

ENF 2024-07-00905



CITY OF WATERTOWN, NEW YORK
BUREAU OF CODE ENFORCEMENT
Suite 105, City Hall
245 Washington Street
Watertown, New York 13601
Tel. (315) 785-7735
Fax (315) 785-7854

July 18, 2024

West Main Estates LLC
229 Clinton Street Apt. A
Watertown, NY 13601

Re: 232 Main Street W.
Parcel No:2-02-206.000

Dear Property Owner:

This office has issued letters regarding the above referenced address. Upon recent inspection, this structure has been determined to be unfit for human occupancy. Therefore, as the Code Enforcement Supervisor for the City of Watertown, I am obligated to inform you, the Owner of Record, the following:

232 MAIN STREET WEST – ENTIRE STRUCTURE IS CONDEMNED FOR OCCUPANCY

According to the New York State Property Maintenance Code as stated in part below:

NYS PMC § 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 the public.

- **All persons must vacate this structure immediately.**
- **Secure and maintain all openings for this structure immediately.**
- **Arrangements for the leaseholder to obtain their belongings are the responsibility of the landlord and leaseholder.**

NYS PMC § 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.*

~There is trash and debris all over the property. All trash and debris must be removed.

NYS PMC § 304.13 Window, skylight, and door frames. Every window, skylight, door, and frame shall be kept in sound condition, in good repair, and weather tight.

~ Multiple windows are broken and or not working properly. All damaged/ inoperable windows must be repaired/ replaced.

NYS PMC § 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 order.

~Multiple windows have missing/torn screens. All damaged screens must be repaired/replaced.

NYS PMC § 304.15 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling and sleeping units shall tightly secure the door. Locks on means of egress doors shall be per Section 702.3.

~The exterior doors and their lock assemblies do not function as intended, preventing them from being properly secured. All doors must be repaired/ replaced and in good working order.

NYS PMC § 304.18 Building security. Doors, windows, or hatchways for *dwelling units*, room units, or *housekeeping units* shall be provided with devices designed to provide security for the occupants and property within.

~The entrance doors to the dwelling units and their lock assemblies do not function as intended, preventing them from being secured. All doors must be repaired/ replaced and in good working order.

NYS PMC § 304.18.1 Doors. Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased, or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

~The main entrance to each apartment unit is lacking a deadbolt assembly for security. All unit doors must be equipped with the proper locking mechanism.

NYS PMC § 305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in a good, clean, and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

~All walls and ceilings in the common areas of the building are in disrepair including holes, cracks, and peeling paint. All interior surfaces must be repaired/ replaced.

NYS PMC § 305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck, or other walking surface shall be maintained in sound condition and in good repair.

~ The staircase and flooring are in disrepair including missing pieces and cracked treads. All stairs and walking surfaces must be repaired/ replaced.

NYS PMC § 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.

~The building interior has trash and debris in the common hallway causing a blocked means of egress. All trash must be removed immediately and kept clear at all times.

NYS PMC § 308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned, or stored on *premises* without first removing the doors.

~The refrigerator located on the right side of the property's exterior must be removed immediately.

NYS PMC § 309.1 Infestation. Structures shall be kept free from insect and rodent *infestation*. Structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not injure human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

~The entire building has a severe infestation of bed bugs and cockroaches. The entire building must be properly treated to eradicate the infestation, and a service schedule from a professional extermination company must be furnished to this office.

NYS PMC § 604.3.1 Abatement of electrical hazards associated with water exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

~The electrical wiring and fixtures in the basement have been exposed to water and high moisture levels. All electrical components must be repaired/ replaced, and a city-approved electrical inspection must be performed. This office must be furnished with a copy of the electrical inspection to be compliant.

NYS PMC § 605.1 Installation. Electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and *approved* manner.

~Multiple electrical equipment to include: junction boxes, outlets, fixtures, and panels have exposed wiring. All electrical equipment must be properly installed and maintained.

NYS FC § 906.2 General requirements. Portable fire extinguishers shall be selected, installed, and maintained per this section and NFPA 10.

~Many of the required fire extinguishers are missing, and have not been maintained/ inspected. All fire extinguishers must be installed per code and properly maintained.

NYS FC § 904.4 Inspection and testing. Automatic fire-extinguishing systems shall be inspected and tested per the provisions of this section before acceptance.

~The existing fire extinguishers have expired and must be replaced.

NYS FC § 906.5 Conspicuous location. Portable fire extinguishers shall be located in conspicuous locations where they will have *ready access* and be immediately available for use. These locations shall be along normal paths of travel unless the *fire code official* determines that the hazard posed indicates the need for placement away from normal paths of travel.

~The fire extinguishers in the basement are not located in a conspicuous location preventing them from being easily accessible. The fire extinguishers must be relocated to a readily accessible location in the egress path.

NYS FC § 906.6 Unobstructed and unobscured. Portable fire extinguishers shall not be obstructed or obscured from view. In rooms or areas in which visual obstruction cannot be completely avoided, means shall be provided to indicate the locations of extinguishers.

~The fire extinguishers in the common hallways are obstructed by trash and debris. All fire extinguishers in the common hallways be unobstructed at all times.

