



DEVELOPMENT SERVICES  
DEPARTMENT

# *City of Tarpon Springs, Florida*

324 E. PINE STREET  
P.O. BOX 5004  
TARPON SPRINGS, FL 34688-5004  
(727) 942-5617  
Fax (727) 943-4651  
[www.ctsfl.us](http://www.ctsfl.us)

September 19, 2016

Fun City Enterprises INC.  
57 W. Tarpon Avenue  
Tarpon Springs, FL 34689

RE: Sunbay Motel Code Violations

To Whom It May Concern:

I responded to a complaint of unsafe conditions at the above referenced property initiated by an anonymous phone call on Thursday, September 15, 2016. You are hereby advised that the above referenced structure has numerous code violations. The nature and extent of these violations are such that they constitute an immediate health and safety concern. This structure violates the International property maintenance Code 2012 Edition. This letter formally notifies you:

- **Section 304.1.1,(8) Exterior Structure General**  
The roofing and roofing components have defects that emit rain and have caused substantial damage to units #19, #20 and #23 in which the ceiling material (drywall) have detached from the roof joists and fallen. The roof joists also display deterioration and possible termite infestation.
- **Section 304.1.1,(12) Exterior Structure General**  
The second floor exterior decking is not structurally sound, not properly anchored.
- **Section 304.2, Protective Treatment**  
All exterior surfaces, including but not limited to, doors, door and window frames, porches, trim, decks and fences, shall be maintained in good condition. Exterior wood surfaces shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipping paint shall be eliminated and surfaces repainted.

- **Sections [F] 304.3 Premises Identification**  
 Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabet letters. Numbers shall be a minimum of 4 inches in height with a minimum stroke width of 0.5 inches.
- **Section 304.4, Structural Members**  
 The structural roof joists show some deterioration and termite decay. Provide a structural engineers report as to the stability and any replace or repairs needed.
- **Section 304.6, Exterior Walls**  
 All exterior walls shall be free from holes, breaks and loose or rotting materials and maintained weatherproof and properly secured.
- **Section 304.7, Roofs and Drainage**  
 The roof and flashing shall be sound, tight and not have defects to admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or the interior portion of the structure.
- **Section 304.10, Decks**  
 The exterior rear second floor deck shall be maintained structurally sound, in good repair, with proper anchorage.
- **Section 304.13, Window and Door Frames**  
 Every window, door and frames shall be kept in sound condition, good repair and weather tight.
- **Section 304.13.2, openable Windows**  
 Every window, other than fixed window, shall be easily openable and capable of being held in position by the window hardware.
- **Section 304.15, Doors**  
 All exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door.
- **Section 305.1, General Interior Structure**  
 The interior of the structure and equipment therein shall be maintained in good repair, structurally sound.
- **Section 308.1, Rubbish and Garbage**  
 All exterior property premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.
- **Section 309.1, Infestation**  
 All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by an approved process that will not be injurious health.

- **Section [P] 502.1, Required Plumbing facilities**  
Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and shall be maintained in a safe working condition.
- **Section [P] 504.1, General Plumbing Fixtures**  
All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and effects 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.
- **Section 505.4, Water Heating Facilities**  
Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every sink, lavatory, bathtub, shower facility at a minimum temperature of 110 degrees.
- **Section 601.2, Mechanical and Electrical Requirements**  
The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.
- **Section 602.2, Residential Occupancies Heating Facilities**  
Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees in all habitable rooms.
- **Section 603.1, Mechanical Equipment**  
All mechanical appliances, water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.
- **Section 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.
- **Section 605.1, Electrical equipment Installation**  
All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

**Florida Building Code – Building, 5<sup>th</sup> Edition (2014)**

- **Section 105.1, Permits Required**  
Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, or convert or replace any electrical,

mechanical, electrical, or gas system, the installation is regulated by this code. Shall first make application to the building official and obtain the required permit.

**City of Tarpon Springs Fire Marshal/Fire Department Code Violations list:**

RE: Sunbay Motel, 57 W. Tarpon Avenue, Tarpon Springs, FL 34689  
NPFA 1, Florida Fire Prevention Code 2012 Edition  
NFPA 101, Life Safety Code, Florida 2012 Edition  
NFPA 70, National Electrical Code  
FL Building Code

Mr. Fanoudis,

I was following up on my requirement for you to install a working smoke alarm in room 21; I found this discrepancy on September 1. I directed you that day to install a working smoke alarm that day. I also directed you to install the 10 year lithium powered smoke alarms. I also was back again on Sept 13<sup>th</sup> and found no smoke alarm in room 7. I directed you to install an alarm in that room. It is now September 15 and you have not installed any smoke alarms. The alarms you purchased are not the 10 year lithium alarms as required. There are several discrepancies which have not been addressed from the letter of violation you received last year dated 06 July 2015. Following are deficiencies which include several of last year's deficiencies.

