

**CITY OF CRYSTAL RIVER
CODE COMPLIANCE HEARING**

City Hall – City Council Chambers

DOCKET

Thursday, May 13, 2021 @ 1:30PM

123 Northwest Highway 19

Crystal River, FL 34428

Robert Christensen, Hearing Officer

A. Call to Order.

B. Oath

C. Note: If any person decides to appeal any decision made by the Code Compliance Hearing Officer with respect to any matter considered at this public hearing, he/she will need to ensure that an at verbatim record of the proceedings is made which record shall include the testimony and evidence upon which the appeal is to be based.

D. Old & New Cases as follows:

CASES:

1. **Case# EC2020-0115- 579 SE US 19 LLC – 579 SE Hwy 19**

FROM THE LDC OF THE CITY OF CRYSTAL RIVER

Sec. 6-63. - Exterior maintenance standards.

The owner of a structure shall maintain the structure and premises in a safe and sanitary condition in accordance with the following standards:

(1) The premises, including abutting sidewalks, gutters and alleys, shall be kept free of high grass and weeds, rubbish, garbage and any material that creates a health, safety or fire hazard. Grass and weeds shall be kept below twelve (12) inches. All dead or broken trees, free limbs or shrubbery shall be cut and removed from the premises.

(2) No owner shall accumulate or permit the accumulation of junk, trash and debris, boxes, lumber, scrap metal, junk vehicles or any other such materials on the premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked safely and elevated at least eighteen (18) inches above the ground.

(3) No person shall deposit or place any refuse or other hazardous materials in or adjacent to any road, street, alley or other public place unless it is in proper containers for collection.

(4) All open, uncovered or insecurely covered cisterns, cellars, wells, pits, excavations or vaults situated on any premises shall be properly secured or filled to grade with appropriate fill material.

(5) Every swimming or wading pool not currently in use shall be maintained in sound condition and good repair. Every pool shall be enclosed by a chain-link, ornamental or solid fence with a self-closing, self-latching gate. The fence, if erected from grade, shall be no less than five (5) feet in height, or if erected from the deck of an aboveground pool, the fence shall be not less than four (4) feet in height. An approved, permitted pool cage is also an acceptable method. The pool shall be equipped with a cover adequate to protect persons or animals from harm.

(6) Any swimming pool or wading pool not maintained in sound condition and good repair shall be removed, and the excavation shall be filled to grade with appropriate fill material.

(7) Every owner shall be responsible to ensure water from the premises is properly disposed of in such a manner that does not interfere with the operation of a private sewage disposal system, create standing water or otherwise create a hazard.

(8) No structure, vehicle, receptacle, yard, lot, premises or part thereof shall be constructed, made, used, maintained or operated in any manner causing or producing any health or safety hazard or permitted to become a rat harborage or to become conducive to a rat harborage, nor shall it be permitted to become a mosquito harborage or to become conducive to a mosquito harborage.

(9) Every foundation, roof, floor, exterior wall and ceiling shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon and shall be kept in sound condition and good repair. Every outside stair or step shall be maintained in sound condition and good repair.

(10) Every porch, stoop, deck, veranda, balcony and walk shall be maintained in sound condition and fit for its purpose.

(11) Structurally sound hand rails shall be provided on any exterior stairs containing four (4) risers or more. Porches, patios and balconies located more than three (3) feet higher than the adjacent areas shall have structurally sound protective guard rails or hand rails. All newly constructed protective railings shall have balusters placed at intervals of not more than four (4) inches apart or shall have other sufficient protective material between the protective railing and the flooring of tread so that a space of not more than four (4) inches is present. Existing protective guard railings shall be acceptable, provided they are maintained in sound condition and good repair.

(12) Every foundation, roof, exterior wall, door, skylight, window and door shall be weathertight, watertight, and damp-free shall be kept in sound condition and good repair.

(13) Every window, exterior door, hatchway or similar device, shall be maintained in sound condition and good repair.

a. Every exterior door and window that is capable of being opened and other potential means of ingress shall be equipped with hardware for locking and shall be secured so as to prevent unauthorized entry.

b. Every unprotected window which is broken, cracked or missing glass or glazing shall be replaced and maintained in good repair.

