

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

INSPECTION

# PERMIT

Permit Number: 060192

This is to certify that ALI ABDUL M /n/a

has permission to Change of use from single family to retail grocery store and one dwelling unit

AT 44 WASHINGTON AVE

013 E012001

PERMIT ISSUED  
MAR 28 2006  
CITY OF PORTLAND

provided that the person or persons who perform or supervise the construction of this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland relating to the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permission proceeds before this building or part thereof is occupied or closed-in 4 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

### OTHER REQUIRED APPROVALS

Fire Dept. \_\_\_\_\_

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

Department Name

*[Signature]*  
3/24/06  
Director - Building & Inspection Services

### PENALTY FOR REMOVING THIS CARD



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 44 Washington Ave

CBL 013 E012001

Issued to Carpenter Nu T Wid Vn Vet &

Date of Issue 01/29/2004

**This is to certify** that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 03-1344 , has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Single Family  
Use Group **R3**  
Type 5B

Limiting Conditions:

Only one functioning kitchen is allowed in the dwelling

This certificate supersedes  
certificate issued

Approved:

1/29/04  
(Date)

*Jamie Bouke*  
Inspector

*[Signature]*  
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

**PERMIT ISSUED**

**City of Portland, Maine - Building or Use Permit Application**  
389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

|                       |                                   |                     |
|-----------------------|-----------------------------------|---------------------|
| Permit No:<br>06-0192 | Issue Date:<br><b>MAR 28 2006</b> | CBL:<br>013 E012001 |
|-----------------------|-----------------------------------|---------------------|

|  |                            |  |                                   |
|--|----------------------------|--|-----------------------------------|
| Location of Construction:<br>44 WASHINGTON AVE | Owner Name:<br>ALI ABDUL M | Owner Address:<br>46 WASHINGTON AVE        | Phone:<br><b>CITY OF PORTLAND</b> |
| Business Name:                                 | Contractor Name:<br>n/a    | Contractor Address:<br>n/a Portland        | Phone:                            |
| Lessee/Buyer's Name                            | Phone:                     | Permit Type:<br>Change of Use - Commercial | Zone:<br><b>B2b</b>               |

|  |   |  |  |                    |
|--|---|--|--|--------------------|
| Past Use:<br><del>Commercial</del> single family<br>leg use :  | Proposed Use:<br>Commercial change of use from<br><del>restaurant</del> to retail grocery store<br>grocery store 1st floor<br>1 dwelling unit | Permit Fee:<br>\$105.00  | Cost of Work:<br>\$105.00  | CEO District:<br>1 |
| Proposed Project Description:<br>Change of use from <del>restaurant</del> to retail grocery store : one dwelling unit    |   | FIRE DEPT:<br><input checked="" type="checkbox"/> Approved<br><input type="checkbox"/> Denied<br><i>See Conditions</i> | INSPECTION:<br>Use Group: <b>611</b> Type: <b>53</b><br><i>3/24/06</i> |                    |
|  |   | Signature: <i>Greg Carr</i>  | Signature: <i>[Signature]</i>  |                    |
| PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)  |   |  |  |                    |
| Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied |   |  |  |                    |
| Signature: _____ Date: _____   |   |  |  |                    |

|                             |                                 |                        |  |  |
|-----------------------------|---------------------------------|------------------------|--|--|
| Permit Taken By:<br>dmartin | Date Applied For:<br>02/08/2006 | <b>Zoning Approval</b> |  |  |
|-----------------------------|---------------------------------|------------------------|--|--|

|   |  |   |   |
|---|--|---|---|
| <ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</li> </ol> | <b>Special Zone or Reviews</b><br><input type="checkbox"/> Shoreland<br><input type="checkbox"/> Wetland<br><input type="checkbox"/> Flood Zone<br><input type="checkbox"/> Subdivision<br><input type="checkbox"/> Site Plan<br>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/><br><i>OK w/condition</i><br>Date: <i>3/1/06 ABM</i> | <b>Zoning Appeal</b><br><input type="checkbox"/> Variance<br><input type="checkbox"/> Miscellaneous<br><input type="checkbox"/> Conditional Use<br><input type="checkbox"/> Interpretation<br><input type="checkbox"/> Approved<br><input type="checkbox"/> Denied<br>Date: _____ | <b>Historic Preservation</b><br><input checked="" type="checkbox"/> Not in District or Landmark<br><input type="checkbox"/> Does Not Require Review<br><input type="checkbox"/> Requires Review<br><input type="checkbox"/> Approved<br><input type="checkbox"/> Approved w/Conditions<br><input type="checkbox"/> Denied <i>ABM</i><br>Date: _____ |
|---|--|---|---|

**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

|   |         |      |       |
|---|---------|------|-------|
| SIGNATURE OF APPLICANT                      | ADDRESS | DATE | PHONE |
| RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE |         | DATE | PHONE |

1/24/03 met w/owners to assess the existing and proposed floor plan and work entailed. All signage has been removed JB

1/2/29 Spoke w/ Marge about use/zoning for property - to make a single family home will have to remove 2nd kitchen & put in smoke detectors. JB

