



**CITY OF SOMERVILLE
INSPECTIONAL SERVICES - BUILDING DIVISION**

1 Franey Road Somerville, MA 02145
(617) 625-6600 Ext. 5600

VIOLATION NOTICE

ASSAF BIDERMAN & NILI OHAYON
88 WINSLOW AVE
SOMERVILLE, MA 02143

Date: June 16, 2016
Subject: Fence on Corner
Site Address: 88 WINSLOW AVE
File #: 16-008705

Dear Mr. Diberman and Ms. Ohayon:

On 06/14/2016, acting under the authority of Massachusetts General Laws Chapter 143 section 3A and Article 1 of the Massachusetts Building Code and/or the Somerville Zoning Ordinance, the Building Inspector has caused an inspection to be conducted at 88 WINSLOW AVE.

According to the records of the municipal assessor's office, this property is owned by you.

The Inspection revealed the following violations of the International Building Code (IBC), State Building Code (780 CMR) and/or Somerville Zoning Ordinance (SZO):

SZO Sec. 8.6.5.c Cross Corner Traffic Visibility. All structures, fences, or plantings greater than three-and-one-half (3 1/2) feet above sidewalk level and within twenty (20 feet) of any corner street line intersection shall not interfere with traffic visibility across corners. Fence is approximately six (6) feet tall and obstructs corner visibility. Fence shall be reduced in height to no greater than 3 1/2 feet.

You are hereby ordered to abate these violations 30 days. You must obtain any applicable permits prior to performing any work. The Building Inspector will re-inspect as needed.

If you fail to comply with this violation notice, the Building Inspector may invoke the following procedures to compel you to correct the violations: 1) the issuance of a ticket; 2) an application for criminal complaint; 3) a complaint for injunction from a Court of competent jurisdiction; and/or 4) any other remedy allowed by law.

If you are aggrieved by this Order relative to the State Building Code, you have the right to appeal within 45 days to the State Building Code Appeals Board pursuant to Massachusetts General Laws Chapter 143 Section 100.

If you are aggrieved by this Order relative to the Somerville Zoning Ordinance, you have the right to appeal within 30 days to the Zoning Board of Appeals pursuant to Somerville Zoning Ordinance Section 3.1.9 and 3.2.3.

With respect to zoning violations, Somerville Zoning Ordinance Section 3.1.8 provides that any person who violates any provision of this Ordinance or who fails to perform any act required hereunder or does any prohibited act, shall upon conviction thereof, be punished by a fine of not more than \$500 for each offense and every day that a violation continues to exist shall constitute a separate offense and shall be punishable thereas.

With respect to the State Building Code, General Laws Chapter 143 Section 94(a) provides that "[w]hoever violates any provision of the state building code ... shall be punishable by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both, for each such violation. Each day that a violation exists shall constitute a separate offense."

Please feel free to contact me at 617-625-6600 x5631 to discuss this matter.

Respectfully,

Paul Smith
Building Inspector
617-625-6600 x5631

