



1/13/2023

Jacob Weaver  
15112 E. Sweet Gum Cir  
Wichita, KS 67230

RE: **Your property at: 127 N Residence St.**

To Whom It May Concern:

**The following code violations were observed on 1/13/2023;**

- Unfit unsafe Structure remove completely or needs significant repairs.
- The structure is severally dilapidated.
- The roof is severally dilapidated. There are several holes in the roof and collapsing. The roof has inadequate weather protection.
- There are several spots in the siding that are falling off.
- The front porch is dilapidated and has wood rot.
- There are several sporadic trees growing by the foundation of the structure that needs to be removed.

**El Dorado Municipal Code(s) that apply to the above violation(s):**

- 15.36.150
- 15.36.180
- 15.36.190
- 107.5 (IPMC)

**107.5 Transfer of Ownership.**

it shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

**15.36.140 Responsibilities of owner.**

The responsibilities of the owner shall be as follows:

- A. To have dwelling in clean, sanitary, habitable condition and free from infestation before renting; to paint, clean, repair and exterminate, if needed, to meet the foregoing requirements before offering for rent;
- B. To provide the screens and self-closing devices required under Section 15.36.170 (B)(6) of this chapter;
- C. To exterminate in the following causes:
  1. When infestation exists in two or more units of the multiple-unit structure,
  2. When infestation exists in a shared or public area of a multiple-unit structure, and

3. When infestation exists in a single unit of a multiple-unit structure or in a single structure when infestation is due to failure of the owner to maintain the dwelling in a rat-proof and reasonable insect-proof condition, except termites;

D. To perform the responsibilities of the occupant when premises are vacated.  
(Prior code § 5-1211)

#### **Article IV. Housing Standards and Conditions**

##### **15.36.150 General.**

The standards set forth in this chapter shall constitute the minimum standards necessary to make dwellings or buildings fit and safe for human habitation. Where conditions exist in a dwelling or building which are dangerous or injurious to the health, safety or morals of the occupants or the occupants of neighboring buildings or the general public, the building official may determine that such dwelling or building is unfit or unsafe for human habitation and in making such determination he shall be guided (without limiting the generality of the foregoing) by the standards and conditions established in this chapter.

(Prior code § 5-1212)

##### **15.36.180 Structural requirements.**

No person shall occupy as owner-occupant or shall let to another for occupancy any dwelling, rooming unit, rooming house, dwelling unit, which does not comply with the following minimum standards for safe and sanitary maintenance:

A. Exterior Foundation Walls and Roofs. Every foundation wall, exterior wall, and exterior roof shall be substantially weathertight, watertight and rodent-proof; all exterior walls shall be made impervious to the adverse effects of weather by periodic applications of paint or a similar protective coating and shall be kept in sound condition and good repair. All foundation walls and exterior roofs shall be maintained in a safe manner and capable of supporting the loads which normal use may cause to be placed thereon.

B. Interior Floors, Walls and Ceilings. Every floor and interior wall and ceiling shall be substantially rodent-proof, shall be kept in sound condition and good repair, and shall be safe to use and capable of supporting the load which normal use may be caused to be placed thereon.

C. Windows and Doors. Every window, exterior door and basement or cellar door and hatchway shall be substantially weathertight, watertight and rodent-proof, and shall be kept in sound working condition and good repair.

D. Stairs, Porches and Appurtenances. Every inside and outside stair, porch and any appurtenance thereto, shall be safe to use and capable of supporting the load that normal use may be caused to be placed thereon, and shall be kept in sound condition and good repair.

E. Bathroom Floors. Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

F. Supplied Facilities. Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed and installed that it will function safely and effectively and shall be maintained in sound working condition.

G. Drainage. Every ward shall be properly graded so as to obtain full drainage and so as to prevent accumulation of stagnant water, whenever reasonably possible.

