

November 3, 2016

To: Borough Assembly
Fr: Joe Bertagnoli, Building Official
Re: Non-Compliance Report

Address: Trailer 4W, Island Trailer Court, 510 Lumber Street
Owner: Ryan Dawson
Date of Notice: September 12, 2016; revised on September 29, 2016
Date of Compliance per Notice: October 31, 2016

Per 9.20.50(C) of the Dangerous Building code, the building official is required to report to the borough assembly any noncompliance with a notice of dangerous building.

As of October 31, 2016, RYAN DAWSON, owner of record of Trailer 4W, located at above location has failed to comply with the building official's notice. See attached, Attachment A.

The building official's determination of "dangerous building" was based on the following sections of 9.20.010:

(E) –The compromised electrical system providing power to the structure and within the structure creates a likelihood of causing injury to the safety of those living in the structure.

(I)- The compromised electrical and hot water heating systems are safety and fire hazards. The condition of the structure is unsafe and dangerous to anyone living in close proximity to the structure, borough staff attempting to read electrical meters, and public safety staff called to respond to emergencies at this location.

(J)-The structure is in violation of the portions and version of the National Electric Code adopted by 12 AAC 70.025 by the state and adopted under 17.02.005 by the borough.

BACKGROUND: On September 7, 2016, PMP&L staff noted signs of electric usage at a trailer that had been disconnected from service for nonpayment. Upon further investigation, it was determined the owner or occupants of the trailer had compromised the electric meter and bypassed the meter to obtain power illegally. On September 8, 2016, the PD obtained a search warrant and determined there was theft of power occurring at the dwelling, a visual inspection at that time by the building official, fire marshal, and PMP&L staff revealed a completely compromised electrical system throughout the trailer (breakers bypassed, wired extension cords, conduit pulled out of walls, multiple splitters throughout) as well as an unsafe hot water heating system (open flame propane-fired weed burner inserted in a hot water heater). PMP&L staff cut the power to the trailer. (See photos, Attachment B)

After considering the history of theft of power (this was the third incident) by bypassing the meter at this location and knowing of the unsafe condition of the electrical system and the hot water heating system, the building official deemed this structure a dangerous building under PMC 9.20.010 and further declared the structure a public nuisance under PMC 9.16.

On September 9, 2016, the building official acting under summary abatement authority (PMC 9.16.XX) ordered the building vacated and boarded up until such time as the electrical system was repaired by a certified electrician so it complies with borough building/electric code and the illegal hot water heating system be either removed or replaced with a system in compliance with existing code. Dangerous building signs were posted on the structure. By the time, borough staff returned to execute the summary abatement, the occupants had repowered the structure using batteries and an inverter.

On September 12, letters were mailed or served to Ryan Dawson, owner of record and Darian Bliss, occupant, notifying them of the summary abatement action taken and the corrective action required in order occupy the dwelling. A copy was also sent to the owners of the trailer park. (See Attachment C)

On September 26, the PD received information that the trailer had been breached and newly occupied in violation of the dangerous building notice. The PD indicated they would need a warrant to enter the premises or permission of the owner to enter and evict a trespasser. On the advice of the borough attorney, a new notice is issued adding the option of demolishing the trailer to the list of remedies. This notice was mailed on September 29, and extended the date of compliance to October 31, 2016. (See Attachment A)

On October 21, 2016, windows and doors were boarded up again, and new notices placed as needed on the structure.



NOTICE OF DANGEROUS BUILDING AND ORDER TO VACATE AND EITHER REPAIR OR DEMOLISH

DATE OF NOTICE: September 28, 2016

Property Address: Trailer 4W, Island Court, Lumber Street

Parcel ID: 01-011-906

Owner/Responsible Party: Ryan Dawson/Darian Bliss

Mailing Address: PO Box 208, Petersburg, AK 99833

An inspection of the above structure(s) by the building official has deemed this structure(s) a dangerous building under PMC 9.20.010, and the structure(s) is further declared to be a public nuisance under PMC Chapter 9.16.

The lack of proper electrical system and hot water system and the repeated efforts of the occupants to illegally circumvent authorized connection to electrical power service by use of alternate connections which are dangerous and are not in compliance with electrical codes, has been determined by the building official to be a threat to life or health and dangerous to surrounding property owners.

The borough has taken summary abatement action under PMC 9.16.070(A)3 to disconnect the structure(s) from electrical power and board the door to prevent occupancy of the building(s).

As owner or lessee of the building(s) you are hereby ordered to vacate the building(s) and to either (1) repair the building(s) in accordance with the terms of this notice or (2) demolish and dispose of the building(s). Failure to either repair or demolish the building(s) may result in demolition of the building(s) by the Petersburg Borough, in which case you, as owner, will be responsible for the Borough's costs in such action.

Corrective action required to resume occupancy of building(s):

1. Rewiring of building(s) by certified electrician to comply with borough building/electric code.
2. Electrical system inspected and approved by borough electrical inspector.
3. Removal of illegal means of heating hot water. If there is to be a hot water system, installation of system must be in compliance with existing building code.