1/13/04 met w/Nu & Michel to discuss options - They will get back to me by 1/20 - agree to change permit to SF dwelling. Second kitchen has sink & range only - space is packed full with furniture & accessories - it is clearly not in use. JB  
They will put battery smokes at minimum in the 1st floor of the dwelling and will try to put ~~hard~~ hardwired battery back-up. JB

1/29/04 Final inspection - one kitchen in use - 2 battery smoke detectors installed in first floor living area/bedrooms. Reviewed permit conditions with Nu & Michel - They understand only one kitchen allowed. - OK to issue C.O. JB

|   |                                   |   |               |
|---|-----------------------------------|---|---------------|
| <b>Location of Construction:</b><br>44 WASHINGTON AVE | <b>Owner Name:</b><br>ALI ABDUL M | <b>Owner Address:</b><br>46 WASHINGTON AVE        | <b>Phone:</b> |
| <b>Business Name:</b>                                 | <b>Contractor Name:</b><br>n/a    | <b>Contractor Address:</b><br>n/a Portland        | <b>Phone</b>  |
| <b>Lessee/Buyer's Name</b>                            | <b>Phone:</b>                     | <b>Permit Type:</b><br>Change of Use - Commercial | <b>Zone:</b>  |

|   |   |                                 |   |
|---|---|---------------------------------|---|
| <b>Dept:</b> Zoning   | <b>Status:</b> Approved with Conditions | <b>Reviewer:</b> Ann Machado    | <b>Approval Date:</b> 03/01/2006                        |
| <b>Note:</b>  |   |                                 | <b>Ok to Issue:</b> <input checked="" type="checkbox"/> |
| 1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work. |   |                                 |   |
| 2) Separate permits shall be required for any new signage.  |   |                                 |   |
| <b>Dept:</b> Building   | <b>Status:</b> Approved with Conditions | <b>Reviewer:</b> Mike Nugent    | <b>Approval Date:</b> 03/24/2006                        |
| <b>Note:</b>  |   |                                 | <b>Ok to Issue:</b> <input checked="" type="checkbox"/> |
| 1) The apartment above the store MUST REMAIN VACANT until a 2 Hour Fire Separation assembly is installed between the two uses.                |   |                                 |   |
| <b>Dept:</b> Fire   | <b>Status:</b> Approved with Conditions | <b>Reviewer:</b> Cptn Greg Cass | <b>Approval Date:</b> 03/02/2006                        |
| <b>Note:</b>  |   |                                 | <b>Ok to Issue:</b> <input checked="" type="checkbox"/> |
| 1) Insure one hour seperation of apartment and thier means of egress  |   |                                 |   |
| 2) Retail space shall comply with NFPA 101 Chapter 36<br>A copy is available @ the Inspection office OR at Central fire station.              |   |                                 |   |

**Comments:**  
3/13/2006-mjn: Plans do not show fire separation , a site visit is being arranged by Art Rowe

### CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

|   |         |      |     |
|---|---------|------|-----|
| SIGNATURE OF APPLICAN                     | ADDRESS | DATE | PHO |
| RESPONSIBLE PERSON IN CHARGE OF WORK, TIT |         | DATE | PHO |

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

|                              |  |                            |
|------------------------------|--|----------------------------|
| <b>Permit No:</b><br>03-1344 | <b>Date Applied For:</b><br>10/27/2003 | <b>CBL:</b><br>013 E012001 |
|------------------------------|--|----------------------------|

|   |   |  |                               |
|---|---|--|-------------------------------|
| <b>Location of Construction:</b><br>44 Washington Ave | <b>Owner Name:</b><br>Carpenter Nu T Wid Vn Vet & | <b>Owner Address:</b><br>46 Washington Ave       | <b>Phone:</b><br>( ) 774-2326 |
| <b>Business Name:</b>                                 | <b>Contractor Name:</b>                           | <b>Contractor Address:</b>                       | <b>Phone:</b>                 |
| <b>Lessee/Buyer's Name</b>                            | <b>Phone:</b>                                     | <b>Permit Type:</b><br>Change of Use - Dwellings |                               |

|   |  |
|---|--|
| <b>Proposed Use:</b><br>Change of use to a Single Family dwelling | <b>Proposed Project Description:</b><br>Change of of use to a Single Family dwelling |
|---|--|

|   |   |                                  |   |
|---|---|----------------------------------|---|
| <b>Dept:</b> Zoning   | <b>Status:</b> Approved with Conditions | <b>Reviewer:</b> Marge Schmuckal | <b>Approval Date:</b> 12/18/2003                        |
| <b>Note:</b>  |   |                                  | <b>Ok to Issue:</b> <input checked="" type="checkbox"/> |
| <p>1) In its present state, the kitchen on the second floor has a range top and a sink. This area is completely full of furniture and accessories and shut off from the rest of the house. There is no heat or water in this area presently. This kitchen shall remain out of use. If in the future it is desired to make this kitchen operable, an application for a permit and change of use shall be required.</p> <p>2) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.</p> <p>3) Any and all old signage SHALL be removed from this building.</p> <p>4) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.</p> |   |                                  |   |

