" or similar language, and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard. Apartment. Owner.

**048-75. Prohibited occupancy.** It shall be unlawful for any person to occupy a placarded premises or to operate placarded equipment, and for any owner or any person responsible for the premises to let anyone occupy a placarded premises or operate placarded equipment. Such persons shall be liable for the penalties provided by this Code. Apartment. Unit 6 occupancy is prohibited.

**048-76. Removal of placard.** The code official shall remove the placard whenever the defect or defects upon which the placard was based have been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by this Code. Apartment. Owner.

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p><b>048-81. Imminent danger.</b> When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited By The Code Official", or similar language. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.</p>	<p>Apartment. Unit 6 to remain vacant until repairs completed until bathroom ventilation system is repaired.</p>	
<p><b>303.13. Window, skylight and door frames.</b> Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.</p>	<p>Apartment. Ventilation shaft window sealed shut at bathroom in unit 6. Windows in all apartments must operate. Skylight window must allow ventilation in unit 6.</p>	Yes
<p><b>303.13.1. Glazing.</b> All glazing materials shall be maintained free from cracks and holes.</p>	<p>Apartment. Broken window putty including at front windows.</p>	
<p><b>303.13.2. Openable windows.</b> Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.</p>	<p>Apartment. Broken window ropes, including at south windows.</p>	Yes
<p><b>303.14. Insect screens.</b> During the period from May 1st to October 1st, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.</p>	<p>Apartment. Missing window screens including at unit 6.</p>	
<p>Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.</p>		

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p><b>303.2. Protective treatment.</b> All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p>	<p>Apartment. Peeling paint including at window troughs, sills, sashes</p>	<p>Yes</p>
<p><b>304.3. Interior surfaces.</b> All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.</p>	<p>Apartment. Broken tub surround. Shower water will flood bathroom floor. Hole in oak floor at dining room, center of room.</p>	<p>Yes</p>
<p><b>304.4. Stairs and walking surfaces.</b> Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.</p>	<p>Apartment. Rear stair littered with broken ceiling and wall material.</p>	<p></p>
<p><b>403.2. Bathrooms and toilet rooms.</b> Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.</p>	<p>Apartment. Bathroom passive ventilation shaft inoperable.</p>	<p>Yes</p>
<p><b>403.2. Bathrooms and toilet rooms.</b> Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.</p>	<p>Apartment. Skylights, window painted shut.</p>	<p>Yes</p>
<p><b>404.7. Food preparation.</b> All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.</p>	<p>Apartment. Soiled kitchen sink cabinet, warped cabinet floor. Broken dishwasher sitting at kitchen wall.</p>	<p></p>
<p><b>404.7. Food preparation.</b> All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.</p>	<p>Apartment. Taped drain pipes at kitchen sink.</p>	<p></p>

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p><b>404.7. Food preparation.</b> All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.</p>	<p>Apartment. Rotted kitchen sink base cabinet floor.</p>	
<p><b>502.1. Dwelling units.</b> Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.</p>	<p>Apartment. Shower curtain rod broken.</p>	
<p><b>504.1. General.</b> All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.</p>	<p>Apartment. Shower will leak without shower surround. Kitchen sink drain fittings taped with blue tape.</p>	
<p><b>704.1. Smoke detectors.</b> Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms.</p>	<p>Apartment. Smoke detector missing.</p>	<p>Yes</p>






CITY 2005143728



NOV 14 2005 13:13 P 20

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
11/14/2005 13:13:32.20  
  
2005143728

**THIS PAGE INCLUDED FOR INDEXING**  
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*City*  
FEE no fee FB 39-09840  
20 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMP PU  
DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

Temp. 12.4.01

*Gary*

CITY OF OMAHA  
PLANNING DEPT.  
1819 Farnam St., Rm. 1111  
Omaha, NE 68183



City of Omaha  
Mike Fahey, Mayor

## CODE ENFORCEMENT

### NOTICE OF VIOLATION

October 20, 2005

#### Planning Department

Omaha/Douglas Civic Center  
1819 Farnam Street, Suite 1100  
Omaha, Nebraska 68183  
(402) 444-5150  
Telefax (402) 444-6140

