

# 353813

Portland, Maine



Yes. Life's good here.

Jerome F. LaMoria  
Fire Chief, Fire Department

Portland Fire Department  
Fire Prevention Bureau  
380 Congress St  
Portland, ME 04101

July 7, 2015

Waverly Deutsch &  
Mary Elizabeth Shea  
1103A North Winchester Ave  
Chicago, IL 60622

#### NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 86 Morning St on 07/06/2015 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,

Portland Fire Department  
Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> Deutsch Helen Waverly &		<b>Inspector</b> Daniel Small	<b>Inspection Date</b> 7/6/2015
<b>Location</b> 0086 MORNING ST	<b>CBL</b> 003 D005001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Prevention-FP Routine Inspe

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 69.20

**Violation:** PORTLAND FIRE DEPARTMENT CHAPTER 10 SECTION 12 KNOX BOX REQUIRED; KNOX BOXES ARE REQUIRED FOR ALL BUILDINGS WITH FIRE ALARM OR SUPPRESSION SYSTEMS.

**Notes:** RECOMMENDED FOR FRONT OF BUILDING

2) 89.05

**Violation:** NFPA 1- EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.

**Notes:** DEBRIS IN STAIRWAYS

3) 91.10

**Violation:** NFPA 70- ARTICLE 110 B CERTIFY ELECTRICAL SYSTEM; LISTED OR LABELED EQUIPMENT SHALL BE INSTALLED AND USED IN ACCORDANCE WITH ANY INSTRUCTIONS INCLUDED IN THE LISTING OR LABELING.  
ENTIRE ELECTRICAL SYSTEM NEEDS TO BE LOOKED AT.

**Notes:** 110 VOLT INTERIOR WIRE IS HANGING BETWEEN BUILDING AND SHED

4) 91.15

**Violation:** NFPA 70- ARTICLE 110.12 B EXPOSED WIRING CONNECTIONS; Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, or corrosive residues. There shall be no damaged parts that may adversely affect safe operation or mechanical strength of the equipment such as parts that are broken; bent; cut; or deteriorated by corrosion, chemical reaction, or overheating.

**Notes:**

5) 91.25

**Violation:** NFPA 70 MISSING BOX COVERS; REFER TO NFPA 70, NATIONAL ELECTRICAL CODE, ON STANDARDS FOR MISSING BOX COVERS.

**Notes:**

6) 91.50

**Violation:** NFPA 101- 16.5.2.2 UNVENTED FUEL-FIRED HEATER; UNVENTED FUEL-FIRED HEATING EQUIPMENT, OTHER THAN GAS SPACE HEATERS IN COMPLIANCE WITH NFPA 54, SHALL BE PROHIBITED.

**Notes:** GARDEN HOSE IS HUNG ON TOP OF OUTSIDE NATURAL GAS VENT

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PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

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7) 3.011

**Violation:** NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED; THE AREAS DESCRIBED IN TABLE 31.3.2.1.1 SHALL BE PROTECTED AS INDICATED:  
BOILER AND FUEL-FIRED HEATER ROOMS SERVING MORE THAN A SINGLE DWELLING UNIT (MINIMUM SEPARATION/PROTECTION IS 1 HOUR OR SPRINKLERS)

**Notes:** NO ELECTRICAL SHUTOFF AT TOP OF STAIRS FOR HEATING APPLIANCES

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**Comments:** Inspections from Naviline Fire Inspections. 10 were listed.

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.

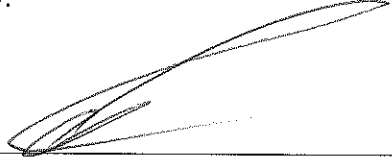
Waverly Deutsch & Mary Elizabeth Shea  
Defendant

SUMMONS NUMBER: 353813

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 August 10, 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 August 10, 2015.

Dated:

7/9/15



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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