



May 30, 2024

Case No. 432196

293 A Alden Road Llc
349 W Commercial St Ste 2945
E Rochester, NY 14445

Notice and Order Default
Property Location: 1201 Elmwood Ave, ROCHESTER, NY 14620

Dear Property Owner:

The property you own at the above referenced address is in violation of the codes of the City of Rochester. Attached is a list of the open violations that have not been abated since the issuance of the original Notice and Order. This may exclude violations for high grass and weeds or trash and debris. To date, you have not corrected these violations or coordinated with the City to establish an acceptable work schedule for their correction within the timeframe ordered by the Notice and Order. Therefore, the City is starting the enforcement process. This could result in a ticket for uncorrected violations, fines, a court case filed against you, or other legal action.

If you wish to avoid further enforcement, you must do one of the following:

- Correct the violation(s) immediately and schedule a re-inspection of the property by the City;
OR
- Contact the inspector as soon as possible to coordinate the submission of an acceptable written schedule for the correction of the violation(s).

If you choose either of the above alternatives, or if you have any questions, you must contact the inspector listed below no later than **10 days** from the date of this letter between the hours of 8:00 AM to 5:00 PM, Monday through Friday.

INSPECTOR: Tony Duque
Phone #: (585)428-6076

If a ticket is issued, you can request a hearing through the City's Municipal Code Violations Bureau. If you ignore the appearance ticket or schedule a hearing and do not appear, you will be held in default and the fine will double. In the event you are fined and refuse to pay, the fines would be referred to a collection agency. Should the collection agency be unable to collect the fines, said fines can then be added to your property taxes. Should you choose not to pay your property taxes, the City would have the right to take ownership of your property through foreclosure.

The City will continue to monitor your property. You are subject to multiple appearance tickets and fines should these or any subsequent violations remain uncorrected past their expiration date.

Sincerely,

Bureau of Buildings and Compliance



Current Open Violations

Property Address: 1201 Elmwood Ave, ROCHESTER, NY 14620

Case No.: 432196

Case Open Date: 8/28/2008

Violation	Location	Date Cited	Days to fix (from citation date)	Details (if applicable)	Immediate or Health & Safety
Retaining wall needs repair.		8/28/2008	30	REAR LOADING DOCK	
Main building foundation needs pointing and/or repair.		8/28/2008	30		
Accessory building must be repaired or demolished. A building permit may be required for approval of proposed repair work and for demolition of any structure. **		8/28/2008	30	None	
Fence is deteriorated.		8/28/2008	30	None	
Main building needs a street number or the street number must be a contrasting color from the surrounding area.		8/28/2008	30		
Exterior brickwork needs repair.		8/28/2008	30		
The graffiti described herein must be properly removed or covered. If you are unable to correct this violation, the City may remove it under the following conditions: You haven't had graffiti removed on this premises within the present calendar year. The graffiti is located on the first floor. You have submitted the required permission form. You may obtain a permission form by contacting the City's 311 Call Center. Be advised, if the City corrects this violation under any other condition, you may be subject to any associated cost. **		8/28/2008	30	None	
Driveway needs repair.		8/28/2008	30	None	
Main building masonry wall needs repair.		8/28/2008	30	None	
The signage at the subject property associated with a business no longer in operation at the subject premises must be removed within 30 days. **		8/28/2008	10	None	
The main building on the subject property has been damaged by fire and has been vacated; This building may not be reoccupied until a permit to repair the damage has been obtained and a Certificate of Occupancy has been issued. NOTICE: This shall serve as the sole notice to the owner of record that this property must be maintained in accordance with the Rochester City Code. Chapter 90-17 of the Code stipulates that a vacant property must be kept secure, free of refuse, high grass and overgrown weeds. If an		7/10/2019	30		

inspection of the property reveals that such conditions exist, in violation of City Code Section 90-17(B), titled "Owner's Duties", the City may cause necessary corrective action to be performed WITHOUT FURTHER NOTICE to the record owner, including termination of water service and removal of the water meter, in accordance with Chapter 23-2C of the City Code, which stipulates that the owner must safeguard the water meter. The owner of record will be billed for the cost of any such work. Such costs, if not paid, may be added to a subsequent tax bill for the property pursuant to section 6-94 of the City charter.					
Service walk(s) are broken or deteriorated.		8/28/2008	30		
Parapet wall needs repair.		8/28/2008	30		
Parking lot is deteriorated.		8/28/2008	30	None	
The steps described herein are missing or in need of repair. A building permit is required for new replacements, which must be compliant with the current code. **		8/28/2008	30	None	
The vacant structure identified herein has been designated by the Rochester Fire Department as hazardous for their fire fighting purposes. Accordingly, emergency responders will be advised not to enter the building in the event that they are dispatched to the location. Pursuant to Section 311.5 of the Fire Code of New York State applicable placards will be affixed to the structure. **		7/5/2023	30	property has hazard conditions per RFD	
Failure to register vacant building as required by the Code of the City of Rochester, Section 90-21. The owner must register the building no later than 60 days after the initial vacancy date.		3/18/2024	60		HS
In accordance with section 90-20 of the City of Rochester Municipal Code, owners of properties that are required to have a Certificate of Occupancy are required to register a property maintenance point of contact. If the owner resides outside of the 13 or 14 zip code areas the point of contact must reside within Monroe County. The information provided must include a business phone number and the mailing address for the point of contact and the mailing cannot be a P O Box.		4/23/2024	30		HS
This citation is listed on this notice for informational purposes: The portion(s) of the building described herein was found to be vacant at the time of inspection. Failure to legally reoccupy this portion of the building for nine (9)		4/23/2024	60	building vacant	

months may cause a loss of non-conforming use rights pursuant to the City of Rochester Zoning Code. **					
Building is vacant and open. All openings on the first floor and basement must be properly secured. Please be advised, if any portion of a non-conforming use/structure is vacant for a period of nine (9) consecutive months, that use is potentially subject to a loss of pre-existing non-conforming rights. Please contact the Division of Zoning at 428-7043 to inquire as to the current legal use of this building. NOTICE: This shall serve as the sole notice to the owner of record that this property must be maintained in accordance with the Rochester City Code. Chapter 90-17 of the Code stipulates that a vacant property must be kept secure, free of refuse, high grass and overgrown weeds. If an inspection of the property reveals that such conditions exist, in violation of City Code Section 90-17(B), titled "Owner's Duties", the City may cause necessary corrective action to be performed WITHOUT FURTHER NOTICE to the record owner, including termination of water service and removal of the water meter, in accordance with Chapter 23-2C of the City Code, which stipulates that the owner must safeguard the water meter. The owner of record will be billed for the cost of any such work. Such costs, if not paid, may be added to a subsequent tax bill for the property pursuant to section 6-94 of the City charter.		5/21/2024	5	rear garage building	IMM/HS

Failure to abate the above violations will result in the issuance of a municipal code violation ticket.

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