Corrective action or demolition of the building(s) must be completed within thirty days of the date of this notice. If you require additional time to complete the corrective action required, you may appeal to the Borough Assembly for a thirty day extension.

Until the building(s) is either repaired as outlined in this notice or demolished, occupation of the trailer is unlawful under PMC 9.29.170. As owner of record of the building(s), you may be

responsible for civil and criminal penalties for failure to comply with the Borough's notice to vacate if you knowingly allow anyone to occupy the building(s).

In order to avoid these penalties, please contact us at 772-4533 as soon as possible to verify that neither the current nor any future occupant, while the abatement notice is in effect, is there with your permission and to authorize borough officials to enter the property for the purpose of removing of any trespassers found occupying the building(s).



ISSUED BY

PHONE: 907-772-4533

ON September 28, 2016

EMAIL: jbertagnoli@petersburgak.gov

cc: Patrick & Patricia McMurren

Attachment B – Photos of 4W, Island Trailer Court



Exterior of structure

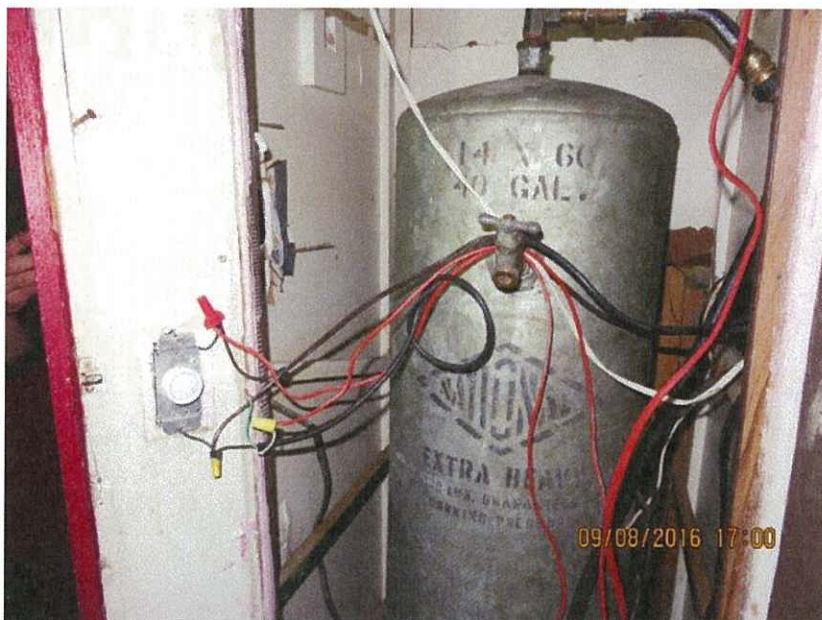


Electric wire entering base of Power Meter to bypass meter and provide power directly to structures.

Attachment B – Photos of 4W, Island Trailer Court



Extension cord spliced into box with additional cords plugged in.



Exposed wires, bare wire nuts.

Attachment B – Photos of 4W, Island Trailer Court



Multiple cords, lights, plugged in.



Compromised breaker box under sink.

Attachment B – Photos of 4W, Island Trailer Court



Weed burner propped up and inside hot water heater.



NOTICE OF DANGEROUS BUILDING AND ORDER TO VACATE & REPAIR

DATE OF NOTICE: September 12, 2016

Property Address: Trailer 4W, Island Court, Lumber Street

Parcel ID: 01-011-906

Owner/Responsible Party: Ryan Dawson/Darian Bliss

Mailing Address: PO Box 208, Petersburg, AK 99833

An inspection of the above structure by the building official has deemed this structure a dangerous building under PMC 9.20.010, and the structure is further declared to be a public nuisance under PMC Chapter 9.16.

The lack of proper electrical system and hot water system and the repeated efforts of the occupants to illegally circumvent authorized connection to electrical power service by use of alternate connections which are dangerous and are not in compliance with electrical codes, has been determined by the building official to be a threat to life or health and dangerous to surrounding property owners.

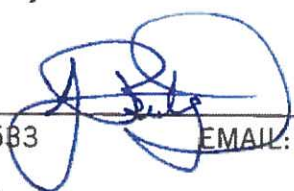
The borough has taken summary abatement action under PMC 9.16.070(A)3 to disconnect the building from electrical power and board the door to prevent occupancy of the building.

As owner or lessee of the building you are hereby ordered to vacate and repair the building in accordance with terms of this notice.

Corrective action required to resume occupancy of building:

1. Rewiring of building by certified electrician to comply with borough building/electric code.
2. Electrical system inspected and approved by borough electrical inspector.
3. Removal of illegal means of heating hot water. If there is to be a hot water system, installation of system must be in compliance with existing building code.

Corrective action must be completed within thirty days of the date of this notice. If you require additional time to complete the corrective action required, you may appeal to the Borough Assembly for a thirty day extension.

ISSUED BY  ON 9/12/16
PHONE: 907-772-4533 EMAIL: jbertagnoli@petersburgak.gov

cc: Patrick McMurren