

May 18, 2023

Robin Degroat
480 Perry Rd.
Binghamton, NY 13905

RE: 119 Chestnut Street
Tax map # 128.08-3-81
Owego, NY 13827

Mr Degroat,

You are listed as owner of record for the above referenced property. This letter serves as notification that the property is currently in violation of numerous statues of the NYS Property Maintenance Code as detailed below. Each violation is accompanied by applicable NY State Property Maintenance Code and the remedy to abate the violation. Village Code has determined that due to the extreme conditions regarding electrical hazards and sanitation including spilling sewage, extensive garbage accumulation and random deposits of feces that this building is a health, safety and life hazard and must be vacated as soon as possible and cannot be reoccupied until all the stated violations have been corrected. Therefore Village Code is placarding 119 Chestnut Street as "Unoccupiable" for the herein stated violations.

INTERIOR:

1) Violation: Sanitation

Applicable Code:

107.1.3 Structure Unfit for Human Occupancy

A structure is unfit for human occupancy whenever such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, 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.

REMEDY: Repair leaking sewer system, have spilt sewage cleaned up. Have the entire building cleaned and sanitized and checked for infestations.

2) Violation: Absence of smoke and carbon monoxide alarms.

Applicable Code:

[F] 704.6.1.2 Groups R-2, R-3, R-4, I-1, and Other Dwellings

Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4, I-1, and in dwellings regulated by the Residential Code of New York State regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements (excluding crawl spaces) and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 704.6.1.3 Installation Near Cooking Appliances

Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 704.6.1.1 or 704.6.1.2.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829 mm) horizontally from a permanently installed cooking appliance.

[F] 704.6.1.4 Installation Near Bathrooms

Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.6.1.1 or 704.6.1.2.

Remedy: Have ten year or hard-wired smoke and carbon monoxide alarms installed at required locations.

3) Violation: Garbage, rubbish and filth.

Applicable Code: Sanitation:

308.1 Accumulation of Rubbish or Garbage

Exterior property and premises, and **the interior of every structure**, shall be free from any accumulation of rubbish or garbage.

308.2 Disposal of Rubbish

Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

308.2.1 Rubbish Storage Facilities

The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

308.3 Disposal of Garbage

Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

308.3.1 Garbage Facilities

The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit, an approved incinerator unit in the structure available to the occupants in each dwelling unit, or an approved leakproof, covered, outside garbage container.

308.3.2 Containers

The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

Remedy: Store garbage in proper containers, have it picked up on a regular schedule to prevent backup.

4) Violation: Internal components not to code

Applicable Code: hardware

305.6 Interior Doors

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

Remedy: Adjust doors so that they may close properly, latch hardware must engage and operate properly. Replace missing cabinet drawers in kitchen.

5) Violation: Leaking and disconnected drain lines.

Applicable Code: Plumbing and sanitation

Plumbing:

Section 506 Sanitary Drainage System

[P] 506.1 General

Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

[P] 506.2 Maintenance

Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

REMEDY: Have water supply lines and sewer lines brought up to code specification.

6) Violation: Electrical system hazards

Applicable Code: Electrical:

[E] 604.1 Facilities Required

Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

[E] 604.3 Electrical System Hazards

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets,

improper wiring or installation, deterioration or damage, or for similar reasons, the building official shall require the defects to be corrected to eliminate the hazard.

REMEDY: Have improperly installed wiring corrected and supply the required number of receptacles to prevent overloading.

EXTERIOR:

7) Violation: garbage and refuse

Applicable Code:

302.1 Sanitation

Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

Remedy: Store garbage in approved containers, have removed on a regular schedule.

8) Violation: Overgrowth of yard

Applicable Code:

302.4 Weeds

Except as provided for in statute, local law, ordinance, or other regulations, all developed areas of a premises that are intended to be used by building occupants or the public shall be maintained free from weeds in excess of 10 inches (254 mm). Noxious weeds shall be prohibited.

Remedy: Have yard properly maintained.

9) Violation: Missing window glass, absence of insect screens.

Applicable Code:

304.13 Window, Skylight and Door Frames

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing

Glazing materials shall be maintained free from cracks and holes.

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.

304.14 Insect Screens

During the period from May 15 to September 15, 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 minimum 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.

Remedy: Fix broken windows, windows must be able to open. Install insect screening.

Note: We could not evaluate the condition or the rear deck as it was covered by refuse and garbage.

Continued

A Village Code Official will need to inspect to verify that all above listed violations have been remedied before the building can be reoccupied. Also, the Village of Owego requires all rental properties to be inspected before renting and every 30 months until tenant vacates. Contact Village Code at 687-1221 with any questions and for inspection.

Respectfully,

Terry Coleman
Building Code Official
Village of Owego, NY