Steven N. Jensen, AICP  
Director

Goldome Properties LLC c/o 1st American Comm Real Est Legal Description: Lor 1, Brennan Place Replat 1  
P O Box 167928  
Irving, TX 75016-7928

This notice concerns the Property at: **3828 CASS ST Apartment Building Exterior & Common Areas.**

The Property is in violation of the Omaha Municipal Code. The violations currently known to exist on this Property are listed in the attached Violations List.

You are ordered to repair or cure the said violations by December 19, 2005. A follow-up inspection, to determine whether the violations have been repaired or cured and whether the Property can thereby be released, will be scheduled on or shortly after that date, or sooner if you so request.


This vacant Property is declared to be unsafe, unfit for human occupancy, or unlawful, because of the violations so designated in the attached Violations List. You are ordered to close the Property and to take measures necessary to prevent occupancy of it within 60 days. Occupancy of the property is prohibited. Of course, if all violations making this property unsafe, unfit or unlawful are repaired or cured by the above date, the property can then be opened and occupied.

While the necessity of City permits to conduct the necessary work will depend on the method of repair chosen by the Property owner, it presently appears that the following types of permits will have to be obtained from the City to perform the necessary work: **Building**

Any person directly affected by this notice may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$30.00 filing fee with the office of the City Permits and Inspections Division, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite 1100, Omaha, Nebraska, within 20 days of the date of this notice (add an additional three business days if this notice was sent by regular mail). The appeal application shall state all grounds for objection to this notice.

If you desire clarification of this notice or of any of the violations listed, please call the undersigned between the hours of 8:00 a.m. and 9:30 a.m. and arrangements will be made to assist you.

Sincerely,

  
Roger Carroll  
Code Inspector, 444-5382

  
Kevin J. Denker  
Chief Code Inspector

C: Norwest Bank Minnestoa, 1031 10th Avenue Southeast, Minneapolis, MN 55414  
B & L Mangement Services, PO Box 6845, Lincoln, NE 68506  
Wells Fargo Bank Nebraska, NA, 1919 Douglas St, Omaha, NE 68102  
Kory J. McCracken, Esq. #22452, Attorney at Law, PO Box 6845, Lincoln, NE 68506

**The City of Omaha Planning Department**  
**Housing Division**  
**Permits and Code Requirements**  
 for property address: 3828 CASS ST  
 Structure Type: Apartment Building  
 October 20, 2005

**The following permit is required for the primary structure:**

A Building permit is required for the amount of \$9,000.00. Note: The fee charged for a Building permit is based on the total amount of estimated labor and material costs.

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> General Repair       | Window Replacement   | <input checked="" type="checkbox"/> Interior Inspection. |
| <input type="checkbox"/> Fire                            | <input checked="" type="checkbox"/> Soffits, Gutters, etc. | Requested for the following reason(s) :                  |
| <input checked="" type="checkbox"/> Reroof               | <input checked="" type="checkbox"/> Kitchen Remodel        | Ventilation windows caulked shut at                      |
| <input checked="" type="checkbox"/> Remove Existing Roof | <input checked="" type="checkbox"/> Bath Remodel           | bathroom 6.  |
| <input type="checkbox"/> Reside                          | <input checked="" type="checkbox"/> Plans required         |  |
| <input type="checkbox"/> Remove existing siding          | <input type="checkbox"/> Fence                             |  |
| <input type="checkbox"/> Basement Finish                 | <input checked="" type="checkbox"/> Decks/Porches          |  |
| <input type="checkbox"/> Retaining Wall                  | <input type="checkbox"/> Fire Escape                       |  |

Separate Permits required for the following:

- |                                     |                                   |                                     |                                |
|-------------------------------------|-----------------------------------|-------------------------------------|--------------------------------|
| <input type="checkbox"/> Electrical | <input type="checkbox"/> Plumbing | <input type="checkbox"/> Mechanical | <input type="checkbox"/> Wreck |
|-------------------------------------|-----------------------------------|-------------------------------------|--------------------------------|

**Engineer Review:**

Registered Engineer's drawing and stamp required.

