

CONSENT AGREEMENT

The parties, the City of Portland (the “City”) and Keith Welch and Linda Rose Welch (together “Owners”) hereby enter into this Consent Agreement as follows:

WHEREAS, Owners own a multi-unit residential property located at 89 Vesper Street in Portland, Maine, shown as CBL 003 D012001 on the City of Portland Tax Maps (the “Property”);

WHEREAS, the City of Portland Fire Department (“PFD”) inspected the Property on September 26, 2016 (the “First Inspection Date”);

WHEREAS, Owners were notified of certain fire and life safety code violations at the Property in a Notice of Violation dated October 5, 2016 (“NOV I”);

WHEREAS, Owners agreed to remedy the violations described in NOV I (the “Violations”) by the dates indicated in their plan of action, a copy of which is attached as Exhibit A;

WHEREAS, Owners still have not remedied the Violations and have requested an extension of time to do so;

WHEREAS, the City is willing to grant an extension of time; and

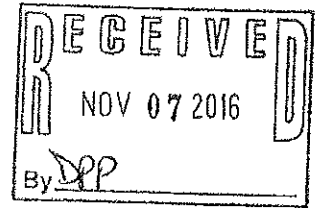
WHEREAS, the parties wish to settle this matter between them, and provide a date by which Owners will have fully remedied all of the outstanding Violations at the Property.

NOW THEREFORE, the parties agree to the following:

1. Owners will have all Violations corrected no later than December 31, 2017 (the “Compliance Date”).
2. The Violations shall be remedied in full compliance with the City of Portland Code of Ordinance and other applicable laws, and shall be remedied to the full satisfaction of the relevant City of Portland official.
3. Owners will schedule reinspection of the Property on or before the Compliance Date.

EXHIBIT A

CITY OF PORTLAND
FIRE PREVENTION BUREAU
380 Congress Street, Portland, Maine 04101
fireprevention@portlandmaine.gov
(207) 874-8400



NOTICE OF VIOLATION AND ORDER TO CORRECT

October 5, 2016

Responsible Party 1: Welch Keith 89 Vesper St # 3 Portland, ME 04101		
Location 89 VESPER ST	CBL 003 D012001	Inspection Date 9/26/2016
Inspector Philip Megouldrick, Jr	Inspection Type FP Routine Inspection	Status Failed

The City of Portland Fire Department inspected this property, and found the fire and life safety code violations listed below, which you are hereby ordered to correct. You must complete the proposed date of completion column by proposing a reasonable timeframe to remedy each violation. This form must be received by the Fire Prevention Bureau no later than 10/30/2016. The Bureau reserves the right to reject or modify any proposed plan of action, and may require evidence of sufficient financial and technical capacity to complete the proposed plan. Please contact the Bureau with any questions.

YOUR FAILURE TO SUBMIT A PLAN OF ACTION BY THE DATE PROVIDED, OR TO CORRECT ANY VIOLATION WITHIN THE APPLICABLE TIME FRAME, MAY RESULT IN LEGAL ACTION AGAINST YOU, THE IMPOSITION OF CIVIL PENALTIES, AND THE PURSUIT OF OTHER LEGAL REMEDIES.

Violation	Proposed Date of Completion
NFPA 101- 31.3.3.2 INTERIOR FINISH; Interior wall and ceiling finish materials complying with 10.2 shall be permitted as follows: (1) Exit enclosures- Class A or B (2) Lobbies and corridors- Class A or B (3) Other Spaces- Class A, B, or C. Interior finish throughout front and rear halls	___/___/___ <i>True wainscoting not panelling okay DPP 11/7/2016</i>
NFPA 1 EXCESSIVE/DISORDERLY STORAGE; Reference NFPA 1 for excessive fuel-load. Excessive accumulation floor #3, rear hall. Also, excessive accumulation around furnaces in basement	<i>11 / 30 / 2016</i>
NFPA 30- TABLE 9.6.2.1 FLAMMABLE/COMBUSTIBLE LIQUIDS STORAGE EXCEED LIMIT; See NFPA 30 Table 9.6.2.1 for special occupancy limits for flammable and combustible liquid storage. Excessive combustibles in basement	IMMEDIATELY remove all excess flammable/combustible material from the interior of the structure. Your signature below indicates that all excess material has been removed, will not be replaced, and will be properly disposed of or stored elsewhere.
NFPA 101- 8.3.4.2 60 MINUTE FIRE DOOR REQUIRED; Refer to NFPA 101- Table 8.3.4.2 that states fire door assemblies for vertical shafts (including stairways, exits, and refuse chutes) are rated and required for 1 hour. Requires fire doors throughout	<i>07 / 05 / 2017</i>

VIOLATOR CERTIFICATION

I agree to remedy the violations listed within the timeframes provided. If I require additional time to comply, I understand that I must contact the Fire Prevention Bureau prior to the deadline to request an extension, which is entirely within the Bureau's discretion to grant or deny.

I further understand that it is my responsibility to schedule a reinspection of my property once the violations have been remedied to do so. My failure to schedule a reinspection shall be deemed an admission that the violations have not been remedied.

If I fail to comply with this agreement, I understand that I am liable for penalties pursuant to the City of Portland Code of Ordinances §§ 1-15 and 10-25, and 30-A M.R.S. § 4452 and may be subject to further legal action.

11/07/2016
Date

Michael W. Weled
Responsible Party

Date

Responsible Party

SEEN AND AGREED

11/7/2016
Date

CAPT PETRUCELLI
Fire Prevention Bureau