

# 354 945

Portland, Maine



Yes. Life's good here.

August 11, 2015

Guibord Kristin M &

75 Sweetser Rd

North Yarmouth, ME 04097

CBL: 003 D003001

Located at 0094 MORNING ST

#### NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at the address referenced above revealed that the structure and premises fail to comply with NFPA 2009 Fire Code and/or NFPA Life Safety Codes. Attached is a list of those violations.

The above-referenced property is in violation of the Chapter 10, Fire Prevention and Protection, Article 1 of the Portland City Code (the "Code") and National Fire Protection Association (NFPA) 101 Life Safety Code. Please note that the Code is available online at [www.portlandmaine.gov](http://www.portlandmaine.gov).

This is a notice of intent to prosecute. As such, the matter is being referred to the City of Portland Corporation Council for legal action and possible civil penalties as provided for in Chapter 10, Fire Prevention and Protection, 10-25 of the Code and in Title 30- A.M.R.S.A. 4452.

Please be advised that you will need to contact the Fire Prevention Bureau at 207-874-8400 before the court date on the attached Reference to Court letter to either schedule a re-inspection or to submit a plan of action to correct these violations.

Sincerely,

A handwritten signature in cursive script that reads "A/C Keith Gauthier".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> Guibord Kristin M &		<b>Inspector</b> Curtis Magnuson	<b>Inspection Date</b> 8/10/2015
<b>Location</b> 0094 MORNING ST	<b>CBL</b> 003 D003001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 80.40 Interior  
**Violation:** NFPA 101- 31.2.2.1.2 EXIT STAIR REQ 60-MIN FIRE DOORS - NON-HIGH-RISE; IN BUILDINGS USING OPTION 4, EXIT ENCLOSURES SHALL HAVE A MINIMUM 1-HOUR FIRE RESISTANCE RATING, AND DOORS SHALL HAVE A MINIMUM 1-HOUR FIRE PROTECTION RATING.

**Notes:**

2) 3.008 Interior  
**Violation:** NFPA 211- 9.5.1 CLEARANCE PROTECTION NOT PROVIDED; CLEARANCES FROM CONNECTORS TO COMBUSTIBLE MATERIAL SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF 9.5.1.1 THROUGH 9.5.5.3 FOR BOTH UNPROTECTED AND PROTECTED INSTALLATIONS.

**Notes:** COMBUSTIBLES TO CLOSE TO FURNACE. NEED 36" CLEARANCE

3) 55.080 Interior  
**Violation:** NFPA 101- 31.1.5.1 ELECTRICAL VIOLATION; UTILITIES SHALL COMPLY WITH THE PROVISIONS OF SECTION 9.1.

**Notes:** ELECTRICAL PANELS ARE BLOCKED. NO STORAGE ALLOWED IN FRONT OF PANELS

**Comments:** Unable to gain entry to property The violations we saw were through exterior doors and windows.

STATE OF MAINE

DISTRICT COURT

Location: Portland

Docket No.

CITY OF PORTLAND and body politic and  
Corporate, located in the County of  
Cumberland and State of Maine,

Plaintiff,

**FIRE PREVENTION AND PROTECTION  
CODE VIOLATION**

**(M.R. CIV. P. 80H AND 80k)**

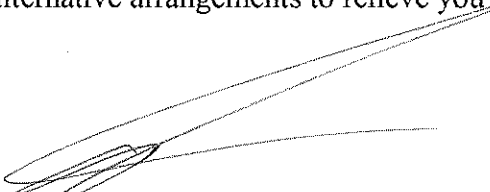
v.

Kristin Guibord & Michael Guibord  
Defendant

SUMMONS NUMBER: 354945

This matter has been referred to the Corporation Counsel's Office for immediate legal action with respect to the code violations detailed in the attached letter. It has been assigned the above summons number and will be filed with the Portland District Court and will be assigned for an initial appearance at the Portland District Court 205 Newbury Street Portland, Maine 04101 at 8:30 A.M. on 09/14/2015. I strongly urge you to contact Victoria Meserve at Fire Prevention at (207)-874-8400 or via e-mail at [meservev@portlandmaine.gov](mailto:meservev@portlandmaine.gov) to set up an in-person meeting to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 09/14/2015.

Dated: 8/17/15



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Adam R. Lee, Esq. Bar No. 4143  
Associate Corporation Council  
City of Portland  
389 Congress St  
Portland, ME 04101  
207-874-8480