Other requirements: Roof repair plan to be prepared by design professional licensed in Nebraska stamped and sealed for review with permit application.

3828 CASS ST

# Violations List

October 20, 2005

Goldome Properties LLC c/o 1st American Comm Real Est  
P O Box 167928  
Irving, TX 75016-7928

Re: 3828 CASS ST  
Inspected by: Roger Carroll  
Structure Type: Apartment Building

Violations and corrective action:

## Owner Violation List items

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<b>043-71. Required.</b> Except as specified in section 43-72 of this Code, no building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official. (Ord. No. 33582 SS 1(43-71), 6-27-95)	Apartment Building. Owner.	
<b>048-12 a. Maintenance.</b> Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.	Apartment Building. Owner.	
<b>048-12 b. Maintenance.</b> An applicable code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, an existing mechanical and plumbing system or other condition lawfully in existence at the time the applicable code was adopted, provided such continual use is not dangerous to life.	Apartment Building. Owner.	
<b>048-13. Application of other codes.</b> Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the City's Building Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Fire Code and Electrical Code, all as defined in this code. Nothing in this code shall be construed to cancel, modify or set aside any provisions of Chapter 55 of the Omaha Municipal Code.	Apartment Building. Owner.	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p><b>048-15. Workmanship.</b> Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.</p>	Apartment Building. Owner.	
<p><b>048-33 a. Inspections.</b> The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.</p>	Apartment Building. Owner.	
<p><b>048-34. Right of entry.</b> The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.</p>	Apartment Building. Owner.	
<p><b>048-42. Alternative materials, methods and equipment.</b> The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the code official or building board of review. An alternative material or method of construction shall be approved where the code official or building board of review finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Notwithstanding this section, the use of any alternative materials, methods or equipment shall not conflict with the provisions of other applicable codes, unless such provisions are duly waived or varied by the official or body empowered to do so; provided, that nothing in this section shall be deemed to override the provisions set forth in section 48-12.</p>	Apartment Building. Owner.	
<p><b>048-53. Prosecution of violation.</b> Any person failing to comply with a notice of violation or order served in accordance with this code shall be deemed guilty of a misdemeanor, as provided in Section 1-10 of the Omaha Municipal Code. If the notice of violation is not complied with, the code official may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.</p>	Apartment Building. Owner.	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
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**048-61. Notice to owner or to person or persons responsible.** Apartment Building. Owner.  
Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in sections 48-62 and 48-63. Not more than one notice of violations shall be issued for the same violation. Notices for procedures declaring property unsafe or unfit for human occupancy shall also comply with Division 8.

**048-65. Transfer of ownership.** If the ownership of a property subject to a pending notice or order under this code is to be transferred, the transferring owner shall report to the city housing division the impending transfer of the property and the name and address of the transferee, at least seven (7) days prior to the transfer. Apartment Building. Owner.

**048-71a. 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 declared as such by notice pursuant to the provisions of this code. Apartment Building. Rotted rear roof. Yes

a. **Unsafe Structure.** 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.

**048-71c. 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 declared as such by notice pursuant to the provisions of this code. Apartment Building. Rotted, soiled rear stair, walls and ceilings.

c) **Structure unfit for human occupancy.** 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 insanitary, 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 to the public.

**048-74. Placarding.** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard reading "Danger - Closed" or similar language, and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard. Apartment Building. Failure to comply.