(14) All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint or other preservative material. All wood surfaces shall be cleaned and freed of flaking, loose or defective surfacing materials prior to painting or applying other preservative material.

(15) Every masonry wall, foundation and chimney shall be kept in sound, functional, weathertight condition and in good repair.

(16) Any tree, shrub or other type of vegetation growing in a location or manner which is likely to cause damage to any portion of a structure shall be trimmed or removed so that damage does not occur. Any damage that has occurred to the structure by overgrown trees, shrubs or other vegetation shall be repaired.

(17) Every owner shall be responsible for the extermination of insects, rats and other vermin in or about the premises.

(18) Every structure and the premises on which it is located shall be maintained in a rat-free and rat-proof condition.

a. All openings in the exterior walls, foundations, doors, windows, sewers, pipes, drains, basements, ground and first floors and roofs shall be closed and made rat-proof in an approved manner.

b. Interior floors of basements, cellars and other areas in contact with the soil shall be made rat-proof in a manner approved by the Crystal River Building Official.

(19) Unless other provisions are made, gutters, leaders and downspouts shall be provided and maintained in good working condition so as to provide proper drainage of stormwater.

(20) Every premises shall be graded, drained free of standing water and maintained in a clean, sanitary and safe condition.

(21) All fences shall be maintained in sound condition and good repair.

(22) Accessory structures on the premises of a dwelling shall be structurally sound and be maintained in good repair and free of insects and rats. The exterior of such structures shall be made weather resistant through the use of decay-resistant materials, paint or other preservatives.

(23) Every door, widow or other potential means of ingress of any accessory structure shall be secured so as to prevent unauthorized entry.

(24) No person shall apply a lead-based paint to any surface of a building or part thereof or to any other structure located on the premises.

(25) Every owner shall maintain in good repair all asbestos-containing materials on the premises. All asbestos-containing materials shall remain free from defects such as holes, cracks, tears and/or looseness that may allow the release of asbestos fibers into the environment.

FROM FLORIDA FIRE CODE AS REQUIRED IN THE LDC OF THE CITY OF CRYSTAL RIVER

- 1) Annual Fire Alarm inspection – NFPA 1:13.7.1.4.2 directs us to NFPA 72. NFPA 72:14.3.1 and NFPFA 72:14.4.3.2 specifies annual and semiannual inspection/testing requirements.
- 2) Quarterly fire sprinkler systems required- Per NFPA 1:13.3.3.2 inspections performed per NFPA 25. NFPA 25 table 5.1.1.2 specifies inspection intervals for sprinkler components.
- 3) Monitoring of sprinkler system required – NFPA 101:37.4.5.5
- 4) Multiple areas missing ceiling tiles – sprinklers per NFPA 101:9.7.1.1 must comply with NFPA 13, NFPA 13:8.6.4.1.1.1 maximum distance to ceiling is 36”
- 5) Portable fire extinguishers required NFPA 101:37.3.5.3
- 6) Fire walls/fire separations required to remain intact NFPA 1:12.3.3.1

- 7) Rear doors (and other areas) to remain secured against vagrants NFPA 1:10.12.1
- 8) In conjunction with #7, doors cannot be locked with chains and padlocks NFPA 101:7.2.1.1.3.2
- 9) Exposed electrical wiring – NFPA 1:11.1.2.1 and NFPA 1:11.1.2.2 electrical wiring shall comply with NFPA 70
- 10) NFPA 101:37.2.9 emergency lighting is required.
- 11) Exit signs shall comply with NFPA 101:7.10 per NFPA 101:37.2.10, NFPA 101:7.10.1.5 and NFPA 101:7.10.5.1 and 101:7.10.5.2 exit signs are required to be visible and illuminated.

Upon inspection on December 18, 2020 and addressed on letters of December 30,2020, code violations were observed at the above-mentioned location. Property was inspected on February 16, 2021 and six items removed from this list. Property was inspected on April 6, 2021, Item 12 added to list.

