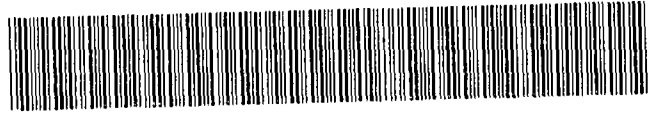




CITY 2010107135



NOV 15 2010 09:25 P 14

city
#notee #18-35680
B/P _____ GO _____ COMP CC
DE _____ SWH _____ JV _____

Filed: AS RECEIVED

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/15/2010 09:25:44.16



2010107135

THIS PAGE INCLUDED FOR INDEXING

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

Check Number



City of Omaha
Jim Suttle, Mayor

Planning Department

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

R. E. Cunningham, RA, F.SAME
Director

NOTICE OF VIOLATION

October 12, 2010

Mark Marshall c/o Jonathan Marshall
2142 S. 35 Ave.
Omaha, NE 68105

Parcel No.: 1673000222
Legal Description: LOTS 1 AND 2, BLOCK 3, IN
SCHULL'S ADDITION

**** FILED: AS IS**

This notice concerns the Property at: **1110 S 024 ST Commercial building 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 11, 2010. 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.

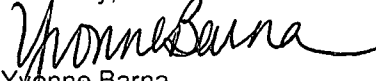
This vacant Property is declared to be unsafe, unfit for human occupancy, or unlawful, because of the violations so designated in the attached Violations List. You are ordered to close the Property and to take measures necessary to prevent occupancy of it within 60 days. Occupancy of the property is 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: , **Wreck Permit**

Any person directly affected by this notice may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$100.00 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,


Yvonne Barna
Code Inspector, 402-444-7735


Kevin J. Denker
Chief Code Inspector

C:

**The City of Omaha Planning Department
Housing Division
Permits and Code Requirements**
for property address: 1110 S 024 ST
Structure Type: Commercial building-Exterior
October 12, 2010

The following permit is required for the primary structure:

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

Separate Permits required for the following:

Electrical Plumbing Mechanical Y Wreck

Special Code Requirements:

Wreck Requirements-

A wreck permit shall be required before the removal of a structure. For more information call 444-5371 and ask for a brochure to be mailed.

Other requirements: Wreck permit is required to demolish the structure. Asbestos certification and pest inspection are required to issue wreck permit.

Permits and construction schedule are required if demolition is to be stopped.