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>048-76. Removal of placard.</b> The code official shall remove the placard whenever the defect or defects upon which the placard was based have been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by this Code.	Apartment Building. Removal of placard.		
<b>301.1. Scope.</b> The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.	Apartment Building. Owner.		
<b>301.2. Responsibility.</b> The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.	Apartment Building. Owner.		
<b>302.2. Grading and drainage.</b> All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.	Apartment Building. Sunken holes at sidewalk by curb.		
Exception: Approved retention areas and reservoirs.			
<b>302.3. Sidewalks and driveways.</b> All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.	Apartment Building. Sunken, broken front sidewalks.	Yes	
<b>302.3. Sidewalks and driveways.</b> All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.	Apartment Building. Vehicles parking on dirt including red F250, License NE PEL 829.	Yes	
<b>302.3. Sidewalks and driveways.</b> All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.	Apartment Building. Peeling paint at window sash.	Yes	
<b>303.1. General.</b> The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.	Apartment Building. Owner.		
<b>303.10. Stairways, decks, porches and balconies.</b> Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	Apartment Building. Rotted rear brick walls at rear landing.	Yes	
<b>303.10. Stairways, decks, porches and balconies.</b> Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	Apartment Building. Rotted wood step at rear landing.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>303.13. Window, skylight and door frames.</b> Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Apartment Building. Rotted basement door frame at basement stair.	Yes	
<b>303.13. Window, skylight and door frames.</b> Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Apartment Building. Rotted rear stair well windows.	Yes	
<b>303.13. Window, skylight and door frames.</b> Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Apartment Building. Broken basement doors.	Yes	
<b>303.13.1. Glazing.</b> All glazing materials shall be maintained free from cracks and holes.	Apartment Building. Broken, loose and missing window putty.		
<b>303.13.2. Openable windows.</b> Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.	Apartment Building. Common area windows.		
<b>303.14. Insect screens.</b> During the period from May 1st to October 1st, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.	Apartment Building. Broken, missing screens.	Yes	
Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.			
<b>303.15. Doors.</b> All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.	Apartment Building. Vacant, open Apartment #6.	Yes	
<b>303.15. Doors.</b> All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.	Apartment Building. Rear basement doors.	Yes	
<b>303.17. Guards for basement windows.</b> Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.	Apartment Building. Missing basement window screens.		



<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p><b>303.2. Protective treatment.</b> All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p>	<p>Apartment Building. Peeling paint at windows, doors, exterior trim.</p>	<p>Yes</p>
<p><b>303.2. Protective treatment.</b> All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p>	<p>Apartment Building. Peeling paint at window troughs.</p>	<p>Yes</p>
<p><b>303.2. Protective treatment.</b> All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p>	<p>Apartment Building. Peeling paint at halls, basement laundry room.</p>	<p>Yes</p>
<p><b>303.3. Premises Identification.</b> Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).</p>	<p>Apartment Building. Apartment numbers painted over. Do no contract with surrounding surface.</p>	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>303.5. Foundation walls.</b> All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.	Apartment Building. Open mortar joints at front/		
<b>303.6. Exterior walls.</b> All exterior walls shall be free from holes, breaks and loose or rotting materials; and maintained, weatherproof and properly surface coated where required to prevent deterioration.	Apartment Building. Owner.		
<b>303.7. Roofs and drainage.</b> The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	Apartment Building. Rotted rear roof leaking into stairwell. Written repair plan to code with permit application.	Yes	
<b>303.7. Roofs and drainage.</b> The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	Apartment Building. Grass growing out of building exterior including gutter over the front door landing.	Yes	
<b>303.7. Roofs and drainage.</b> The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	Apartment Building. Front downspout missing at west.	Yes	
<b>303.8. Decorative features.</b> All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.	Apartment Building. Dead ivy growing at the west and south exterior elevation faces of the building.	Yes	
<b>304.1. General.</b> The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.	Apartment Building. Owner.		
<b>304.3. Interior surfaces.</b> All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Apartment Building. Broken finish surfaces including ceilings, walls at rear stairwell Rear stairwell		
<b>304.4. Stairs and walking surfaces.</b> Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.	Apartment Building. Rear stairwell littered with fallen material.		



