



**VILLAGE OF OSSINING  
BUILDING DEPARTMENT**

John Paul Rodrigues Ossining Operations Center  
101 ROUTE 9A PO BOX 1166  
OSSINING, NY 10562  
(914) 941-3199 Fax: (914) 762-6813  
Website: [www.villageofossining.org](http://www.villageofossining.org)

**ORDER TO REMEDY VIOLATION**

**TO:** Town Of Ossining  
16 Croton Ave  
Ossining, NY 10562

**DATE:** 10/30/2013

**LOCATION:** Westerly Rd  
**SEC-LOT-BLK:** 97.06-1-19.1

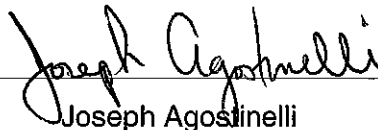
**COMPLAINT NO.:** 13-0240

PLEASE TAKE NOTICE, there exists a violation at the location described above, in that the above named individual(s) did commit or allow to exist the following offense(s):

SEE ATTACHED SCHEDULE A

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and to remedy the condition(s) above mentioned. There will be a reinspection of the above-mentioned condition(s) on or before 11/1/2013, to verify your compliance.

**Failure to remedy the condition(s) aforesaid and to comply with the applicable provisions of law will result in the issuance of a Court Appearance Ticket, which may result in a fine or imprisonment or both.**

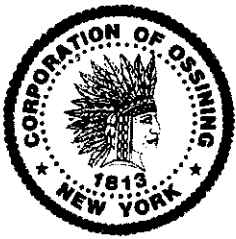


Joseph Agostinelli

Assistant Building Inspector

YOUR PROMPT RESPONSE TO THIS NOTICE IS MANDATORY.

**YOU MUST CALL THE OFFICE TO SCHEDULE AN INSPECTION ONCE IT HAS BEEN RESOLVED.**



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## ORDER TO REMEDY VIOLATION SCHEDULE A

**ISSUED TO:** Town Of Ossining  
16 Croton Ave  
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**LAW TYPE:** Village of Ossining Code

**SECTION:** 114-23 - Electrical Work permits  
**DESCRIPTION:**

An electrical contractor who is a bona fide holder of a certificate of registration or license duly issued to him or her by some other municipality in the state shall be entitled to a permit for electrical work upon filing with the Building Inspector of the Village a certified copy of such license and payment of the prescribed fee, provided that the municipality issuing such license recognizes in a reciprocal manner licenses issued by the Building Inspector of the Village to electricians and provides for revocation and suspensions in the same manner as licenses issued by the Village.

**FACTS:**

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had various electrical work done throughout the building including new wiring, outlets, switches, and circuit breakers without obtaining an electrical permit from the Building Department. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the Village of Ossining Code.

**LAW TYPE:** Village of Ossining Code

**SECTION:** 270-43 - Building Permits.  
**DESCRIPTION:**

No building in any district shall be erected, reconstructed or restored or structurally altered without a building permit duly issued upon application to the Building Inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of the law. Any building permit issued in violation of the provisions of this chapter shall be null and void and of no effect, without the necessity for any proceedings for revocation or nullification thereof, and any work undertaken or use established pursuant to any permit shall be unlawful.

**FACTS:**

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had two furnaces, one hot water heater and air conditioning condensers installed without obtaining a permit from the Building Department (air condition condensers installed on the roof and will require a licensed architect or engineer to certify if roofing system can properly support condenser units). An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the Village of Ossining Code.



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**ISSUED TO:** Town Of Ossining  
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**LAW TYPE:** NYS Fire Code

**SECTION:** FC1011.1 - Exit Signs-Where required  
**DESCRIPTION:**

Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Access to exits shall be marked by readily visible exit signs in cases where the exit or the path of egress travel is not immediately visible to the occupants. Exit sign placement shall be such that no point in a corridor is more than 100 feet (30 480 mm) or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign.