|   |   |                                 |   |
|---|---|---------------------------------|---|
| <b>Dept:</b> Building   | <b>Status:</b> Approved with Conditions | <b>Reviewer:</b> Jeanine Bourke | <b>Approval Date:</b> 01/13/2004                        |
| <b>Note:</b>  |   |                                 | <b>Ok to Issue:</b> <input checked="" type="checkbox"/> |
| <p>12/24/03 Met w/owners to assess the existing and proposed floor plan and work entailed.</p> <p>12/29 Spoke w/Marge about the use/zoning for the property. It was legally used for a single family and there is a kitchen on the second floor that is not being used. It would be difficult and expensive to make the second unit code compliant for fire separation. It will be suggested that the property become a single family dwelling.</p> <p>1/13/04 Met w/Nu &amp; Michel to discuss options. They agree to apply for the use to be a single family dwelling. The second floor kitchen has a sink and range top only and the space is packed full of furniture &amp; accessories - it is clearly not in use.</p> <p>The kitchen in use is from the old restaurant on the first floor.</p> <p>1) There is no construction work associated with this permit - it is just a change of use</p> <p>2) The owners agree to either install battery smoke detectors or hardwired battery back up in the first floor living area.</p> |   |                                 |   |

|  |
|--|
| <b>Comments:</b>   |
| 10/30/2003-kwd: contacted applicant; need more information on floor plans, as what was submitted does not specify interior dimensions or locations of kitchens and baths. Said they will bring in current and proposed floor plans by 11/3/03. |
| 11/14/2003-gg: Received additional plans as requested. /gg   |



# General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

|   |                                      |  |
|---|--------------------------------------|--|
| Location/Address of Construction: <u>44 Washington Ave</u>  |                                      |  |
| Total Square Footage of Proposed Structure<br><u>13365 F</u>  |                                      | Square Footage of Lot  |
| Tax Assessor's Chart, Block & Lot<br>Chart#      Block#      Lot#<br><u>13            E            12</u>                                       | Owner:<br><u>Abdul Ali</u>           | Telephone:<br><u>615-1784</u>  |
| Lessee/Buyer's Name (If Applicable)   | Applicant name, address & telephone: | Cost Of Work: \$ _____<br>Fee: <u>\$30 + 75</u><br>C of O Fee: <u>\$105.00</u> |
| Current Specific use: <u>Commercial Single Family</u><br>Proposed Specific use: _____   |                                      |  |
| Project description:<br><u>Change of use from <del>restaurant</del> <sup>single family</sup> to retail store (grocery) and 1 dwelling unit.</u> |                                      |  |
| Contractor's name, address & telephone:   |                                      |  |
| Who should we contact when the permit is ready: <u>Abdul Ali</u>  |                                      |  |
| Mailing address:<br><u>44 Washington Ave<br/>Portland ME 04101</u>  | Phone: <u>615-1784</u>               |  |

Please submit all of the information outlined in the Commercial Application Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

|                         |                     |
|-------------------------|---------------------|
| Signature of applicant: | Date: <u>2-7-06</u> |
|-------------------------|---------------------|

This is not a permit; you may not commence ANY work until the permit is issued.

1/8 807





This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

|                      |   |
|----------------------|---|
| <b>Card Number</b>   | 1 of 1  |
| <b>Parcel ID</b>     | 013 E012001   |
| <b>Location</b>      | 44 WASHINGTON AVE                                     |
| <b>Land Use</b>      | SINGLE FAMILY   |
| <br>                 |   |
| <b>Owner Address</b> | ALI ABDUL M<br>46 WASHINGTON AVE<br>PORTLAND ME 04101 |
| <br>                 |   |
| <b>Book/Page</b>     | 23428/202   |
| <b>Legal</b>         | 13-E-12-13<br>WASHINGTON AVE 42-46<br>4031 SF         |

Current Assessed Valuation For Fiscal Year 2006

|             |                 |              |
|-------------|-----------------|--------------|
| <b>Land</b> | <b>Building</b> | <b>Total</b> |
| \$52,900    | \$134,010       | \$186,910    |

Estimated Assessed Valuation For Fiscal Year 2007\*

|             |                 |              |
|-------------|-----------------|--------------|
| <b>Land</b> | <b>Building</b> | <b>Total</b> |
| \$66,000    | \$194,100       | \$260,100    |

\* Value subject to change based upon review of property status as of 4/1/06.  
The tax rate will be determined by City Council in May 2006.