<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>305.2. Disposal of rubbish.</b> Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.	Apartment Building. Broken rubbish at building including air conditioner at 1st floor hall and broken cabinets at 2nd floor hall.	Yes	
<b>401.2. Responsibility.</b> The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.	Apartment Building. Owner.		
<b>402.2. Common halls and stairways.</b> Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m <sup>2</sup> ) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways, shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.	Apartment Building. Owner. Lights found not working at front and rear stair wells.		
<b>403.2. Bathrooms and toilet rooms.</b> Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.	Apartment Building. Bathroom windows painted shut at Apartment 6. Permission is requested to inspect apartments 1,2,3,4,5.		
<b>605.3. Lighting fixtures.</b> Every public hall, interior stairway, toilet room kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.	Apartment Building. Lighting fixtures missing covers at halls.		
<b>607.1. General.</b> Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.	Apartment Building. Skylight closed at central ventilation shaft for bathroom.	Yes	
<b>607.1. General.</b> Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.	Apartment Building. Concrete plaster Walls at central ventilation shaft deteriorated, peeling, broken paint.	Yes	
<b>704.1. Smoke detectors.</b> Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms.	Apartment Building. Broken smoke detectors including at 1st, 2nd, 3rd floor landing at front and at rear stairwells	Yes	
<b>704.1. Smoke detectors.</b> Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms.	Apartment Building. Broken smoke detectors at basement.		

**The City of Omaha Planning Department  
Housing Division  
Permits and Code Requirements  
for property address: 3828 CASS ST  
Structure Type: Apartment Building  
October 20, 2005**

**The following permit is required for the primary structure:**

A Building permit is required for the amount of \$9,000.00. Note: The fee charged for a Building permit is based on the total amount of estimated labor and material costs.

<input checked="" type="checkbox"/> General Repair	Window Replacement	<input checked="" type="checkbox"/> Interior Inspection.
Fire	<input checked="" type="checkbox"/> Soffits, Gutters, etc.	Requested for the following reason(s) :
<input checked="" type="checkbox"/> Reroof	<input checked="" type="checkbox"/> Kitchen Remodel	Ventilation windows caulked shut at
<input checked="" type="checkbox"/> Remove Existing Roof	<input checked="" type="checkbox"/> Bath Remodel	bathroom 6.
Reside	<input checked="" type="checkbox"/> Plans required	
Remove existing siding	Fence	
Basement Finish	<input checked="" type="checkbox"/> Decks/Porches	
Retaining Wall	Fire Escape	

Separate Permits required for the following:

Electrical      Plumbing      Mechanical      Wreck

**Engineer Review:**

Registered Engineer's drawing and stamp required.

Other requirements: Roof repair plan to be prepared by design professional licensed in Nebraska stamped and sealed for review with permit application.

3828 CASS ST

## Violations List

October 20, 2005

Goldome Properties LLC c/o 1st American Comm Real Est  
 P O Box 167928  
 Irving, TX 75016-7928

Re: 3828 CASS ST  
 Inspected by: Roger Carroll  
 Structure Type: Apartment Building

Violations and corrective action:

### Owner Violation List Items

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation/Repaired</u>
<p><b>043-71. Required.</b> Except as specified in section 43-72 of this Code, no building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official.            (Ord. No. 33582 SS 1(43-71), 6-27-95)</p>	Apartment Building. Owner.	
<p><b>048-12 a. Maintenance.</b> Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.</p>	Apartment Building. Owner.	
<p><b>048-12 b. Maintenance.</b> An applicable code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, an existing mechanical and plumbing system or other condition lawfully in existence at the time the applicable code was adopted, provided such continual use is not dangerous to life.</p>	Apartment Building. Owner.	
<p><b>048-13. Application of other codes.</b> Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the City's Building Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Fire Code and Electrical Code, all as defined in this code. Nothing in this code shall be construed to cancel, modify or set aside any provisions of Chapter 55 of the Omaha Municipal Code.</p>	Apartment Building. Owner.	

