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City no fees 24-21040
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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/24/2009 10:54:10.61

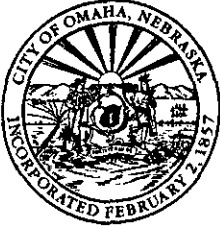


2009126281

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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

NOTICE OF VIOLATION

October 22, 2009

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

Edward K. Mobley
1420 S. 13 St.
Omaha, NE 68108

Parcel No.: 1918000015

Legal Description:

*1 1/2 dt 8, Bldg 9,
Kountze 3rd*

This notice concerns the Property at: **1420 S 013 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 21, 2009. 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 \$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
Yvonne Barna
Code Inspector, 402-444-7735

Kevin J. Denker
Kevin J. Denker
Chief Code Inspector

C: Marble Rock Investments LLC c/o Mary Schon, 2900 Douglas St., Omaha, NE 68131

The City of Omaha Planning Department
Housing Division
Permits and Code Requirements
for property address: 1420 S 013 ST
Structure Type: Commercial building-Exterior
October 22, 2009

The following permit is required for the primary structure:

A Building permit is required for the amount of \$30,000.00. Note: The fee charged for a Building permit is based on the total amount of estimated labor and material costs.

Y General Repair

Fire

Y Reroof

Y Remove Existing Roof

Y Reside

Y Remove existing siding

Basement Finish

Retaining Wall

Y Window Replacement

Soffits, Gutters, etc.

Kitchen Remodel

Bath Remodel

Y Plans required

Fence

Decks/Porches

Fire Escape

Y Interior Inspection.

Requested for the following reason(s) :

An interior inspection is required due to exterior conditions.

Separate Permits required for the following:

Electrical

Plumbing

Mechanical

Wreck

Engineer Review:

Registered Engineer's drawing and stamp required.

Other requirements: A Structural engineer's report on entire exterior of the building and any interior damages required and is to be given to inspector before permits are to be issued.

Violations List

October 22, 2009

Edward K. Mobley
1420 S. 13 St.
Omaha, NE 68108

Re: 1420 S 013 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>
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.	Building Exterior. Construction work shall remain accessible & exposed for inspections until approved.	
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.		
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.		
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)		
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)	Building Exterior. General repair permits are required for roof replacement, exterior and interior wall surface repair, window and door repair, non-structural replacement.	

<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.</p> <p>(Ord. No. 33582 SS 1(43-71), 6-27-95)</p>	Building Exterior. General Repair-Building permit required when repair labor and materials are valued over \$500.	
<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>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>	Building Exterior. Fee shall be assessed in accordance with the provisions of this sections.	
<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.</p> <p>(Ord. No 33582, SS 1(43-94), 6-27-95)</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.	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
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.	Building Exterior. Owner. Any person directly affected by this notice shall have the right to appeal.	
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.	Building Exterior. Owner.	
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.	Building Exterior. Owner.	
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.	Building Exterior. All city codes apply. Building Code, Plumbing Code, Electrical Code, Mechanical Code, Fire Code.	
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.	Building Exterior. All repairs, alterations, maintenance work & installations shall be made in a workmanlike manner, and in accordance with manufacturer's installation instructions.	

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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:	Building Exterior. Owner. Fee shall apply.	
Reinspection, charged once for each notice per dwelling unit \$41.00		
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.	Building Exterior. Code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies.	
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.	Building Exterior. A complete interior inspection of the subject building is requested within 10 days of the date of this notice.	
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.	Building Exterior. A stamped engineers report or a structural review is required by a State of Nebraska registered structural engineer and report given to inspector for the entire exterior of the building.	
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.		
b) Testing agency. All tests shall be performed by an approved agency.		
c) Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.		
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.	Building Exterior. Owner.	
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.	Building Exterior. Any violation of any provision of this code is unlawful.	

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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.	Building Exterior. Any person failing to comply with a notice shall be prosecuted.		
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.	Building Exterior. Any person who violates a provision of this code shall be prosecuted within the limits provided by state or local laws.		
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.	Building Exterior. Owner/Occupant		
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.	Building Exterior. Inspector must be noticed of pending transfer of ownership seven (7) days prior to transfer.		
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.	Building Exterior. Decayed, dilapidated and deteriorated structure.	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.			