Property Information

|                           |                           |                          |                          |                             |                         |  |
|---------------------------|---------------------------|--------------------------|--------------------------|-----------------------------|-------------------------|--|
| <b>Year Built</b><br>1900 | <b>Style</b><br>Old Style | <b>Story Height</b><br>2 | <b>Sq. Ft.</b><br>4143   | <b>Total Acres</b><br>0.093 |                         |  |
| <b>Bedrooms</b><br>3      | <b>Full Baths</b><br>2    | <b>Half Baths</b>        | <b>Total Rooms</b><br>10 | <b>Attic</b><br>Part Finsh  | <b>Basement</b><br>Full |  |

Outbuildings

|                        |                      |                           |                      |                   |                       |
|------------------------|----------------------|---------------------------|----------------------|-------------------|-----------------------|
| <b>Type</b><br>CARPORT | <b>Quantity</b><br>1 | <b>Year Built</b><br>1900 | <b>Size</b><br>1X840 | <b>Grade</b><br>D | <b>Condition</b><br>F |
|------------------------|----------------------|---------------------------|----------------------|-------------------|-----------------------|

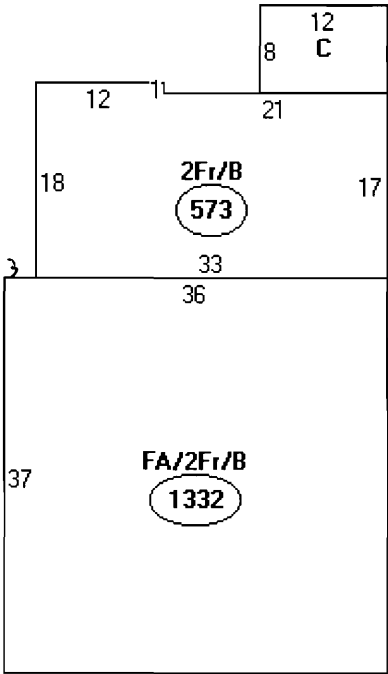
Sales Information

|             |               |              |                  |
|-------------|---------------|--------------|------------------|
| <b>Date</b> | <b>Type</b>   | <b>Price</b> | <b>Book/Page</b> |
| 11/28/2005  | LAND + BLDING | \$375,000    | 23428-202        |
| 07/26/2004  | LAND + BLDING | \$105,000    | 21590-155        |

Picture and Sketch

[Picture](#)      [Sketch](#)      [Tax Map](#)

[Click here](#) to view Tax Roll Information.



Descriptor/Area

A: FA/2Fr/B  
1332 sqft

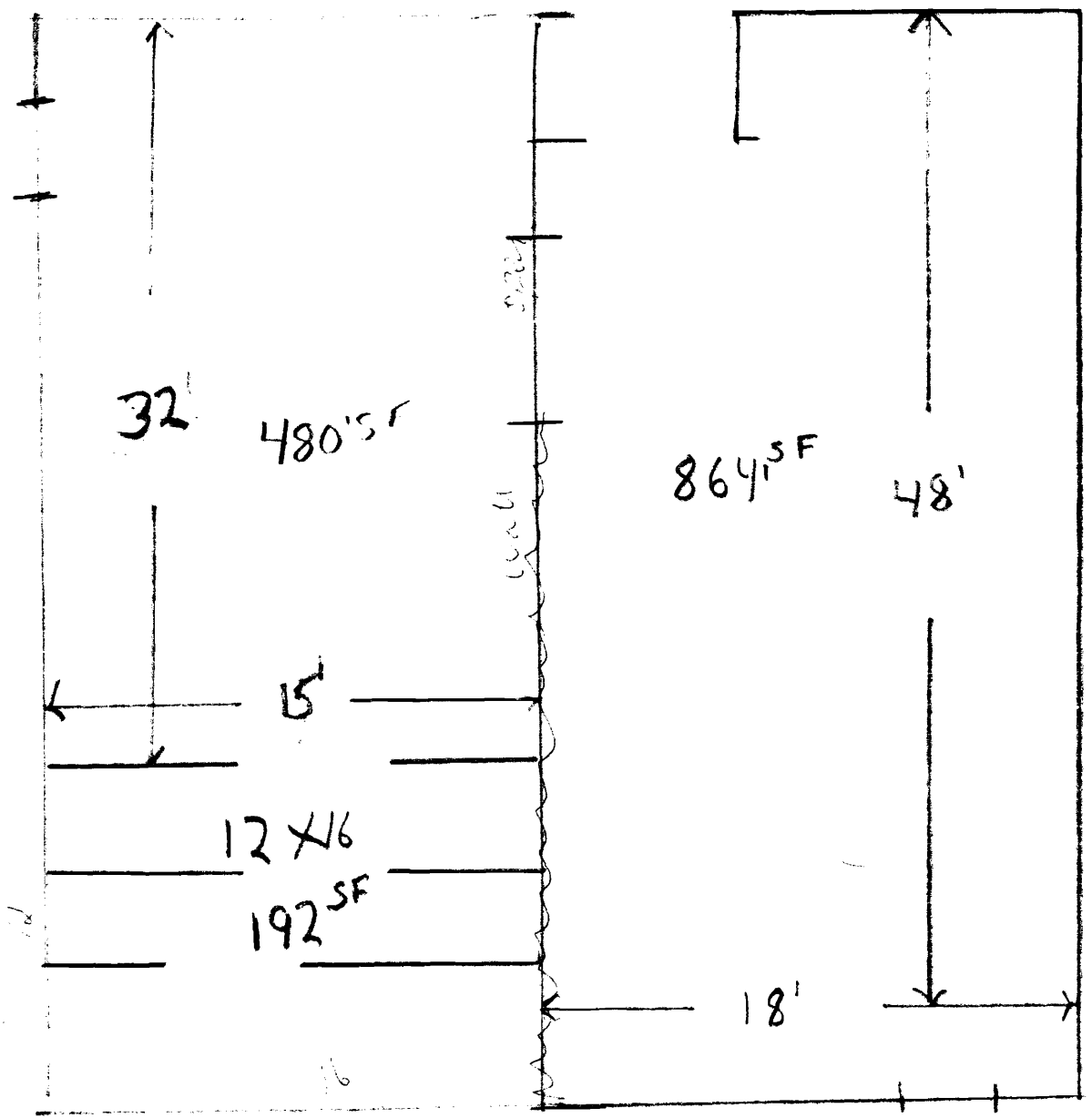
B: 2Fr/B  
573 sqft

C: EP/FUB  
96 sqft

13 E 012

$$\begin{array}{r} 480 \\ 2 \times 864 \\ 192 \\ \hline 1,536 \text{ SF} \end{array}$$
 no parking required.  
 under 2000 sq ft  
 Grocery Store -

DEPT. OF BUILDING INSPECTION  
 CITY OF PORTLAND, ME  
 FEB - 7 2006  
 RECEIVED



111- STREET Parking Bldg

13 E 12

Washington Ave

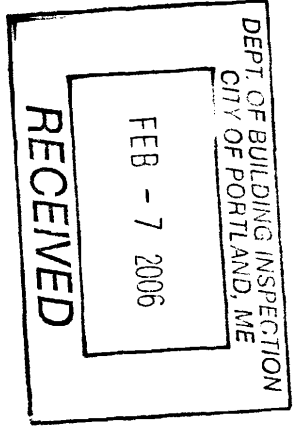
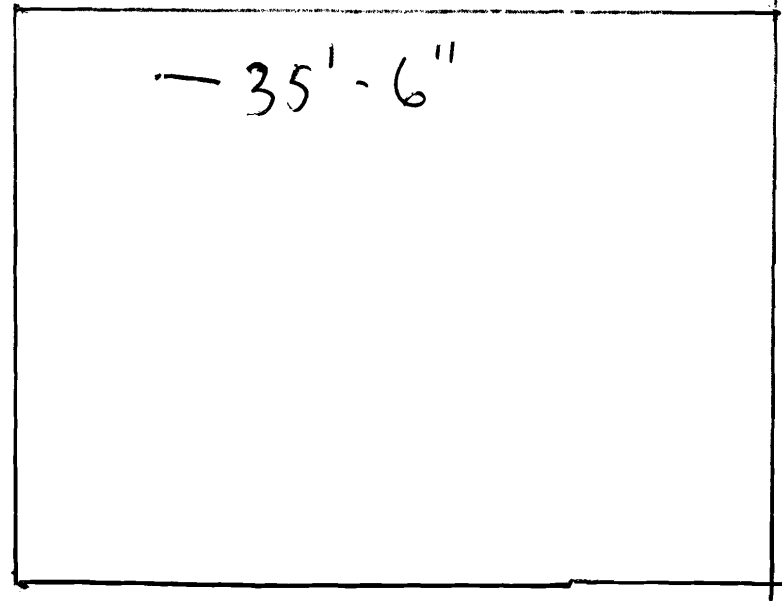
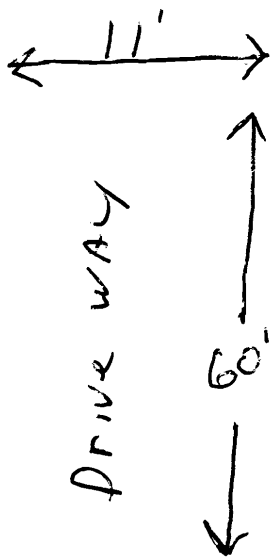
Side walk



Silly's

Buffalo wings & things

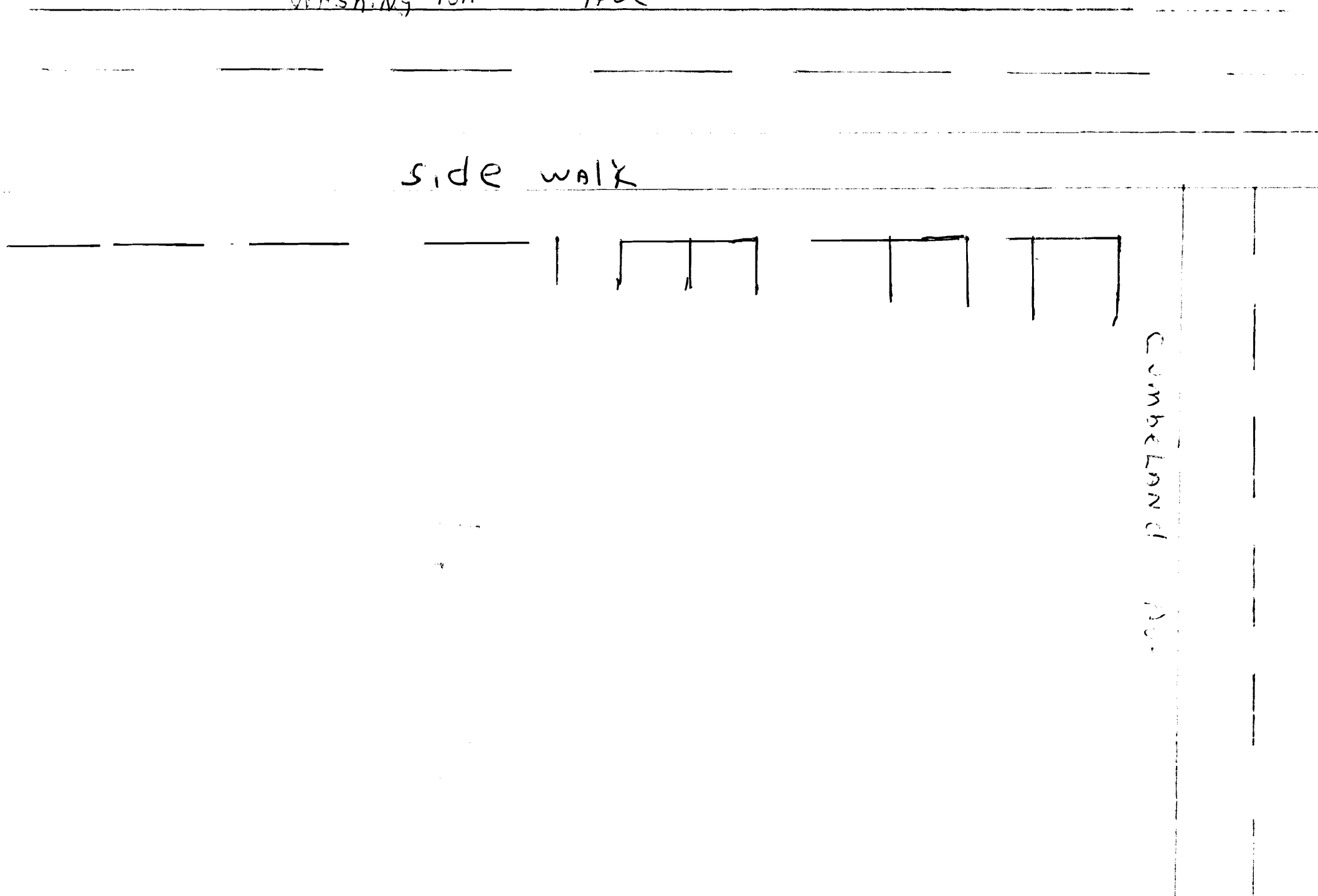
Cumberland Ave



Washington Ave

side walk

CUMBERLAND Ave



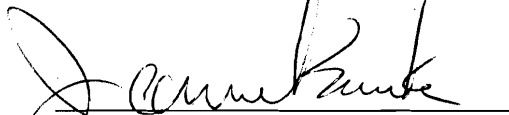
**City Of Portland  
Inspection Services  
RETURN OF SERVICE**

On the 17<sup>th</sup> day of March, 2009, I made service of the Notice / Posting  
upon, ~~Ali Abdul.~~ Abdul Ali, at 44 Washington Ave  
013-E-012

- By delivering a copy in hand.
- By leaving copies at the individual's dwelling house or usual place of abode with a person of suitable age or discretion who resides therein and whose name is \_\_\_\_\_.
- By delivering a copy to an agent authorized to receive service of process, and whose name is \_\_\_\_\_.
- By (describe other manner of service) \_\_\_\_\_.

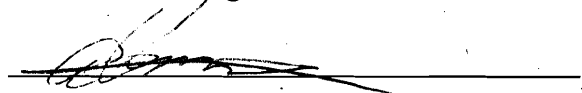
DATED: 3/17/09

Signature of Person Making Service

  
Code Enforcement Officer

I have received the above referenced documents

Person Receiving Service



- Refused to sign
- Unable to sign

03-1344

#44-46 Washington Avenue

ENTRANCE DOOR

34' x 36' = 1224 sq ft each floor

driveway secured shut

48' x 96" W

D 42' x 88" Main Entrance

48' x 96" W

driveway holds 3 Vehicles

str to 2 flr

Living Room 28 FT x 36 FT

SLIDING DOOR 74" x 80" UNIT ONE

One Bedroom 7 FT x 13 FT

one room

Privacy Partition

One Bedroom 7 FT x 11 FT

1/2 Bath 6 FT x 11 FT

Kitchen 11 FT x 22 FT

1/2 Bath 45" x 60"

36" x 80" D

34 FT

32" x 50" D

36 FT

30" x 36" W

LAND'S DIMENSION 48' x 147'

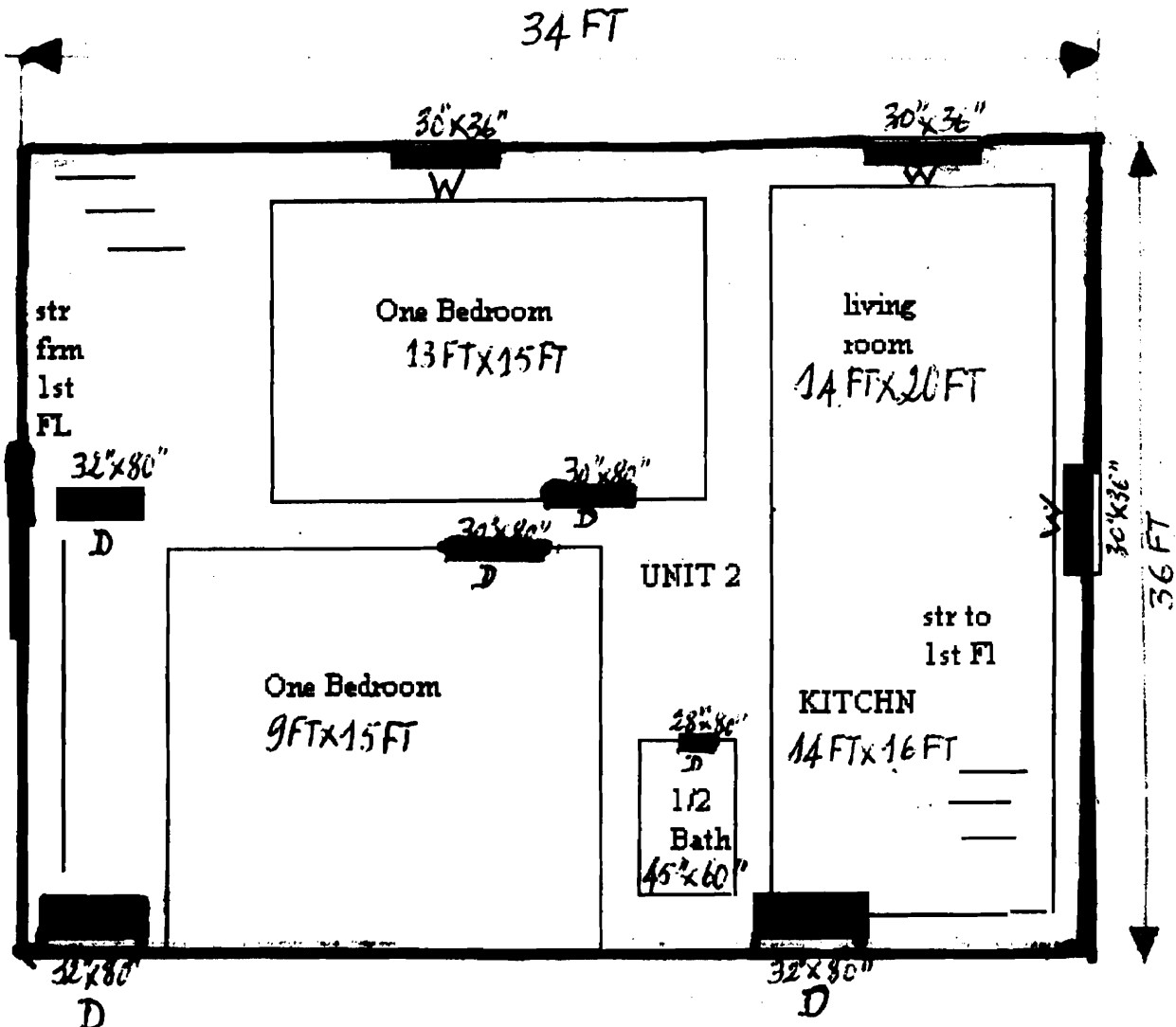
1st floor

lot: 48' frontage  
147' depth

W = window  
D = door

013 E 012  
08 1344

# Washington Avenue



2nd floor

W = Window  
D = Door





Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)

Director of Planning and Urban Development  
Penny St. Louis Littell

Inspection Services, Director  
Tammy Munson

March 16, 2009

Abdul Ali  
46 Washington Avenue  
Portland, ME 01101

**Hand Deliver**

RE: 44 Washington Ave.  
CBL: 013 E012001  
Building Permit #06-0192

**Notice of Violation/Posting Notice**

Dear Mr. Ali,

This letter is a follow up to the inspection performed at the above mention property on March 5, 2009 by Ben Wallace P.F.D. and me. Thank you for your prompt response in having your electrician come to the property while we inspected to re-install smoke detectors that had been removed from their electrical connection and update the battery.

We did not perform a full housing inspection due to the numerous issues that will need to be first addressed by you. The above referenced building permit was issued for a change of use from a Single Family Home to a Market and 1 *Dwelling Unit* on the 2<sup>nd</sup> floor. A Certificate of Occupancy is required to occupy this building, and has not been issued. The conditions of approval on the permit to occupy the dwelling above the market state clearly that there shall be a 2 hour fire separation between the market and the dwelling unit. The inspection revealed that this condition has not been met. The following is a list of additional violations:

1. The 3<sup>rd</sup> floor is being occupied at this time. This has not been approved by this Department. A separate **permit** application must be submitted with the required information for review. The 3<sup>rd</sup> floor is in violation of Sec. 14-52 of the Land Use Ordinance, Sec. 105.1 of the Building Code and Sec. 6-107 of the Housing Code of the City of Portland. It appears that the 3<sup>rd</sup> floor is

<sup>1</sup> *Dwelling unit* shall mean one (1) or more rooms forming a single unit including food preparation, living, sanitary and sleeping facilities used or intended to be used by two (2) or more persons living in common or by a person living alone.

being occupied as a **Rooming House**<sup>2</sup> as the bedrooms are numbered 1-4 with keyed doors and each **Rooming Unit**<sup>3</sup> is rented individually. This may be an allowable use, but zoning, building, housing and life safety codes must be met and approval is required by this office, which includes a Certificate of Occupancy.