**Deficiencies:**

1. General throughout property. Unsafe storage of materials excess clutter of debris.  
(NFPA 1 Ch. 10.19.5.1)
2. Remove all combustibles below 2<sup>nd</sup> floor rear deck (NFPA 1 Ch. 10.19.5.1)
3. All light fixtures on both floors have no lenses/globes on them just exposed bulbs. (NFPA 70)
4. Exposed wires & connections not in proper electrical junction box second floor wall (NFPA 70)
5. Ground floor behind structure under the 2<sup>nd</sup> floor deck not built to code. (NFPA 1, FBC, NFPA 70)
  - a. Structure obstructs egress of itself and office area. (NFPA 1 Ch. 4, NFPA 101 Ch. 7)
  - b. No GFI Circuit for the non-permitted bathroom (NFPA 70, NFPA 1)
  - c. Wiring running thorough the non-permitted shower. (NFPA 70)
  - d. Exposed wires over sink and beside the shower in the non-permitted bathroom (NFPA 70)
  - e. No egress capabilities from structure which now houses a bed, and bathroom. (NFPA 101)
  - f. Non-permitted structure does not comply with building codes or fire codes. (NFPA 1, FBC)
6. Gas water heater is not properly vented. (NFPA 1, NFPA 58, NFPA, 59)
7. Electrical room behind leading from Manager's office: (NFPA 1, NFPA 70)
  - a. Electrical wiring is not in conduit in hall behind office leading to the rear of the structure.

- b. Aisle at rear of office to rear of structure is obstructed and too narrow. Cluttered by storage.
  - c. Exposed wires coming through a hole in the wall running to the open outlet behind counter.
  - d. Several light fixtures behind the manager's office in storage room / access to rear structure have no globes
8. The non-permitted structure remains in place and no permit applied for. This structure is located below the main means of EGRESS for the second floor rental units. This structure does not meet the fire separation requirement for EGRESS.
9. Laundry room deficiencies: (NFPA 1, NPFA 101, NFPA 70, FBC)
- a. Circuit breaker panel not accessible. It is buried behind bedding waiting to be washed.
  - b. Obstruction of access to the circuit breaker panels is due to less than minimum aisle from manager's office to rear of structure where the circuit panels are in laundry room. The non-permitted structure obstructs access to the breaker.
  - c. Open vertical openings over water heater. Need to close off.
  - d. Electrical junction box has no cover – exposed wires.
  - e. Excessive lint build-up on dryer vent exhaust.
  - f. Unsafe storage of combustibles jammed into laundry room
  - g. Light fixture has exposed bulb, no globes / lenses.
  - h. Outlet box has no cover plate (exposed wires)
  - i. No GFI Circuit for clothes washer
  - j. Appliances not plugged directly into building outlets. (NFPA 1 Ch. 11, NFPA 70)
  - k. Clothes Dryer not maintained in compliance. (NFPA 1, Ch. 11.5.1.11)
  - l. Water leaking into the washer / dryer / electrical room.
10. Stairwell:
- a. Exposed wires over light fixture on ceiling in stairwell
11. Porch / Deck area at rear of building:
- a. Gate at the top of the stairs from the deck has inward swinging gate needs to be out swinging to comply with code. (NFPA 1, NFPA 101)
  - b. Decking has several soft spots which may be signs of failure. (NFPA 1, NFPA 101, FBC)
12. Multiple rooms have no smoke alarms installed. (10yr lithium). (NFPA 1, Ch. 13.7.2.10)
13. Exposed hanging electrical wiring in the second to last room on the east side of the second level.  
(NFPA 70)
14. Ceilings falling in on several units on the second floor. (NFPA 1, NFPA 101, FBC, NPFA 70)
15. EMERGENCY Instructions for Residents or guests not available. (NFPA 1 Ch. 20.8.2.4)
16. Furnishings, Mattresses, and Decorations not identified as compliant with NFPA 701.  
(NFPA 101 Ch. 20.7.5.1\*)

17. Facility does not provide for heat as required by FL Statute Chapter 83 - Residential Tenancies.
18. Portable space heaters not authorized. (NFPA 1, Ch. 11.5.3)

If you have any questions in reference to the Fire marshal's violations please contact Captain Richard Kinney, Fire Marshal at 727-939-4563.

All of the herein above-described defects must be satisfactorily corrected in a legal manner by no later than October 10, 2016. If those defects are not corrected by that time, the Building Division shall request Code Enforcement take appropriate legal proceedings. This notice is without prejudice to the City's other lawful rights and remedies relating to the correction of the described conditions. The City hereby expressly reserves all such rights and remedies.

I trust you will give your immediate attention to the foregoing. If you should have any questions, I can be reached at (727) 942-5617.

Respectfully,

Anthony Mastracchio  
Building Development Director

Inc: Photographs

cc: Mark LeCouris, City Manager  
Robert Kochen, Police Chief  
Richard Kinney, Fire Marshal  
Code Enforcement