



**City of Harrisonburg, Virginia**  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT  
409 South Main Street, P.O. Box 20031  
Harrisonburg, Virginia 22801-7531

Building Inspection (540) 432-7700  
Engineering (540) 432-7700

Planning & Zoning (540) 432-7700  
Department FAX (540) 432-7777

## **NOTICE OF UNSAFE STRUCTURE**

March 07, 2017  
HUI HE  
1412 Founders Way  
Harrisonburg, VA 22802

Certified Mail

RE: 226 Kelly Street, Harrisonburg, VA  
Use Classification: R5 (Vacant house)

Dear Hui He:

Our records indicate that you are the owner of the above referenced property. If this is not the case please advise us as soon as possible so we may contact the correct owner. You may contact us during normal business hours at 540-432-7700 or come by our office at 409 S Main St.

On 2/2/17 the City of Harrisonburg Inspections office obtained a building inspection warrant to gain entry into the above referenced property. Upon completion of the inspection several violations were noted.

The City of Harrisonburg has adopted the 2012 edition of the Virginia Maintenance Code (VMC) as adopted and amended by Part 3 of the 2012 edition of the Virginia Uniform Statewide Building Code (USBC). This notice is issued pursuant to the requirements of Section 105.4 of Part 3 of the 2012 edition of the USBC. Please be advised that this is an

### **OFFICIAL NOTICE OF UNSAFE STRUCTURE.**

Section 105.4 of Part 3 of the 2012 edition of the USBC requires that the necessary repairs be indicated in this notice to permit the structure to no longer be considered an unsafe structure.

Section 105.4 of Part 3 of the 2012 edition of the USBC also requires you to **either accept or reject the terms of this notice.** You are to do so by contacting the Deputy Building Official (Michael Williams), or the Building Official (Ron Schuett) not later than 14-calendar days from the receipt of this letter.

It would appear that there are several avenues that could be pursued to satisfy this

1. The building could be razed leaving the lot clean and free from all debris and rubble, the lot would need to be seeded and grass maintained to meet the City tall grass and weeds

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- ordinance. This could be considered the easiest solution given the advanced state or dilapidation of the structure.
2. The structure could be secured so that entry cannot be gained into the structure. Any exterior violations would have to be addressed. Any materials used to secure openings would need to be either painted and maintained or of some material resistant to weathering such as pressure treated lumber. In this solution, the Building Official may require a structural analysis of the structure to assure it is not in danger of collapse. There could also be a requirement for ongoing structural analysis on an annual schedule to keep up with the deterioration of the structure.
  3. Restore the structure to a habitable condition. This would be the most complicated option as there would be extensive repairs required both inside and out. There would need to be a working electrical, plumbing and heating system. Repairs such as these would require obtaining permits and inspections. In addition, the Building Official likely will require a structural analysis of the structure given the multiple structural issues.

If you are in disagreement with the above you have the right to appeal. Such appeal is to be instituted per Section 106.5 of Part 3 of the 2012 edition of the USBC. Such appeal would need to be filed within 14-calendar days of the receipt of this letter with the City of Harrisonburg Board of Building Code Appeals. If you wish to appeal please contact Mr. Ron Schuett, Building Official, at 540-432-7700.

You will have 90 days from the date of this document to resolve these issues, the date for this deadline is 6/7/2017. Failure to resolve these issues can and likely will result in legal action being taken by the City.

Please refer to the portion of this document titled "Inspection Report" (pages 3-11) for photos, violations, code references, & code sections.

If you have any questions or we may be of service in any way please feel free to contact us at 540-432-7700 during normal business hours.

Respectfully,



Michael A. Williams  
Deputy Building Official

CC: Ron Schuett, Building Official  
Adam Fletcher, Community Development Director  
Chris Brown, City Attorney  
Wesley Russ, Assistant City Attorney



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## Inspection Report

The following violations were noted (the associated sections of the VMC have been included in *italics* for your reference):

1. The premises are not maintained in a clean, safe, secure and sanitary condition per section 301.3 of the VMC.

***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.*

2. Some wall studs and wall plates have been exposed to weather and are deteriorating. Section 304.4 of the VRC.



***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.*

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3. There are cracks in the foundation. Section 304.5 VMC.



*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.*

4. The roof is leaking as evidenced by damaged plaster, drywall and paint damage in upstairs rear room. Gutter on back of house is clogged and has weeds growing in it. Section 304.7 of the VMC.