H. Egress. Every dwelling unit shall be provided with means of egress as required by the building code.

(Prior code § 5-1215)

##### **15.36.190 Hazardous conditions.**

The following conditions are determined to be hazardous and shall warrant a finding that a building or its premises are unsafe and/or constitute a nuisance:

A. Structural Hazards.

1. Any door, aisle, passageway, stairway or other means of exit not of sufficient width or size or not so arranged as to provide safe and adequate means of exit in case of fire or panic for all persons housed or assembled therein who would be required to, or might use such door, aisle, passageway, stairway or other means of exit;

2. Damage to any portion of a building by earthquake, wind, fire, flood or by any other cause, in such a manner that the structural stability, or strength thereof, is appreciably less than the minimum requirements set forth in existing codes and ordinances for a new building or structure of similar size, construction, location and use;

3. Likelihood of any portion or member or appurtenance of a building to fall, or become dislodged or detached, or to collapse, and thereby cause bodily injury or property damage;

4. Settling of any building or portion thereof, to such an extent that walls or other structural portions have been displaced or distorted and rendered structurally unstable or dangerous, or that the basic foundation of such element has been impaired;
  5. The building or structure, or any portion thereof, because of dilapidation, deterioration, decay, faulty construction or because of the removal or removal of some portion of the ground necessary for the purpose of supporting such building or structure or portion thereof, or other cause is likely to partially or completely collapse, or some portion of the foundation or underpinning is likely to fall or give way;
  6. The building or structure, or any portion thereof, is for any reason whatsoever manifestly unsafe for the purpose for which it is used or intended to be used;
  7. The building or structure, exclusive of the foundation, shows thirty-three (33) percent or more of damage or deterioration to the supporting structural members, or fifty (50) percent of damage or deterioration of a nonsupporting outside wall or covering;
  8. The building or structure has been so damaged by fire, wind, earthquake, flood or has become so dilapidated or deteriorated, from any cause whatsoever, as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals, or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral act.
- B. Faulty Weather Protection.
1. Deteriorated, crumbling or loose plaster;
  2. Deteriorated or ineffective water-proofing of exterior walls, roofs, foundations or floors, including broken windows or doors;
  3. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering;
  4. Broken, rotted, split or buckled exterior walls or roof coverings.
- C. Faulty Materials of Construction. All materials of construction, except those which are specifically allowed or approved by local codes and ordinances and which have been adequately maintained in good and safe condition.
- D. Inadequate Fire-Protection or Fire-Fighting Equipment. All buildings or portions thereof which are not provided with fire-resistive construction or fire-extinguishing systems or equipment required by local codes and ordinances except those buildings or portions thereof which conform with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition or any change in occupancy.
- E. Fire Hazards. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation, which is such a condition as is likely to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire explosion arising from any cause.
- F. Hazardous or Unsanitary Premises. Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials and similar materials or conditions constitute fire, health, or safety hazards or constitute a nuisance as defined by city ordinance.
- G. Improper Occupancy. All buildings or portions thereof, occupied for purposes for which they are not designed or intended to be used.
- H. Hazardous Wiring.
1. Exposed electric wire or wire with deteriorated or damaged insulation;
  2. Switch and outlet plates missing or improperly fastened;
  3. Short circuit or break in an electric line;
  4. Obvious shock hazards; and
  5. Temporary wiring, except extension cords which run directly from portable electric fixtures to convenience outlets, and which do not lie underneath floor-covering materials or extend through doorways, transoms or other similar openings through walls or ceilings.
- I. Hazardous Plumbing.
1. Plumbing that permits contamination of the water supply through backflow, back siphonage or other method of contamination;
  2. Water supply inlets below the flood level of any sink, lavatory, bathtub or other fixture and submerged inlets except those with a vacuum breaker complying with the plumbing code;
  3. The waste line of the water-using fixture that is not trapped.
- J. Hazardous Heating Equipment.
1. Fuel supply connection of material other than those specified in Chapter 15.32 of this code and not permanently fastened in place;
  2. Equipment or vents so close to a wall of combustible materials or so lacking in insulation that there is danger of combustion; and
  3. Equipment burning liquid or solid fuel which are not connected to chimneys or flues or which are connected to vents suitable for gas only.
- (Prior code § 5-1216)

**111.1 Application for appeal.**

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Please correct these violations within thirty (30) days of the receipt of this letter to prevent further action from this department. If you have any questions, please contact me at (316) 322-4480. Thank you.

*Sarah McKee*

Sarah McKee  
Code Enforcement Officer

Scott Pechin  
Building Official  
316-323-4967

Attachments: /Enclosures: /CC