NYS FC § 907.10 Smoke alarm maintenance. Smoke alarms shall be tested and maintained per the manufacturer's instructions. Smoke alarms shall be replaced when they fail to respond to operability tests, or when they exceed 10 years from the date of manufacture unless an earlier replacement is specified in the manufacturer's published instructions.

~The smoke alarms in the common areas are missing or in disrepair. All smoke alarms must be repaired/ replaced and properly maintained

NYS FC § 915.3 Detection locations. Carbon monoxide detection shall be installed in the locations specified in Sections 915.3 through 915.3.3 plus any additional locations as required by the manufacturer of the carbon monoxide detection device. All carbon monoxide detectors shall be installed in locations that avoid dead air spaces, turbulent air spaces, fresh air returns, open windows, HVAC ducts, closed doors, and other such obstructions that could prevent carbon monoxide from reaching the detector. Where there is a conflict between the location requirements specified by this code and the location requirements specified by the manufacturer of the carbon monoxide detection device, the more restrictive shall govern.

~Carbon monoxide detectors must be placed in all required locations and be in proper working condition.

NYS FC § 915.6 Maintenance and replacement. Carbon monoxide alarms, carbon monoxide detectors, carbon monoxide detection systems, and alarm control units shall be maintained in good working order per Section 915, NFPA 720, and the manufacturer's instructions/recommendations. Carbon monoxide alarms and carbon monoxide detectors shall be replaced when they become inoperable, cease to operate as intended, begin producing end-of-life signals, or when otherwise required by the manufacturer's instructions or manufacturer's recommendations.

~ All Carbon Monoxide detectors must be maintained where required by the New York State Fire Code.

NYS FC § 907.2.10.2 Groups R-2, R-3, R-4 and I-1. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of *occupant load* at all of the following locations: 1. Interior exit access stairways and ramps. 2. Interior and exterior exit stairways and ramps. 3. Exit passageways.

~The smoke detectors in the common areas are broken and missing and must be repaired/ replaced.

NYS FC § 1008.3.2 Buildings. In the event of power supply failure, in buildings that require two or more *means of egress*, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior *exit access stairways* and *ramps*.
2. Interior and exterior *exit stairways* and *ramps*.
3. *Exit passageways*.

~ There are several emergency lights and exit signs that do not properly function. All emergency lights and exit signs must be repaired/ replaced and be maintained in proper working order.

Be advised pursuant to *Section 120-41 of the Code of the City of Watertown: Transfer of Title*. *The transfer of title by the owner of premises upon which an unsafe building or structure is located shall be no defense to any proceedings under this chapter.*

Appeal Process: Any person aggrieved by a determination of the Code Enforcement Supervisor to the effect that a notice of violation or order served in accordance with Article IV is in error may appeal in accordance with the provisions of 19 NYCRR titled "Variance Procedures," which is administered by the Secretary of State. The city may not modify or otherwise alter any of the codes. Nothing herein shall prevent a request for a reasonable extension of time from the Code Enforcement Supervisor for compliance upon the grounds of a demonstrated case of hardship and evidence of an actual undertaking to correct the violation. The grant of a reasonable extension of time shall be in the sole discretion of the Code Enforcement Supervisor.

Please provide this office with your written intentions on how you plan to bring this property into compliance. **Permits may be required.**

This structure will remain condemned until this department performs a complete joint on-site inspection and verifies corrections of all violations.

Failure to comply may result in legal action. Please contact our office if you have any questions.

Sincerely,



Dana P. Aikins
Code Enforcement Supervisor

TANKED NOTICE

THIS BUILDING IS CONDEMNED FOR OCCUPANCY

It is unlawful for any person to enter this building except for the purpose of making the required repairs or of demolishing the same after obtaining a permit from the Code Enforcement Bureau of the City of Watertown, New York.

No persons shall occupy placarded premises or shall operate placarded equipment.

It is unlawful for any person, firm or corporation, or their agent or other servant to remove this notice without written permission from the Code Enforcement Officer:

NYS PMC §107.1.3 – UNFIT FOR HUMAN OCCUPANCY

Parcel No.: 2-02-206.000

By Order Of

Address: 232 Main S W



Owner: West Main Estates LLC

Code Enforcement Supervisor
(315-785-7735)

07/17/2024

STATE OF NEW YORK
COURT COUNTY OF JEFFERSON

CITY OF WATERTOWN,

Plaintiff,

AFFIDAVIT OF
SERVICE BY MAIL

v.

West Main Estates LLC
229 Clinton St Apt. A
Watertown NY 13601

Defendant, _____ STATE OF NEW YORK)

SS.:


COUNTY OF JEFFERSON)

Dana P. Aikins, being duly sworn, deposes and says, that deponent is not a party of the action is over 18 years of age and resides at Watertown, New York 13601.

That on the 17 day of July 2024, deponent served the within notice,
Condemnation Release letter upon the following:


Re: 232 Main St W
Parcel No. : 2-02-206.000

By depositing same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.



Dana P. Aikins
City of Watertown
Code Enforcement Supervisor

Sworn to before me this
17 Day of July 2024



Morgan M. Baker
Notary Public