

# 353 803

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

June 16, 2015

Richard Bois  
409 Gray Rd  
Falmouth, ME 04105

### NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 33 O'Brien St on 6/16/2015 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> BOIS RICHARD		<b>Inspector</b> Alan Greene	<b>Inspection Date</b> 6/16/2015
<b>Location</b> 33 OBRION ST	<b>CBL</b> 003 I011001	<b>Status</b> Violations Exist	<b>Inspection Type</b> Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 3.011	Interior			Cellar	
<b>Violation:</b>	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)				
<b>Notes:</b>	BOTH BOILERS LACK PROTECTION				
2) 4.006	Interior			Cellar	
<b>Violation:</b>	NFPA 30 CLASS 1 LIQUID VIOLATION; REFER TO NFPA 30				
<b>Notes:</b>	CANS OF FUEL STORED IN BASEMENT				
3) 68.1	Interior			Basement	
<b>Violation:</b>	GENERAL				
<b>Notes:</b>	BOILER IS LEAKING FUEL OIL.				

**Comments:**

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.

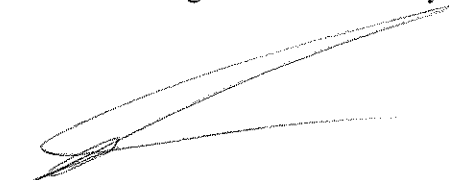
Richard Bois  
Defendant

SUMMONS NUMBER: 353803

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 July 13, 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 July 13, 2015.

Dated:

6/17/15



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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