Violations List

October 12, 2010

Mark Marshall c/o Jonathan Marshall
2142 S. 35 Ave.
Omaha, NE 68105

Re: 1110 S 024 ST
Inspected by: Yvonne Barna
Structure Type: Commercial 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>
<p>043-101. Generally. All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have special inspection as specified in the building code as adopted by this jurisdiction.</p> <p>Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the building code, this Code or other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of the building code, this Code or other ordinances of the jurisdiction shall not be valid.</p> <p>It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.</p> <p>A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans. (Ord. No 33582, SS 1(43-101), 6-27-95)</p>	<p>Building Exterior. Construction work shall remain accessible & exposed for inspections until approved.</p>	
<p>043-71. Required. 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>	<p>Building Exterior. General repair permits are required for roof replacement, exterior and interior wall surface repair, window and door repair, non-structural replacement.</p>	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p>043-71. Required. 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>	<p>Building Exterior. General Repair-Building permit required when repair labor and materials are valued over \$500.</p>	
<p>043-71. Required. 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>	<p>Building Exterior. Wreck permit required to demolish this structure. All other permits will be needed if structure is to be saved.</p>	
<p>043-91. Permit Fees. Fees shall be assessed in accordance with the provisions of this section. The fee for each building permit shall be as set forth in Table 43-91.</p>	<p>Building Exterior. Fee shall be assessed in accordance with the provisions of this sections.</p>	
<p>The determination of value or valuation for the purpose of assessing the permit fee shall be made by the building official. The value to be used in computing the building permit and plan review fees shall be the total value of all construction work for which the permit is issued.</p>		
<p>Penalty fees: When construction begins before the permit has been issued, the applicant shall pay a penalty fee. Said fee shall be quadruple the amount of the regular fee.</p>		
<p>No quadruple fee penalty set forth in this chapter shall be imposed if the work is of an emergency nature where a delay in performing the work may cause a risk to life or health or will significantly increase the risk of property damage, provided a permit is applied for within 48 hours of the start of the work, in which case no penalty shall be imposed.</p>		
<p>043-94. Commencing work without permit. Whenever any work for which a permit is required has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued. A penalty fee shall be assessed in accordance with table 43-91. Payment of the penalty fee shall not exempt the applicant from making any changes that may be required to bring the work into compliance with the city's building, zoning and other codes. (Ord. No 33582, SS 1(43-94), 6-27-95)</p>	<p>Building Exterior. Whenever any work for which a permit is required has been commenced without first obtaining said permit a penalty fee shall be assessed.</p>	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p>048-101. Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the building board of review, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served or posted, as the case may be. If the decision, notice or order was served by first class mail, then three (3) business days shall be added to the time for appeal. Appealable issues shall include, but not be limited to, notices of violation, repair orders, placards, notices to vacate, closure orders, the results of inspections, orders to purchase permits or pay fees, and the denial of permits. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means, or that the strict application of any requirement of this code would cause an undue hardship. To the extent that there are any differences in the procedures for appeals to the board under this code and under Chapter 43, the procedures set forth in this code shall govern appeals occurring under this code.</p>	<p>Building Exterior. Owner. Any person directly affected by this notice shall have the right to appeal.</p>	
<p>048-102. Stays of enforcement. An appeal of a notice or order (other than an Imminent Danger notice or order) shall stay the enforcement of the administrative notice and order until the appeal is heard by the board, but shall not stay the criminal prosecution of any violation of any section of this code.</p>	<p>Building Exterior. Owner and / or person(s) responsible.</p>	
<p>048-12a. Maintenance. 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>	<p>Building Exterior. Owner.</p>	
<p>048-13. Application of other codes. 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>	<p>Building Exterior. All city codes apply. Building Code, Plumbing Code, Electrical Code, Mechanical Code, Fire Code.</p>	
<p>048-15. Workmanship. 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>	<p>Building Exterior. All repairs, alterations, maintenance work & installations shall be made in a workmanlike manner, and in accordance with manufacturer's installation instructions.</p>	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<p>048-25. Fees. The fees for activities and services performed by the city in carrying out its responsibilities under this code shall be as indicated in the following schedule:</p> <p>Reinspection, charged once for each notice per dwelling unit \$41.00</p>	Building Exterior. Owner. Fee shall apply.		
<p>048-33a. 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.</p>	Building Exterior. Code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies.		
<p>048-34. Right of entry. 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>	Building Exterior. The code official is authorized to enter the structure or premises at reasonable times.		
<p>048-34. Right of entry. 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>	Building Exterior. A complete interior inspection is requested because of the exterior conditions.	Yes	
<p>048-43. Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the city.</p> <p>a) Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official or building board of review shall determine the testing procedures.</p> <p>b) Testing agency. All tests shall be performed by an approved agency.</p> <p>c) Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.</p>	Building Exterior. A termite and an asbestos inspection are required before a wreck permit is issued.		
<p>048-44. Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.</p>	Building Exterior. Owner.		
<p>048-51. Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violations of any of the provisions of this code.</p>	Building Exterior. Any violation of any provision of this code is unlawful.		

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p>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.</p>	<p>Building Exterior. Any person failing to comply with a notice shall be prosecuted.</p>	
<p>048-54. Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.</p>	<p>Building Exterior. Any person who violates a provision of this code shall be prosecuted within the limits provided by state or locals laws.</p>	
<p>048-61. Notice to owner or to person or persons responsible. 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.</p>	<p>Building Exterior. Owner and / or person(s) responsible.</p>	
<p>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.</p>	<p>Building Exterior. Inspector must be notified of pending transfer of ownership seven (7) days prior to transfer.</p>	
<p>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.</p>	<p>Building Exterior. Decayed, dilapidated and deteriorated structure.</p>	<p>Yes</p>
<p>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.</p>		

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<p>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.</p> <p>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.</p>	Building Exterior. Deteriorated siding and trim.	Yes	
<p>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.</p> <p>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.</p>	Building Exterior. Deteriorated and damaged exterior doors.	Yes	
<p>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.</p> <p>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.</p>	Building Exterior. Deteriorated windows throughout.	Yes	
<p>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.</p> <p>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.</p>	Building Exterior. Deteriorated fence.	Yes	
<p>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.</p> <p>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.</p>			

