



CITY 2007142133



DEC 31 2007 09:33 P 6

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
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2007142133

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**Return To:  
City of Omaha  
Planning Department  
Code Enforcement  
1819 Farnam St, Rm. 1003  
Omaha, NE 68183**



City of Omaha  
Mike Fahey, Mayor

## CODE ENFORCEMENT

### NOTICE OF VIOLATION

December 6, 2007

#### Planning Department

Omaha/Douglas Civic Center  
1819 Farnam Street, Suite 1003  
Omaha, Nebraska 68183  
(402) 444-5150  
Telefax (402) 546-0714

Steven N. Jensen, AICP  
Director

John E. Schmidt  
5630 South 21st Street  
Omaha, NE 68107

Legal Description: South 63' of the West 150' of lot 28 &  
the West 148' of lot 33, In Redicks 2nd Add.

This notice concerns the Property at: **911 S 025 ST Apt. No. 7A Apartment Interior.**

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 February 4, 2008. 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 occupied Property is declared to be unsafe, unfit for human occupancy, or unlawful, because of the violations so designated in the attached Violations List. If any of those designated violations are not cured within the time period stated above, the Property will be placarded, and occupancy will be prohibited until the violations are cured and released.

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: **Electrical,**

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, 402-444-5382

Kevin J. Denker  
Chief Code Inspector

C:

**The City of Omaha Planning Department  
Housing Division  
Permits and Code Requirements**  
for property address: 911 S 025 ST Apt. No. 7A  
Structure Type: Apartment-Interior-Apt.7A  
December 6, 2007

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

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

Separate Permits required for the following:

Y Electrical      Plumbing      Mechanical      Wreck

**Special Code Requirements:**

**Electrical Requirements -**

Under 121-142. Chapter 44. Bring electrical service up to code. A licensed, bonded, electrical contractor is required to make repairs. A City of Omaha electrical permit and an inspection by the City Electrical Inspector is required for conformance.

# Violations List

December 6, 2007

John E. Schmidt  
5630 South 21st Street  
Omaha, NE 68107

Re: 911 S 025 ST Apt. No. 7A  
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/Repaired</u>
<b>040-106. Permit required.</b> The installation, alteration, repair or replacement of any air conditioning/air distribution system or exhaust system shall not be undertaken within the jurisdiction of the city without a permit issued by the permits and inspections division prior to said installation.	Apartment 7A. All mechanical repairs and alterations must be made by a mechanical contractor, licensed and bonded by the City of Omaha & requires permits and inspections.	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 7A. Deteriorated door threshold at 7A and adjacent apartment door.	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.	Hall. Deteriorated door, entry doors, storm doors, door jambs, door hardware, including abraded, peeling deteriorated surfaces. Front security door is broken off. Part of closer is hanging from frame.	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 7A. Damaged and deteriorated doors, hardware and jambs. Including front door, rear door. Jamb not painted.	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 7A. Owner	Yes

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<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.	Hall. Owner. Unsanitary throughout stairwell. Filth. Soiled deteriorated floors, walls, ceilings. Floor carpets to be cleaned within ten (10) days of the date of this notice of violation. Failure to comply will be followed by criminal citation.	Yes	
<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 7A. Damaged, soiled, deteriorated and abraded interior surfaces including walls, floors, ceilings, window and door surfaces and trim. Kitchen ceiling plaster repair is not finished.	Yes	
<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 7A. All abraded, deteriorated, damaged interior surfaces, including walls, windows, doors, trim, floors and ceilings. Including soiled, grease covered, holed kitchen walls and surface.	Yes	
<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.	Hall. Broken stair tread, riser, stringer. Flight from 2nd floor down to landing on the east side of stair.	Yes	
<b>304.5. Handrails and guards.</b> Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.	Hall. Deteriorated interior handrails to second floor. Rail is sharp edged at 2nd floor landing, and not sanded and finished smooth.	Yes	
<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.	Apartment 7A. Deteriorated kitchen cabinet. Broken countertops and edges.	Yes	
<b>602.2. Residential occupancies.</b> Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees F (18 C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.	Apartment 7A. Inadequate temperature to habitable spaces. 61.1 degrees Fahrenheit.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p><b>603.1. Mechanical appliances.</b> All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function.</p>	<p>Apartment 7A. Deteriorated, soiled thermostat, furnace and heat duct supply and return air to be cleaned and checked by a mechanical contractor licensed and bonded in Omaha. Copy of report to be provided to the code inspector. Receipt required from mechanical contractor for faulty relay replaced. Furnace area is filthy. Duct in living room is filthy. Clean ducts. Verify make up air.</p>	Yes
<p><b>604.3. Electrical system hazards.</b> Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.</p>	<p>Apartment 7A. Broken wall outlet and cover plate. At refrigerator outlet.</p>	Yes
<p><b>604.3. Electrical system hazards.</b> Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.</p>	<p>Apartment 7A. Broken electrical lighting fixture and fixture cover. Kitchen ceiling fixture cover is missing.</p>	Yes