(1)

3828 CASS ST

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation Repaired</u>
<p><b>048-15. Workmanship.</b> Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.</p>	Apartment Building. Owner.	
<p><b>048-33 a. Inspections.</b> The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.</p>	Apartment Building. Owner.	
<p><b>048-34. Right of entry.</b> The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.</p>	Apartment Building. Owner.	
<p><b>048-42. Alternative materials, methods and equipment.</b> The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the code official or building board of review. An alternative material or method of construction shall be approved where the code official or building board of review finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Notwithstanding this section, the use of any alternative materials, methods or equipment shall not conflict with the provisions of other applicable codes, unless such provisions are duly waived or varied by the official or body empowered to do so; provided, that nothing in this section shall be deemed to override the provisions set forth in section 48-12.</p>	Apartment Building. Owner.	
<p><b>048-53. Prosecution of violation.</b> Any person failing to comply with a notice of violation or order served in accordance with this code shall be deemed guilty of a misdemeanor, as provided in Section 1-10 of the Omaha Municipal Code. If the notice of violation is not complied with, the code official may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.</p>	Apartment Building. Owner.	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>048-61. Notice to owner or to person or persons responsible.</b> Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in sections 48-62 and 48-63. Not more than one notice of violations shall be issued for the same violation. Notices for procedures declaring property unsafe or unfit for human occupancy shall also comply with Division 8.	Apartment Building. Owner.		
<b>048-65. Transfer of ownership.</b> If the ownership of a property subject to a pending notice or order under this code is to be transferred, the transferring owner shall report to the city housing division the impending transfer of the property and the name and address of the transferee, at least seven (7) days prior to the transfer.	Apartment Building. Owner.		
<b>048-71a. General.</b> 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 declared as such by notice pursuant to the provisions of this code.	Apartment Building. Rotted rear roof.	Yes	
a. <b>Unsafe Structure.</b> 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.			
<b>048-71c. General.</b> 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 declared as such by notice pursuant to the provisions of this code.	Apartment Building. Rotted, soiled rear stair, walls and ceilings.		
c) <b>Structure unfit for human occupancy.</b> 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 insanitary, 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 to the public.			
<b>048-74. Placarding.</b> Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard reading "Danger - Closed" or similar language, and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.	Apartment Building. Failure to comply.		



<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>048-76. Removal of placard.</b> The code official shall remove the placard whenever the defect or defects upon which the placard was based have been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by this Code.	Apartment Building. Removal of placard.		
<b>301.1. Scope.</b> The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.	Apartment Building. Owner.		
<b>301.2. Responsibility.</b> The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.	Apartment Building. Owner.		
<b>302.2. Grading and drainage.</b> All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.	Apartment Building. Sunken holes at sidewalk by curb.		
Exception: Approved retention areas and reservoirs.			
<b>302.3. Sidewalks and driveways.</b> All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.	Apartment Building. Sunken, broken front sidewalks.	Yes	
<b>302.3. Sidewalks and driveways.</b> All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.	Apartment Building. Vehicles parking on dirt including red F250, License NE PEL 829.	Yes	
<b>302.3. Sidewalks and driveways.</b> All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.	Apartment Building. Peeling paint at window sash.	Yes	
<b>303.1. General.</b> The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.	Apartment Building. Owner.		
<b>303.10. Stairways, decks, porches and balconies.</b> Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	Apartment Building. Rotted rear brick walls at rear landing.	Yes	
<b>303.10. Stairways, decks, porches and balconies.</b> Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	Apartment Building. Rotted wood step at rear landing.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>303.13. Window, skylight and door frames.</b> Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Apartment Building. Rotted basement door frame at basement stair.	Yes	
<b>303.13. Window, skylight and door frames.</b> Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Apartment Building. Rotted rear stair well windows.	Yes	
<b>303.13. Window, skylight and door frames.</b> Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Apartment Building. Broken basement doors.	Yes	
<b>303.13.1. Glazing.</b> All glazing materials shall be maintained free from cracks and holes.	Apartment Building. Broken, loose and missing window putty.		
<b>303.13.2. Openable windows.</b> Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.	Apartment Building. Common area windows.		
<b>303.14. Insect screens.</b> During the period from May 1st to October 1st, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.	Apartment Building. Broken, missing screens.	Yes	
Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.			
<b>303.15. Doors.</b> All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.	Apartment Building. Vacant, open Apartment #6.	Yes	
<b>303.15. Doors.</b> All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.	Apartment Building. Rear basement doors.	Yes	
<b>303.17. Guards for basement windows.</b> Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.	Apartment Building. Missing basement window screens.		

