



City of Omaha
Jean Stothert, Mayor

NOTICE OF VIOLATION

October 22, 2013

Planning Department

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

James R. Thele
Director

Omaha Housing Authority
540 S. 27 St.
Omaha, NE 68105

Parcel No.: 1650077324
Legal Description: Lot 12, Block 9, Wears
West Pacific Addition

This notice concerns the Property at: **10914 JONES ST Dwelling 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, 2013. 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.

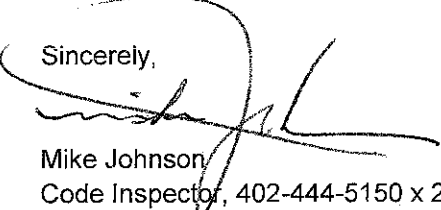
This vacant Property is declared to be unsafe, unfit for human occupancy, or unlawful, because of the violations so designated in the attached Violations List. You are ordered to close the Property and to take measures necessary to prevent occupancy of it within 60 days. Occupancy of the property is 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, Electrical, Plumbing, Mechanical, 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 \$108.00 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,


Mike Johnson
Code Inspector, 402-444-5150 x 2109


Kevin J. Denker
Chief Code Inspector

C:

The City of Omaha Planning Department
Housing Division
Permits and Code Requirements
for property address: 10914 JONES ST
Structure Type: Dwelling-Exterior
October 22, 2013

A Building permit is required for the amount of \$60,000.00. 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 | <input type="checkbox"/> Window Replacement | <input type="checkbox"/> Interior Inspection. |
| <input type="checkbox"/> Fire | <input type="checkbox"/> Soffits, Gutters, etc. | Requested for the following reason(s) : |
| <input type="checkbox"/> Reroof | <input type="checkbox"/> Kitchen Remodel | |
| <input type="checkbox"/> Remove Existing Roof | <input type="checkbox"/> Bath Remodel | |
| <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 type="checkbox"/> Decks/Porches | |
| <input type="checkbox"/> Retaining Wall | <input type="checkbox"/> Fire Escape | |

Separate Permits required for the following:

- ☒ 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.

Plumbing Requirements-

Under 131-135. Chapter 49. Bring plumbing service up to code. A licensed, bonded, plumbing contractor is required to make repairs. A City of Omaha plumbing permit and an inspection by the City Plumbing Inspector is required for conformance.

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.

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.

Engineer Review:

Registered Engineer's drawing and stamp required.

Violations List

October 22, 2013

Omaha Housing Authority
540 S. 27 St.
Omaha, NE 68105

Re: 10914 JONES ST
Inspected by: Mike Johnson
Structure Type: Dwelling

Owner Violation List items and Corrective Actions

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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. 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)	Entire Dwelling. Construction work shall remain accessible & exposed for inspections until approved.	
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)	Entire Dwelling. A wreck permit is required to demolish this structure. All other permits will be needed if structure is to be saved.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Fee shall be assessed in accordance with the provisions of this sections.	

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.

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.

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.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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)	Entire Dwelling. Whenever any work for which a permit is required has been commenced without first obtaining said permit a penalty fee shall be assessed.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
044-121. Permit required.. Before proceeding to install, alter, repair, relocate, affix or suspend any electrical wiring, or to install or connect any equipment or apparatus which requires electrical wiring to be installed, affixed or suspended to make the same operable, for either interior or exterior wiring, a permit shall be obtained by an electrical contractor or a master electrician from the electrical official at the permits and inspections division.	Entire Dwelling. All electrical repairs and alterations must be made by an electrical contractor, licensed and bonded by the City of Omaha. Appropriate electrical permits and final inspections are required.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. All City codes apply. Building code, plumbing code, electrical code, mechanical code, fire code.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. All repairs, alterations, maintenance work & installations shall be made in a workmanlike manner, and in accordance with manufacturer's installation instructions.	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-31. General. The code official shall enforce the provisions of this code.	Entire Dwelling. This code will be enforced.	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. The code official is authorized to enter the structure or premises at reasonable times.	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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. 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.	Entire Dwelling. A stamped engineers report or a structural review is required by a State of Nebraska registered structural engineer and report given to inspector. Engineers report is to be of the complete foundation and room addition of the structure.	Yes
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Any violation of any provision of this code is unlawful.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Any person failing to comply with a notice shall be prosecuted.	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Any person who violates a provision of this code shall be prosecuted within the limits provided by state or local laws.	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Owner and or person or persons responsible.	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Written notice of pending transfer of ownership must be made to the office of the planning department within seven (7) days prior to transfer of deed.	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Deteriorated collapsing foundation of complete structure.	Yes
<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>		

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Deteriorated collapsing foundation of complete structure.	Yes

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.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Structure is to be vacated and must remain vacant until repairs and inspections are final.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Notice(s) have been served.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Posted danger closed, 10-8-13	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Occupancy is prohibited until all required permits have been obtained, all repairs have been completed, all final inspections have been completed. Owner or repair persons are allowed to be on the property between 7:00 AM and 5:00 PM making repairs. No one is allowed to be at or on the property other than aforementioned times.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Danger-closed sign shall not be removed until directed by the City of Omaha.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Deteriorated collapsing foundation of complete structure.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. The owner is hereby directed to demolish and remove this deteriorated structure within sixty (60) days.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Wreck permit required to demolish this structure. All other permits will be needed if dwelling/garage/building is to be saved.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Entire Dwelling. Failure to comply with demolition order may result in removal of the dangerous structure by the city.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
049-300. Required. It shall be unlawful for any person to begin any job of plumbing until a license holder has secured from the permits and inspections division a permit to do such work; provided that no permit will be required for minor repair work as defined in sections 49-400 and 49-303.	Entire Dwelling. All plumbing repairs must be made by a plumbing contractor, licensed and bonded by the City of Omaha. Appropriate plumbing permits and inspections are required.	Yes



City of Omaha
Jean Stothert, Mayor

DEMOLITION ORDER

October 22, 2013

Planning Department

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

James R. Thele
Director

Omaha Housing Authority
540 S. 27 St.
Omaha, NE 68105

This notice concerns the Dwelling on the Property at **10914 JONES ST - Dwelling.**

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, 2013.

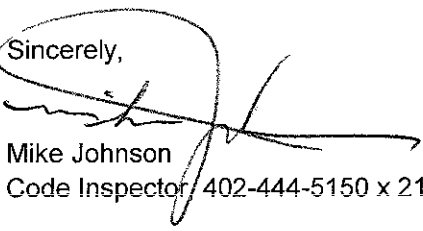
If you fail to comply with this order by the above date, then the City will demolish and remove the said structure. In such case, the cost of such demolition and removal may be assessed as a lien against the Property, and may be collected from the owner in a civil action.


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, Electrical, Plumbing, Mechanical, 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 \$108.00 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,


Mike Johnson
Code Inspector/ 402-444-5150 x 2109


Kevin J. Denker,
Chief Code Inspector

C: