



PORTLAND MAINE

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Lee Urban - Director of Planning and Development
Jeanie Bourke - Inspection Division Services Director

May 29, 2007

ONEX CO
440 FOREST AVE
PORTLAND, ME 04101

CBL: 013 L008001
Located at 46 CUMBERLAND AVE

Certified Mail 70060810000379892499

Dear ONEX CO,

A re-evaluation of the above-referenced property on the 29th day of May, 2007 shows that the premises fails to comply with Chapter 14, Article III. of the Code of Ordinances of the City of Portland. Conducting a yard sale "home occupation" in a rented space or lot is not permitted.

Pamela Mood stated this was the third (3rd) "yard sale" at 46 Cumberland Avenue, and only entailed personal items sold for profit. The City Code only allows for such uses on personal property, with conditions. Furthermore, you are renting out a residential zone (R-6), which is not permitted for commercial use in accordance with § 14-136 and 14-138.

Attached is a list of violations.

This is a notice of violation pursuant to § 14-138 of the Code. All referenced violations shall be corrected within fifteen (15) days of the date of this notice. A re-inspection of the premises will occur on the 13th day of June, 2007 at which time compliance will be required.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in § 6-1 of the Code.

This constitutes an appealable decision in accordance with § 14-472 of the Code.

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.

Please feel free to contact me @ 207.874.8702 if you wish to discuss the matter or have any questions.

Sincerely,

Jon Rioux,
Code Enforcement Officer