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<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>	<p>Building Exterior. Deteriorated structural members not capable of supporting imposed load. Roofing system is deteriorated and missing.</p>	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>	<p>Building Exterior. Deteriorated window systems.</p>	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>	<p>Building Exterior. Deteriorated exterior walls.</p>	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>	<p>Building Exterior. Deteriorated and missing roof system.</p>	Yes	

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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.	Building Exterior. Upon failure to comply within the time given, structure shall be placarded.	
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.	Building Exterior. Upon failure to comply with repairs as ordered within the time directed in this Notice of Violation, structure shall be vacated.	
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.	Building Exterior. Danger-closed sign shall not be removed until directed by the City of Omaha.	
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.	Building Exterior. Structure determined to be unfit/unsafe.	
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.	Building Exterior. This structure is unsafe and its occupancy has been prohibited by the code official.	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
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.	Building Exterior. Open, 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.	
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.	Building Exterior. If dwelling is to be repaired, a construction schedule listing milestones for the completion of all needed repairs is required to be given to the inspector for approval along with a list of sub-contractors that are doing the general repairs, plumbing, el	
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.	Building Exterior. Failure to comply with demolition order may result in removal of the dangerous structure by the city.	
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.	Building Exterior. Owner.	
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.	Building Exterior. Owner. Entire Structure.	

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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.	Building Exterior. Owner. If structure is to be vacated, it must be maintained in a clean, safe, secure, and sanitary condition.		
302.1. Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.	Building Exterior. Litter and/or debris on exterior property and premises.		
302.4. Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches (254 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.	Building Exterior. Nuisance vegetation on exterior building walls.		
302.4. Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches (254 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.	Building Exterior. Overgrown vegetation is more than 10" high throughout property; broken, trash trees; trees against house foundation.	Yes	
302.8. Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.	Building Exterior. Inoperative, unlicensed motor vehicle, motor vehicle litter.		
304.1. General. 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.	Building Exterior. Owner. Exterior of the structure is in disrepair, structurally unsound, unsanitary and is a threat to public health, safety and welfare.	Yes	
304.11. Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.	Building Exterior. Deteriorated chimney.	Yes	
304.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Building Exterior. Deteriorated window sash, jambs, troughs and sills including abraded and peeling surface paint.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
304.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Building Exterior. Deteriorated storm window and missing inserts.	Yes	
304.13.1. Glazing. All glazing materials shall be maintained free from cracks and holes.	Building Exterior. Broken window glass. Windows also boarded over.	Yes	
304.13.2. Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.	Building Exterior. All openable windows to operate easily as intended by the manufacturer.	Yes	
304.14. Insect screens. 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 screen door used for insect control shall have a self-closing device in good working condition.	Building Exterior. Deteriorated, torn, and missing insect screens on all sides.	Yes	
Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.			
304.15. Doors. 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.	Building Exterior. Deteriorated doors.	Yes	
304.2. Protective treatment. 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.	Building Exterior. Peeling and missing paint on exterior surfaces, including doors, windows.		

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304.4. Structural members. All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.	Building Exterior. A stamped engineers report or a structural review is required by a State of Nebraska registered structural engineer and report given to inspector for the entire exterior of the building.	
304.4. Structural members. All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.	Building Exterior. Deteriorated, damaged, rotted, missing roofing system and exterior walls.	Yes
304.5. Foundation walls. 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.	Building Exterior. Deteriorated and missing foundation cement stucco.	Yes
304.6. Exterior walls. 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.	Building Exterior. Deteriorated and/or missing mortar at masonry joints, missing exterior brick surfaces and cracked stucco surfaces.	Yes
304.7. Roofs and drainage. 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.	Building Exterior. Deteriorated gutters and downspouts.	Yes
304.7. Roofs and drainage. 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.	Building Exterior. Deteriorated and missing roof covering.	Yes



City of Omaha
Jim Suttle, Mayor

DEMOLITION ORDER

October 22, 2009

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

Edward K. Mobley
1420 S. 13 St.
Omaha, NE 68108

This notice concerns the Commercial building on the Property at **1420 S 013 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 21, 2009.


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.

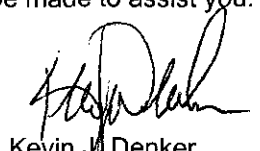
While the necessity of City permits to conduct the necessary work will depend on the method of repair chosen by the Property owner, it presently appears that the following types of permits will have to be obtained from the City to perform the necessary work: **Building**.

Any person directly affected by this notice may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$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. Denker
Chief Code Inspector

C: Marble Rock Investments LLC c/o Mary Schon, 2900 Douglas St., Omaha, NE 68131