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p>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.</p> <p>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.</p>	Building Exterior. Deteriorated roof system, soffits and fascia.	Yes
<p>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.</p> <p>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.</p>	Building Exterior. Trash, litter and debris throughout.	Yes
<p>048-72. Closing of vacant structures. If the premises are vacant and unfit for human habitation and occupancy, the code official is authorized to post a closure placard on the premises and order the premises closed up so as not to be an attractive nuisance. The owner or person responsible for the premises shall close up the premises within the time specified in the notice or order, and shall keep the premises closed until authorized or permitted by the code official to be opened. It shall be unlawful for the owner or any person responsible for the premises to fail to close and keep closed such a premises, on a continuing basis after the said notice or order. Upon failure of the owner or other person responsible for the premises to close up the premises within the time specified in the order, the code official may, in addition to other civil or criminal remedies, cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal means.</p>	Building Exterior. Structure was found to be vacant and must remain vacant until repairs and inspections are final.	
<p>048-73. Notice. Whenever the code official has declared a structure or equipment unsafe or unfit under the provisions of this Division, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 48-63. If the notice pertains to equipment, it shall also be placed on the equipment. The notice shall be in the form prescribed in Section 48-62.</p>	Building Exterior. Structure is unsafe.	Yes

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p>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, removing the placard, or failing to close the premises or keep the premises closed.</p>	<p>Building Exterior. Structure will be placarded.</p>	
<p>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 subject to the penalties set out in section 1-10 of this Code.</p>	<p>Building Exterior. Failure to comply with repairs as ordered within the time directed in previous Notice of Violation(s). Occupancy is prohibited.</p>	
<p>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.</p>	<p>Building Exterior. Danger-closed sign shall not be removed until directed by the City of Omaha.</p>	
<p>048-77. Filing with Register of Deeds. If a notice declaring a property unsafe or unfit for human occupancy is unsuccessfully appealed or if the time for such appeal has passed without the filing of such appeal, then the code official may file the said notice against the property with the Register of Deeds. Upon correction of the relevant violations, the code official shall file a release of the notice with the Register of Deeds, without cost to the owner.</p>	<p>Building Exterior. Structure determined to be unfit/unsafe.</p>	
<p>048-81. Imminent danger. 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 or allow any use of such structure or the premises upon which it is located, except for the purpose of securing the premises, making the required repairs, removing the hazardous condition or of demolishing the same.</p>	<p>Building Exterior. Repairs have not been made within previous Notice of Violation(s) time limit. Occupancy is prohibited.</p>	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation Repaired
<p>048-91. General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.</p>	<p>Building Exterior. Deteriorated, unrepaired structure is a blighting influence on the neighborhood and is to be removed and demolished within 30 days of the date of this notice of violation. Termite and asbestos inspections are required to issue the wreck permit.</p>	Yes
<p>048-93. Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons. The cost of such demolition and removal may be assessed as a lien against the real estate upon which the structure is located, and may be collected from the owner pursuant to civil action, as provided by law.</p>	<p>Building Exterior. Failure to comply with demolition order may result in removal of the dangerous structure by the city.</p>	
<p>048-94. Salvage materials. When any building or structure has been ordered demolished or removed, the city or its contractor shall provide to the owner reasonable advance notice that any desired salvage materials or property of any value should be removed from the real estate upon which the building or structure is located. After the demolition or removal of a building or structure, the city or its contractor may keep or lawfully dispose of any salvage materials or property of any value remaining on the real estate.</p>	<p>Building Exterior. Owner.</p>	
<p>301.2. Responsibility. 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.</p>	<p>Building Exterior. Owner. Entire Structure.</p>	
<p>301.3. Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.</p>	<p>Building Exterior. Structure must be secure within 24 hours of this notice and be maintained secure until the property is repaired and action is release, or the building is demolished.</p>	
<p>302.2. Grading and drainage. 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.</p>	<p>Building Exterior. After demolition, property is to be graded and seeded to prevent future erosion.</p>	

Exception: Approved retention areas and reservoirs.

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p>302.7. Accessory structures. All accessory structures, including detached garages, fences and walls shall be maintained structurally sound and in good repair.</p>	<p>Building Exterior. Accessory buildings must be removed when primary structure is demolished.</p>	



City of Omaha
Jim Suttle, Mayor

DEMOLITION ORDER

October 12, 2010

Planning Department

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

R. E. Cunningham, RA, F.SAME
Director

Mark Marshall c/o Jonathan Marshall
2142 S. 35 Ave.
Omaha, NE 68105

This notice concerns the Commercial building on the Property at **1110 S 024 ST** .

The said structure 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 demolish and remove the said structure by December 11, 2010.

If you fail to comply with this order by the above date, then the City will demolish and remove the said structure. In such case, the cost of such demolition and removal may be assessed as a lien against the Property, and may be collected from the owner in a civil action.

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: , **Wreck Permit**.

Any person directly affected by this notice may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$100.00 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,


Yvonne Barna
Code Inspector, 444-7735


Kevin J. Dehker
Chief Code Inspector

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