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<p><b>303.2. Protective treatment.</b> All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p>	Apartment Building. Peeling paint at windows, doors, exterior trim.	Yes	
<p><b>303.2. Protective treatment.</b> All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p>	Apartment Building. Peeling paint at window troughs.	Yes	
<p><b>303.2. Protective treatment.</b> All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p>	Apartment Building. Peeling paint at halls, basement laundry room.	Yes	
<p><b>303.3. Premises identification.</b> Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).</p>	Apartment Building. Apartment numbers painted over. Do no contract with surrounding surface.		

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>303.5. Foundation walls.</b> All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.	Apartment Building. Open mortar joints at front/		
<b>303.6. Exterior walls.</b> All exterior walls shall be free from holes, breaks and loose or rotting materials; and maintained, weatherproof and properly surface coated where required to prevent deterioration.	Apartment Building. Owner.		
<b>303.7. Roofs and drainage.</b> The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	Apartment Building. Rotted rear roof leaking into stairwell. Written repair plan to code with permit application.	Yes	
<b>303.7. Roofs and drainage.</b> The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	Apartment Building. Grass growing out of building exterior including gutter over the front door landing.	Yes	
<b>303.7. Roofs and drainage.</b> The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	Apartment Building. Front downspout missing at west.	Yes	
<b>303.8. Decorative features.</b> All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.	Apartment Building. Dead ivy growing at the west and south exterior elevation faces of the building.	Yes	
<b>304.1. General.</b> The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.	Apartment Building. Owner.		
<b>304.3. Interior surfaces.</b> All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Apartment Building. Broken finish surfaces including ceilings, walls at rear stairwell Rear stairwell		
<b>304.4. Stairs and walking surfaces.</b> Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.	Apartment Building. Rear stairwell littered with fallen material.		

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<b>305.2. Disposal of rubbish.</b> Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.	Apartment Building. Broken rubbish at building including air conditioner at 1st floor hall and broken cabinets at 2nd floor hall.	Yes	
<b>401.2. Responsibility.</b> The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.	Apartment Building. Owner.		
<b>402.2. Common halls and stairways.</b> Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m <sup>2</sup> ) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways, shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.	Apartment Building. Owner. Lights found not working at front and rear stair wells.		
<b>403.2. Bathrooms and toilet rooms.</b> Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.	Apartment Building. Bathroom windows painted shut at Apartment 6. Permission is requested to inspect apartments 1,2,3,4,5.		
<b>605.3. Lighting fixtures.</b> Every public hall, interior stairway, toilet room kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.	Apartment Building. Lighting fixtures missing covers at halls.		
<b>607.1. General.</b> Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.	Apartment Building. Skylight closed at central ventilation shaft for bathroom.	Yes	
<b>607.1. General.</b> Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.	Apartment Building. Concrete plaster Walls at central ventilation shaft deteriorated, peeling, broken paint.	Yes	
<b>704.1. Smoke detectors.</b> Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms.	Apartment Building. Broken smoke detectors including at 1st, 2nd, 3rd floor landing at front and at rear stairwells	Yes	
<b>704.1. Smoke detectors.</b> Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms.	Apartment Building. Broken smoke detectors at basement.		