1. Roof Leaks, in several places in the building
2. Fascia falling off, not fastened properly, rotting. Rear of building on north end.
3. Numerous overhang and protruding structure from building wall in disrepair. Front walkway.
4. Front Façade, north of center, complete failure of what appears to be an Exterior Insulation and Finish System (EIFS). Failure of the (EIFS) has exposed the substructure to the elements and has over time deteriorated fasteners allowing wall sheathing to become detached, creating a health risk to the public. This repair requires a building permit, including plans and details to the repair.
5. Paint peeling detached from building.
6. Fire alarm is inoperative due to power being off to the plaza. During times that a building is vacant it is critical that fire systems are operational to automatically activate in the absence of occupants. Also be aware that when power is restored the fire alarm will need to be inspected to ensure the backup batteries are charging adequately.
7. The fire sprinkler was last inspected in May of 2020. A phone call was placed to Cox Fire Protection confirmed this. The system was required to have additional inspections in August and November of 2020. During the call to Cox, it was indicated that the contractor had made attempts to contact the property owner to scheduled service but did not receive any call backs from the owner.
8. Numerous ceiling tiles were missing throughout reducing the effectiveness of both the fire alarm and sprinkler systems.
9. Numerous electrical and electrical equipment was exposed in violation of the electrical code.
10. Numerous fire separations were noted to be breached which will greatly increase the speed of fire spread through the plaza.
11. There was evidence throughout of vagrants occupying the building. This coupled with multiple egress doors being welded shut or otherwise locked, no electric power for emergency and exit lights and the addition of the above issues, there is a significant life hazard in the event of a fire or other emergency.
*Also be aware the onsite visit did not constitute a full inspection. If a complete inspection of the building (including the roof) were performed there would probably be a multitude of additional violations identified.
12. Grass in asphalt is in excess of 12 inches.

THE FOLLOWING CORRECTIVE ACTION MUST BE TAKEN BY: **May 6, 2021.**

Repair or correct all violations listed above. Items to include but not limited to: Structure to be secured against entry. Grass and weeds shall be maintained to code. Roof leaks repaired. Repair fascia. Repair front overhang and protruding structure. Repair or replace front façade EIFS system and repair base structure. Repair exposed electrical. Make Fire Alarm operative. Have Fire Sprinklers inspected. Replace missing ceiling tiles. Repair fire separations that have been breached. Debris removed from the premises. Make the property in adherence with the applicable Chapters of the Land Development Code of the City of Crystal River. DUE TO THE BUILDING NOT HAVING AN OPERATIONAL FIRE ALARM, OR INSPECTED FIRE SPRINKLER THIS IS A VIOLATION OF THE LIFE SAGETY CODE OF THE FLORIDA BUILDING CODE, WHICH IS FURTHER COMPLICATED BY EXITS THAT ARE WELDED SHUT.

2. Case# EC2021-0002- MIKELI INVESTMENTS LLC – 589 SE Hwy 19

FROM THE LDC OF THE CITY OF CRYSTAL RIVER

Sec. 6-63. - Exterior maintenance standards.

The owner of a structure shall maintain the structure and premises in a safe and sanitary condition in accordance with the following standards:

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(12) Every foundation, roof, exterior wall, door, skylight, window and door shall be weathertight, watertight, and damp-free shall be kept in sound condition and good repair.

(14) All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint or other preservative material. All wood surfaces shall be cleaned and freed of flaking, loose or defective surfacing materials prior to painting or applying other preservative material.

Upon inspection on April 6, 2021, code violations were observed at the above-mentioned location.

1. Fascia falling off, not fastened properly. Rear of building.
2. Grass and weeds in excess of 12 inches.

THE FOLLOWING CORRECTIVE ACTION MUST BE TAKEN BY: May 6, 2021.

**Repair or correct all violations listed above. Items to include but not limited to: Repair Roof Facia.
Provide lawn care to bring into compliance.**

Other Business:

E. Adjourn