

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 11, 2015

A1 Anderson Properties, LLC
59 Curtis Rd
Portland, ME 04103

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 9 Anderson St on June 09, 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.

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

Owner/Manager A1 Anderson Properties Llc		Inspector Kevin Mcguire	Inspection Date 6/9/2015
Location 0009 ANDERSON ST	CBL 013 D013001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 69.25

Violation: PORTLAND FIRE DEPARTMENT CHAPTER 10 4.6.1, 4.6.2 UNIT/SUITE NUMBERS NOT MARKED;
4.6.1 RESIDENTIAL UNITS SHALL BE DESIGNATED USING NUMERALS.

4.6.2 THE FIRST NUMERAL OF EACH RESIDENTIAL UNIT SHALL BE THE FLOOR DESIGNATION.

Notes:

2) 73.05

Violation: NFPA 101- 7.2.1.15.8 FIRE DOOR ASSEMBLY REQ REPAIR; DOOR OPENINGS NOT IN PROPER
OPERATING CONDITION SHALL BE REPAIRED OR REPLACED WITHOUT DELAY.

Notes: BASEMENT, UNDERSTAIRS

3) 73.10

Violation: NFPA 101-7.2.4.3.1 FIRE BARRIER REQUIRES MAINTENANCE; Fire barriers separating buildings or
areas between which there are horizontal exits shall have a minimum 2-hour fire resistance rating,
unless otherwise provided in 7.2.4.4.1, and shall provide a separation that is continuous to the finished
grounded level.

Notes: OLD DOORS AS BARRIER NOT TO CODE

4) 73.15

Violation: NFPA 31.3.1.1.1 VERTICAL OPENINGS NOT FIRE RATED; VERTICAL OPENINGS SHALL BE
ENCLOSED OR PROTECTED IN ACCORDANCE WITH SECTION 8.6.

Notes: HOLES IN STAIRWELL WALLS

5) 73.20

Violation: NFPA 101- 31.3.7 FLOOR/ CEILINGS ASSEMBLY NOT SMOKE-TIGHT; IN BUILDINGS OTHER
THAN THOSE MEETING THE REQUIREMENTS OF 31.3.7.1, 31.3.7.2, 31.3.7.3, 31.3.7.4, OR
31.3.7.5, IN ADDITION TO THE FOLLOWING CRITERIA TO BE MET.

Notes: HEAT REGISTERS FROM BASEMENT TO STAIRWELLS

6) 80.28

06/09/2015

Violation: 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.

Notes: REAR STAIRS OF BUILDING 11 COMPLETELY BLOCKED WITH TRASH

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Location 0009 ANDERSON ST	CBL 013 D013001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

7) 80.52

Violation: NFPA 101- 7.2.8.6.2 FIRE ESCAPE REQUIRES REPAIR; THE AUTHORITY HAVING JURISDICTION SHALL BE PERMITTED TO APPROVE ANY EXISTING FIRE ESCAPE STAIR THAT HAS BEEN SHOWN BY LOAD TEST OR OTHER SATISFACTORY EVIDENCE TO HAVE ADEQUATE STRENGTH.

Notes: SECOND MEANS OF EGRESS FROM BUILDING 9 IN DISREPAIR AND BLOCKED WITH BIKES AND STORAGE

8) 89.05

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

Notes: STAIRWELLS, FIRE ESCAPE AND BEHIND BUILDING

9) 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.

Notes:

10) 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: IN STAIRWELLS

11) 6.005

06/09/2015

Violation: NFPA 70- 4.10.8 DEFECTIVE LIGHT FIXTURE; Luminaries shall be installed such that the connections between the luminaire conductors and the circuit conductors can be inspected without requiring the disconnection of any part of the wiring unless the luminaries are connected by attachment plugs and receptacles.

Notes: LIGHTS HANGING FROM WIRES IN STAIRWELLS

12) 91.40

06/09/2015

Violation: NFPA 54 UNPROTECTED OUTSIDE GAS LINE; SEE NFPA 54 REGARDING REQUIREMENTS FOR OUTDOOR UNPROTECTED GAS LINES.

Notes: METERS HAVE COMBUSTIBLES STORED IN FRONT AND NO PROTECTION

Comments: Unable to gain access to basement/ boiler room.

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.

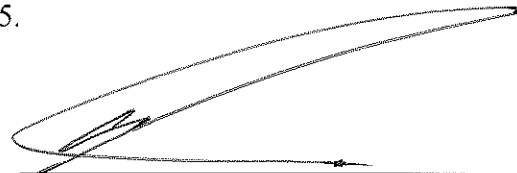
A1 Anderson Properties LLC
Defendant

SUMMONS NUMBER: 353798

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 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



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