2. The Change of Use permit #06-0192 requires that the smoke detectors in the Dwelling Unit be installed per the NEC 2005 code. At this time the 2<sup>nd</sup> floor unit does not have adequate protection and number of smoke detectors. These must be installed by a licensed master electrician and an **electrical permit** is required.
3. There is currently a storage area connected to the rear of the building. This is close to 600 square feet. This area is not considered part of the market and is required to have an approved **permit** for such a use, meet applicable codes, and have a Certificate of Occupancy.
4. There appears to be 2 business offices accessory to the market, these areas are to be used for this use only. No storage of goods or product is allowed in these offices.
5. The passageway from the meat counter to the market front door egress has been closed off by the installation of a closet. This closet shall be removed in order to allow for safe passage.
6. The appropriate fire separation between the mixed uses, e.g. Market, Residential is not code compliant including egress stairways. If you wish to continue these uses, **plans will need to be submitted for review** that meets code.
7. Discontinued electrical wiring is to be removed or safely contained. In the market ceiling there is a Metal Clad cable used for hanging merchandise and there are cables for a discontinued security camera system.
8. In the basement there are some discontinued plumbing drain pipes and traps that must be capped with an approved stopper to eliminate sewer gases from entering.
9. A sign **permit** is required for all signage for the business.
10. The rear interior door of the market is required to have an operable door knob from both sides.

This is a Notice of Violation pursuant to Sections 113.2 of the Building Code and 14-57 of the Land Use Ordinance of the City of Portland. All referenced violations shall be corrected within 30 days of the date of this notice and applications for **permits** shall be submitted. A re-inspection of the premises will occur on April 15, 2009 at which time compliance will be required.

The 3<sup>rd</sup> floor is in violation of Sec. 6-107 of the Housing Code of the City of Portland. This establishes minimum standards for dwelling units, including safety of the occupants. This is a Posting Notice per Sec. 120(c) and order to vacate the 3<sup>rd</sup> floor. This floor shall be vacated within 30 days of the date of this notice until required permit approvals, inspections and a Certificate of Occupancy is issued.

Failure to comply will result in this office referring the matter to the City of Portland Corporation

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<sup>2</sup> **Rooming house** shall mean any dwelling, or part thereof, containing three (3) or more rooming units in which space is rented or offered for rent by the owner or operator to be occupied or intended to be occupied by three (3) or more persons who are not related by blood or marriage to the owner or operator.

<sup>3</sup> **Rooming unit** shall mean one (1) or more rooms forming a single unit used, or intended to be used, for living and sleeping purposes, but not designed for food preparation, by two (2) or more persons living in common or by a person living alone.

Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code.

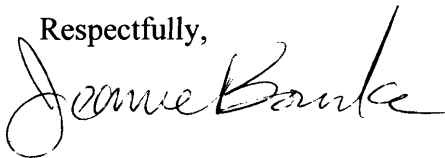
This constitutes an appealable decision pursuant to Sections 112.5, 14-472 and 6-127 and of the Municipal Code. You have 10 or 30 days from the date of this letter in which to exercise your right to appeal. Please contact this office for the necessary information and documents to apply.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections; however, the \$75.00 fee will be assessed for each inspection.

Enclosed is a Building Permit Application for a Change of Use for this property. Please review the material and determine if you wish to pursue this legal change to occupy the 3<sup>rd</sup> floor. If you do not follow through with the permit process, the appropriate use of the property (market and 1 dwelling unit) shall be restored by the April 15, 2009 re-inspection.

Please note that an application for permit is still required for the rear storage area including fire separation between the occupancies and egresses. Be advised that designed plans are required to address the code issues throughout the building. Please feel free to contact me if you wish to discuss the matter or have any questions.

Respectfully,



Jeanie Bourke  
Code Enforcement Officer/Plan Reviewer  
874-8715

COPY



**CITY OF PORTLAND, MAINE**  
**Department of Building Inspections**

\_\_\_\_\_ 20 \_\_\_\_\_

Received from \_\_\_\_\_

Location of Work \_\_\_\_\_

Cost of Construction \$ \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_

Building (IL) \_\_\_\_ Plumbing (I5) \_\_\_\_ Electrical (I2) \_\_\_\_ Site Plan (U2) \_\_\_\_

Other \_\_\_\_\_

CBL: \_\_\_\_\_

Check #: \_\_\_\_\_ **Total Collected \$** \_\_\_\_\_

# **THIS IS NOT A PERMIT**

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$10.00 or 10% whichever is greater.

WHITE - Applicant's Copy  
YELLOW - Office Copy  
PINK - Permit Copy