Exceptions:

1. Exit signs are not required in rooms or areas that require only one exit or exit access.
2. Main exterior exit doors or gates that are obviously and clearly identifiable as exits need not have exit signs where approved by the code enforcement official.
3. Exit signs are not required in occupancies in Group U and individual sleeping units or dwelling units in Group R-1, R-2 or R-3.
4. Exit signs are not required in sleeping areas in occupancies in Group I-3.
5. In occupancies in Groups A-4 and A-5, exit signs are not required on the seating side of vomitories or openings into seating areas where exit signs are provided in the concourse that are readily apparent from the vomitories. Egress lighting is provided to identify each vomitory or opening within the seating area in an emergency.

**FACTS:**

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) maintained the building without electrically powered 90 minute battery backup exit signs above two egress doors on the first floor of the building. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.



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LAW TYPE: NYS Fire Code

SECTION: FC1006.1 - Illumination required  
DESCRIPTION:

The means of egress, including the exit discharge, shall be illuminated at all times the building space served by the means of egress is occupied.

Exceptions:

1. Occupancies in Group U.
2. Aisle accessways in Group A.
3. Dwelling units and sleeping units in Groups R-1, R-2 and R-3.
4. Sleeping units of Group I occupancies.

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) maintained the building without proper egress illumination in the hallways throughout the first floor and along the exterior stairs of the rear of the building from the second floor egress door. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.

LAW TYPE: NYS Property Maintenance Code

SECTION: PM604.3 - Electrical system hazards  
DESCRIPTION:

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 defects shall be corrected to eliminate the hazard.

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) maintained the building with numerous electrical system hazards including exposed wiring, open circuit breaker knock outs, open junction boxes, extension cords, and outlets and electrical wiring compromised and defective due to being submerged in salt water. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Property Maintenance Code.



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LAW TYPE: NYS Property Maintenance Code

SECTION: PM605.2 - Receptacles  
DESCRIPTION:

Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

**FACTS:**

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) failed to install a GFCI outlet for the sub pump located in the storage room on the first floor. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Property Maintenance Code.

LAW TYPE: NYS Property Maintenance Code

SECTION: PM506.2 - Maintenance  
DESCRIPTION:

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

**FACTS:**

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had a broken vent stack pipe in the attic compromising the proper function of the plumbing waste system. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Property Maintenance Code.



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**ISSUED TO:** Town Of Ossining  
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LAW TYPE: NYS Fire Code

SECTION: FC1004.3 Posting of occupant load - Posting of occupant load

**DESCRIPTION:**

Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

**FACTS:**

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) failed to post a maximum occupant load signage in both the first floor bar/dining area and second floor assembly hall area. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.

LAW TYPE: NYS Mechanical Code

SECTION: MC306.1 - ACCESS AND SERVICE SPACE

**DESCRIPTION:**

Clearances for maintenance and replacement. Clearances around appliances to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly.

**FACTS:**

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) installed a new furnace on the second floor enclosed in a closet space which does not allow proper access for service of the fueled appliance. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Mechanical Code.



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**LAW TYPE:** NYS Property Maintenance Code

**SECTION:** PM305.4 - Stairs and walking surfaces  
**DESCRIPTION:**

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had damaged hardwood flooring (buckling) in the hall area of the first floor and an unstructurally sound attic staircase. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Property Maintenance Code.

**LAW TYPE:** NYS Fire Code

**SECTION:** F609.2 - Commercial cooking hoods required  
**DESCRIPTION:**

A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors. [M]

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had a commercial cooking stove appliance on the second floor in the kitchen of the assembly hall area without a type I commercial cooking hood above the stove appliance. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the Village of Ossining Code.



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LAW TYPE: NYS Fire Code

SECTION: F609.2 - Commercial cooking hoods required  
DESCRIPTION:

A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors. [M]

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had a commercial cooking stove appliance on the first floor in the bar/dining area without a type I commercial cooking hood above the stove appliance. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the Village of Ossining Code.

LAW TYPE: NYS Fire Code

SECTION: FC904.11.5 - Portable fire extinguishers for commercial cooking equipment.  
DESCRIPTION:

Portable fire extinguishers shall be provided within a 30-foot (9144 mm) travel distance of commercial-type cooking equipment. Cooking equipment involving vegetable or animal oils and fats shall be protected by a Class K rated portable extinguisher

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) did not have a K type fire extinguishers for the commercial stove cooking appliances in the commercial kitchens of the first and second floor. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.