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*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 be discharged in a manner to protect the foundation or slab of buildings and structures from the accumulation of roof drainage.*

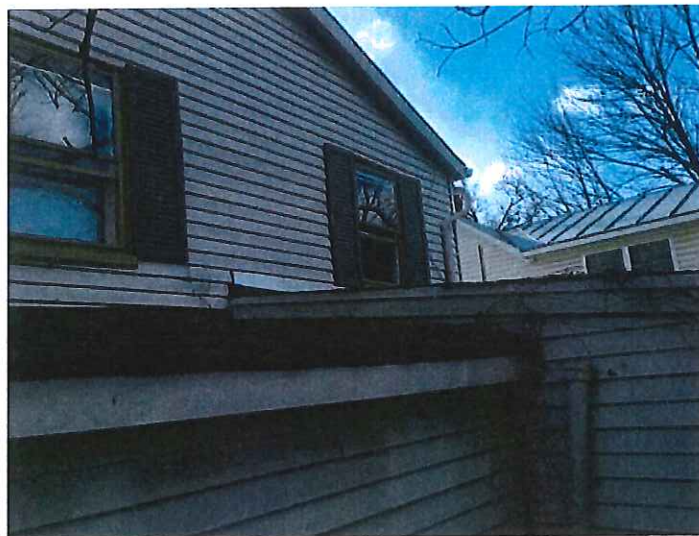
5. The exterior porch columns have deteriorated and are not structurally attached to the building adequately

*304.10 Stairways, decks, porches and balconies.*

*Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads*

6. Windows and doors are not in sound condition and good repair. There is broken glass and missing panes. Section 304.13 of the VMC.

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*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.*

*All 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 April 1 to December 1, 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.*

*Exception: Screens shall not be required where other approved means, such as mechanical ventilation, air curtains or insect repellent fans, are used.*



7. Exterior doors are not operational or secured

*304.15 Doors.*

*All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.*

*[F] 702.3 Locked doors.*

*All means of egress doors shall be readily openable from the side from*

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*which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.*

8. The interior of the structure is in general disrepair, a major portion of the floor surface is missing on the first floor and paint and wall surfaces are not maintained. There are structural deficiencies in beams, floor joists, wall plates, columns, and studs Section 305.1, 305.2 & 305.3 of the VMC





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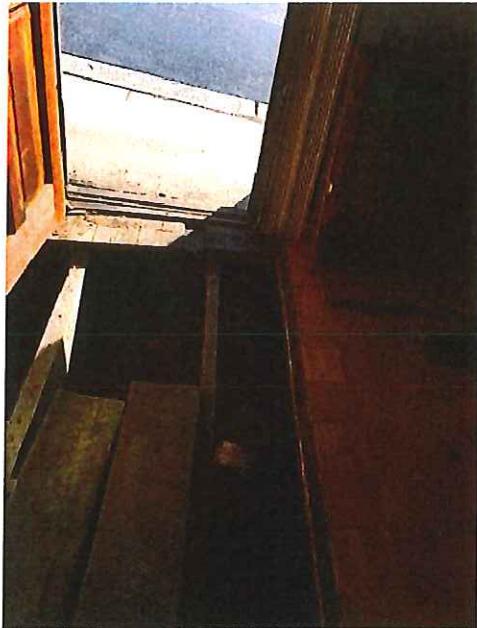
*305.1 General.*

*The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.*



*305.2 Structural members.*

*All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.*



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*305.3 Interior surfaces.*

*All interior surfaces, including windows and doors, shall be maintained in 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.*

9. There are no operable plumbing facilities in the structure or fixtures in the building at all. Of the most concern is that open sewer pipes are in the structure which allows sewer gas. Section 506.2 of the VMC

*[P] 504.1 General.*

*All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.*

*[P] 506.2 Maintenance.*

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

10. There is no heating system in the structure

*602.2 Heat supply.*

*Every owner and operator of a Group R-2 apartment building or other residential dwelling who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 15*

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*to May 1 to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, and toilet rooms. The code official may also consider modifications as provided in Section 104.5.2 when requested for unusual circumstances or may issue notice approving building owners to convert shared heating and cooling piping HVAC systems 14 calendar days before or after the established dates when extended periods of unusual temperatures merit modifying these dates*

11. The electrical panel has been removed and the service entrance conduit is not attached to the structure. Other electrical equipment has been damaged or torn out. Section 603.1 & 604.3 of the VMC.



*603.1 Mechanical appliances.*

*All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.*

*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 code official shall require the defects to be corrected to eliminate the hazard.*