



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

June 23, 2017

Responsible Party 1: ROOT CELLAR 94 WASHINGTON AVE PORTLAND, ME 04101		
Location 94 WASHINGTON AVE	CBL 012 0006001	Inspection Date 6/9/2017
Inspector Daniel Small	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 propose a date of completion to remedy each violation, a final date of completion, and a date of re-inspection.

You must send this form to the Fire Prevention Bureau no later than 7/15/2017.

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- 31.3.1.1.1 VERTICAL OPENINGS NOT FIRE RATED; Vertical openings shall be enclosed or protected in accordance with Section 8.6. Some ceiling tiles are off the tracks on both floor levels	<u>9 / 1 / 17</u>
NFPA 1- 1.12.5.13 FIRE ALARM INSPECTION STICKER REQUIRED; Permits shall be issued by the AHJ and shall bear the name and signature of the AHJ or that of the AHJ's designated representative. In addition, the permit shall indicate the following: (1) Operation or activities for which the permit is issued (2) Address or location where the operation or activity is to be conducted (3) Name and address of the permittee (4) Permit number and date of issuance (5) Period of validity of the permit (6) Inspection requirements and other permit conditions Fire alarm system has expired city permit sticker	<i>Need a few repairs first</i> <u>9-1-17</u>
NFPA 101-7.9.3 EMERGENCY LIGHTS REQUIRE MAINTENANCE; 7.9.3 Periodic Testing of Emergency Equipment 7.9.3.1 Required emergency lighting systems shall be tested in accordance with one of the three options offered by 7.9.3.1.1, 7.9.3.1.2, or 7.9.3.1.3. 7.9.3.1.1 Testing of required emergency lighting systems shall be permitted to be conducted as follows: (1) Functional testing shall be conducted monthly with a minimum of 3 weeks and a maximum of 5 weeks between tests, for not less than 30 seconds, except as otherwise permitted by 7.9.3.1.1(2). (2) The test interval shall be permitted to be extended beyond 30 days with the approval of the authority having jurisdiction. (3) Functional testing shall be conducted annually for a minimum 1-1/2 hours if the emergency lighting system is battery powered. (4) The emergency lighting equipment shall be fully operational for the duration of the test required by 7.9.3.1.1(1) and (3). (5) Written records of visual inspections and tests shall be kept by the owner for inspection by the authority having jurisdiction. Both lower level bathrooms	<u>8/15/17</u> <i>Red</i> <i>Could we have an example of what this looks like</i>

Violation	Proposed Date of Completion
<p>NFPA 101-7.2.1.4.5 (3) EXIT DOOR OPENING FORCE EXCEEDS 50 LBS.; The opening forces for existing door leaves in existing buildings shall not exceed 50 lbs (222 N) applied to the latch stile.</p> <p>1 of 2 rear/lower level/corner doors does not operate</p>	<p><u>7/18/17</u></p>
<p>NFPA 101- 7.5.1.1 EXIT OBSTRUCTED; Where exits are not immediately accessible from an open floor area, continuous passageways, aisles, or corridors leading directly to every exit shall be maintained and shall be arranged to provide access for each occupant to not less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4.</p> <p>Rear/lower level exit obstructed by vehicle within 20"</p>	<p>IMMEDIATELY remove all obstructions from the exits. Your signature below indicates that all obstructions have been removed and will not be replaced.</p>
<p>NFPA 101- 7.2.1.8.1 FIRE DOORS MUST BE SELF- OR AUTO-CLOSING; A door leaf normally required to be kept closed shall not be secured in the open position at any time and shall be self-closing or automatic-closing in accordance with 7.2.1.8.2, unless otherwise permitted by 7.2.1.8.3.</p> <p>Several fire rated are triggered open</p>	<p><u>6/10/17</u></p>
<p>NFPA 101-7.2.1.5.1 LOCKED EXITS; Door leaves shall be arranged to be opened readily from the egress side whenever the building is occupied.</p> <p>Master key does not work in lock on lower level side door</p>	<p>IMMEDIATELY unlock all exits from the egress side while the building is occupied. Your signature below indicates that all exits have been unlocked and will remain unlocked from the egress side while the building is occupied.</p>
<p>NFPA 13- 8.5.5.2.1 SPRINKLER HEADS BLOCKED; Continuous or noncontinuous obstructions less than or equal to 18 inches below the sprinkler deflector that prevent the pattern from fully developing shall comply with 8.5.5.2.</p> <p>Storage in basement</p>	<p><u>6/10/17</u></p>
<p>NFPA 54- 9.6.4 UTILITY DISCONNECTS BLOCKED; Each appliance connected to a piping system shall have an accessible, approved manual shutoff valve with a nondisplaceable valve member, or a listed gas convenience outlet. Appliance shutoff valves and convenience outlets shall serve a single appliance only and shall be installed in accordance with 9.6.4.1.</p> <p>Electrical panels blocked in kitchen and in basement</p>	<p><u>9/1/17</u> (JSB)</p>
<p>FINAL DATE OF COMPLETED VIOLATION(S)</p>	<p><u>9/1/17</u> (JSB)</p>
<p>FIRE PREVENTION BUREAU RE-INSPECTION OF COMPLETED VIOLATION(S)</p>	<p><u>—/—/—</u></p>

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.

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.

7-19-17 *[Signature]*
Date Responsible Party

Date Responsible Party

SEEN AND AGREED

7/25/17 *[Signature]*
Date Fire Prevention Bureau

We have everything schedule to be completed by Sept 1st.