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**ISSUED TO:** Town Of Ossining  
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LAW TYPE: NYS Fire Code

SECTION: FC904.11 - Commercial cooking systems.  
DESCRIPTION:

The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Preengineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and listed and labeled for the intended application. Other types of automatic fire-extinguishing systems shall be listed and labeled for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, its listing and the manufacturer s installation instructions. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12.2. Automatic sprinkler systems, NFPA 13.3. Foam-water sprinkler system or foam-water spray systems, NFPA 16.4. Dry-chemical extinguishing systems, NFPA 17.5. Wet-chemical extinguishing systems, NFPA 17A.

Exception: Factory-built commercial cooking recirculating systems that are tested in accordance with UL 710B and listed, labeled and installed in accordance with Section 304.1 of the Mechanical Code of New York State.

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had a commercial cooking stove appliance in the first floor kitchen of the bar/dining area without the protection of an automatic fire extinguishing system. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.



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LAW TYPE: NYS Fire Code

SECTION: FC904.11 - Commercial cooking systems.  
DESCRIPTION:

The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Preengineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and listed and labeled for the intended application. Other types of automatic fire-extinguishing systems shall be listed and labeled for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, its listing and the manufacturer's installation instructions. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12.2. Automatic sprinkler systems, NFPA 13.3. Foam-water sprinkler system or foam-water spray systems, NFPA 16.4. Dry-chemical extinguishing systems, NFPA 17.5. Wet-chemical extinguishing systems, NFPA 17A.

Exception: Factory-built commercial cooking recirculating systems that are tested in accordance with UL 710B and listed, labeled and installed in accordance with Section 304.1 of the Mechanical Code of New York State.

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had a commercial cooking stove appliance in the first floor kitchen of the bar/dining area without the protection of an automatic fire extinguishing system. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.

LAW TYPE: NYS Fire Code

SECTION: FC310.3 SMOKING - "NO SMOKING" Signs  
DESCRIPTION:

310.3 "No Smoking" signs. The code enforcement official is authorized to order the posting of "No Smoking" signs in a conspicuous location in each structure or location in which smoking is prohibited. The content, lettering, size, color and location of required "No Smoking" signs shall be approved.



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### FACTS:

**At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) failed to display "No Smoking" signs anywhere throughout the building. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.**

LAW TYPE: NYS Building Code

SECTION: BC1208.2 - Minimum ceiling heights.

### DESCRIPTION:

Occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7 feet 6 inches (2286 mm). Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall be permitted to have a ceiling height of not less than 7 feet (2134 mm).

### Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. If any room in a building has a sloped ceiling, the prescribed ceiling height for the room is required in one-half the area thereof. Any portion of the room measuring less than 5 feet (1524 mm) from the finished floor to the ceiling shall not be included in any computation of the minimum area thereof.
3. Mezzanines constructed in accordance with Section 505.1.4.
4. Basement rooms in one- and two-family dwellings, other than habitable space, may have a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
5. Habitable space in basements of one- and two-family dwellings may have a ceiling height of not less than 7 feet (2134 mm) with not less than 6 feet 8 inches (2033 mm) of clear height under beams, girders or other similar obstructions.

### FACTS:

**At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had a ceiling height in the first floor kitchen/dining area of approximately 7 feet 2 inches. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Building Code.**



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**LAW TYPE:** NYS Fire Code

**SECTION:** FC1008.1.2 - Door swing.  
**DESCRIPTION:**

Egress doors shall be side-hinged swinging.

Exceptions:1. Private garages, office areas, factory and storage areas with an occupant load of 10 or less.2. Group I-3 occupancies used as a place of detention.3. Critical or intensive care patient rooms within suites of health care facilities.4. Doors within or serving a single dwelling unit in Groups R-2 and R-3.5. In other than Group H occupancies, revolving doors complying with Section 1008.1.3.1.6. In other than Group H occupancies, horizontal sliding doors complying with Section 1008.1.3.3 are permitted in a means of egress.7. Power-operated doors in accordance with Section 1008.1.3.2.8. Doors serving a bathroom within an individual sleeping unit in Group R-1.

Doors shall swing in the direction of egress travel where serving an occupant load of 50 or more persons or a Group H occupancy.

The opening force for interior side-swinging doors without closers shall not exceed a 5-pound (22 N) force. For other side-swinging, sliding and folding doors, the door latch shall release when subjected to a 15-pound (67 N) force. The door shall be set in motion when subjected to a 30-pound (133 N) force. The door shall swing to a full-open position when subjected to a 15-pound (67 N) force. Forces shall be applied to the latch side.

**FACTS:**

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had an egress door on the first floor that does not swing in the direction of egress travel. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.



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LAW TYPE: NYS Fire Code

SECTION: FC1008.1.9 - Panic and fire exit hardware.  
DESCRIPTION:

Where panic and fire exit hardware is installed, it shall comply with the following: 1. The actuating portion of the releasing device shall extend at least one-half of the door leaf width. 2. The maximum unlatching force shall not exceed 15 pounds (67 N).

Each door in a means of egress from a Group A or E occupancy having an occupant load of 50 or more and any Group H occupancy shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware.

Exception: A main exit of a Group A occupancy in compliance with Section 1008.1.8.3, Item 2.

Electrical rooms with equipment rated 1,200 amperes or more and over 6 feet (1829 mm) wide that contain overcurrent devices, switching devices or control devices with exit access doors must be equipped with panic hardware and doors must swing in the direction of egress.

If balanced doors are used and panic hardware is required, the panic hardware shall be the push-pad type and the pad shall not extend more than one-half the width of the door measured from the latch side.

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) failed to have panic hardware on any egress doors throughout the building (occupant load for the building to be calculated by licensed architect or engineer to determine if required to meet code). An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Fire Code.

LAW TYPE: NYS Property Maintenance Code

SECTION: PM603.2 - Removal of combustion products  
DESCRIPTION:

All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.



# VILLAGE OF OSSINING BUILDING DEPARTMENT

John Paul Rodrigues Ossining Operations Center  
101 ROUTE 9A PO BOX 1166  
OSSINING, NY 10562  
(914) 941-3199 Fax: (914) 762-6813  
Website: [www.villageofossining.org](http://www.villageofossining.org)

**LOCATION:** Westerly Rd  
**SEC-LOT-BLK:** 97.06-1-19.1

**DATE:** 10/30/2013  
**COMPLAINT NO.:** 13-0240

## ORDER TO REMEDY VIOLATION SCHEDULE A

**ISSUED TO:** Town Of Ossining  
16 Croton Ave  
Ossining, NY 10562

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) maintained a fuel fired furnace on the second floor without a properly connected vent pipe to the exterior of the building as per manufacturer of the appliance specifications. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Property Maintenance Code.

LAW TYPE: NYS Property Maintenance Code

SECTION: PM603.5 - Combustion air  
DESCRIPTION:

A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) maintained a fuel fired furnace on the second floor within a closet space without the combustion air intake required by the appliance manufacturer's specifications. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the New York State Property Maintenance Code.

LAW TYPE: Village of Ossining Code

SECTION: 270-43 - Building Permits.  
DESCRIPTION:

No building in any district shall be erected, reconstructed or restored or structurally altered without a building permit duly issued upon application to the Building Inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of the law. Any building permit issued in violation of the provisions of this chapter shall be null and void and of no effect, without the necessity for any proceedings for revocation or nullification thereof, and any work undertaken or use established pursuant to any permit shall be unlawful.



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## ORDER TO REMEDY VIOLATION SCHEDULE A

**ISSUED TO:** Town Of Ossining  
16 Croton Ave  
Ossining, NY 10562

### FACTS:

At the above place, date and time I observed that the Defendant(s), agents, tenants, or employees of the Defendant(s) had constructed a storage addition connected to the main building along the right side yard of the property without obtaining a building permit from the Building Department. An Order to Remedy to correct this violation has been issued and sent by Certified Mail on October 30, 2013 allowing up to 2 days from issuance to comply with the Village of Ossining Code.