



Permitting and Inspections Department
Michael A. Russell, MS, Director

January 3, 2017

MUNJOY FAMILY APARTMENTS LLC
103 LOUDEN RD
SACO, ME 04072

CBL: 014 D001001
Located At: 2-8 Cumberland Ave. & 10-16 Merrill St.
RE: Fire Incident #: 2017-082

Certified Mail: 70103090000232738399

Notice of Violation/ Posting Notice

MUNJOY FAMILY APARTMENTS LLC:

An evaluation of the above-referenced property with Officials from the City's Permitting and Inspections and Fire Departments on 01/03/2017, following a 3rd alarm building fire, revealed that the structure known as 6 Cumberland Avenue is unfit for human habitation pursuant to § 6-120 (a), (b), & (c) of the City of Portland Code of Ordinances due to damage from smoke, fire, water, and suppression efforts. Furthermore, portions of the exterior cladding/ windows, and secondary egresses of three adjacent buildings, known as 10 and 14, Merrill St. and 10 Cumberland Ave., respectively, were also damaged by fire and are in violation of Sections 6-108 (a), (c), (d), 6-116 (b), (c), (e), and 6-109 (a), (b) of the City of Portland Code of Ordinances.

The City is willing to work cooperatively with you to create an appropriate action plan to address this situation and to streamline all necessary permits for re-occupancy of all four buildings; however, there are minimum safety standards that must be met. Those standards include the following:

For the building known as 6 Cumberland Ave:

1. The building must remain totally vacated unless and until the building is brought fully into compliance with the City of Portland Code of Ordinances and a certificate of occupancy is obtained for the building.
2. The building must be properly secured from vandalism, and made weatherproof and watertight, no later than 1/03/2017. You must also remove all known immediate hazards (i.e. standing water, stored food, etc.), and supply a certification from a licensed disaster restoration service that such hazards have been abated.
3. No later than 01/10/2017, you must either submit a permit to demolish the building or submit a report from a licensed design professional, certifying that the building is structurally sound and does not present a threat to neighboring buildings or the general public.
4. If you choose not to demolish the building, you must submit a building permit application for repairs to the structure that will bring it into full compliance with state law and local ordinances no later than 01/17/2017. The building owner must engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. The design professional in responsible charge shall be responsible for reviewing and coordinating submittal



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documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

The buildings known as 10 and 14 Merrill St., respectively, must remain vacated unless and until the following are met to the reasonable satisfaction of the Permitting and Inspections Department:

1. All debris and stored materials are removed from the interior and exterior stairways to allow for a second, unobstructed means of escape.
2. All smoke and carbon monoxide alarms are in good working condition, including replacing all batteries.
3. A building permit has been submitted to repair the exterior cladding, which work shall be completed no later than 01/10/2017.

The building known as 10 Cumberland Ave. must remain vacated unless and until the following are met to the reasonable satisfaction of the Permitting and Inspections Department:

1. All debris and stored materials are removed from the interior and exterior stairways to allow for a second, unobstructed means of escape.
2. All smoke and carbon monoxide alarms are in good working condition, including replacing all batteries.
3. A building permit has been submitted to repair the exterior cladding, which work shall be completed no later than 01/17/2017.

No tenant(s) may return to the property until further notice from the City. A re-evaluation of the property will occur on 01/06/2017 to verify that the posted units remain secure and vacant.

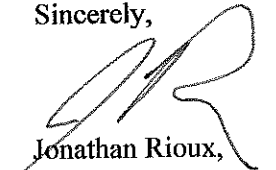
Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in § 6-1 of the City of Portland Code of Ordinances and 30-A M.R.S. § 4452.

This letter constitutes a decision from which you may appeal pursuant to § 6-127 of the Portland City Code and Rule 80B of the Maine Rules of Civil Procedure.

If you have any questions, concerns or require emergency repair permits- please contact me at 207.874.8701.

For information on the City's Emergency Family Shelter please contact the Social Services Division at (207) 772-8339 for assistance.

Sincerely,



Jonathan Rioux,
Inspections Manager

cc: Tenants of 6 & 10 Cumberland Ave. and 10 & 16 Merrill St.

389 Congress Street / Portland, Maine 04101 / www.portlandmaine.gov / tel: 207-874-8703 / fax: 207-874-8716

**CITY OF PORTLAND
HOUSING SAFETY OFFICE**

389 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager MUNJOY FAMILY APARTMENTS LLC		Inspector Chuck Fagone	Inspection Date 1/2/2017
Location 10 MERRILL ST	CBL 014 D001001	Status Posting Notice	Inspection Type Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 6-108.(a)	Exterior			Various locations	
Violation:	FOUNDATIONS CELLARS, EXTERIOR WALLS, ROOFS; Every foundation, basement, cellar, exterior wall, and roof shall be substantially weathertight, watertight, and vermin proof; shall be structurally sound and in good repair; and shall be safe for the intended use as well as capable of supporting whatever load normal use may cause to be placed thereon. Every exterior wall or portion thereof shall be painted or stained. Insulation shall be installed and maintained so as not to present a health or safety hazard to occupants. Water from roofs shall be so drained and conveyed therefrom as not to cause repeatedly wet floors, walls, or ceilings, or hazard to adjacent buildings or the occupants thereof.				
Notes:	10 & 14 Merrill St. and 10 Cumberland Ave. Repair the damaged exterior cladding. Note: A building permit is required prior to the commencement of work.				
2) 6-108.(c)	Exterior				
Violation:	EXTERIOR WINDOWS, DOORS AND SKYLIGHTS; Every window or door, including basement or cellar door and hatchway, and skylight shall be substantially weathertight, watertight, and vermin proof and shall be kept in sound working condition and good repair.				
	Every exterior window shall include storm sash with screens or an alternative equally effective for heat retention and ventilation purposes, all in operable condition.				
Notes:	10 & 14 Merrill St. and 10 Cumberland Ave. Repair the damaged windows. A building permit is required prior to the commencement of work.				
3) 6-108.(d)					
Violation:	STAIRWAYS, STAIRWELLS, STAIRS AND PORCHES.; EVERY INSIDE AND OUTSIDE STAIRWAY, STAIRWELL, STAIRS, AND PORCH AND ANY APPURTENANCES THERETO SHALL BE STRUCTURALLY SOUND, IN GOOD REPAIR, AND SAFE TO USE.				
Notes:	14 Merrill St. and 10 Cumberland Ave. Repair the secondary exits of each building listed above. A building permit is required prior to the commencement of work.				
4) 6-109.(b)					
Violation:	MAINTENANCE OF SHARED AREAS.; MAINTENANCE OF SHARED AREAS. EVERY OWNER OR OPERATOR OF A MULTIPLE DWELLING OR ROOMING HOUSE SHALL MAINTAIN IN A CLEAN AND SANITARY CONDITION THE SHARED OR PUBLIC AREAS OF THE DWELLING AND DWELLING PREMISES.				
Notes:					
5) 6-116.(c)					
Violation:	EGRESS OBSTRUCTIONS; EVERY HALLWAY, STAIRWAY, CORRIDOR, EXIT, FIRE ESCAPE DOOR OR OTHER MEANS OF EGRESS SHALL BE KEPT CLEAR OF OBSTRUCTIONS AT ALL TIMES.				
Notes:					

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6) 6-116.(e)

Violation: FIRE PROTECTION; Every dwelling, dwelling unit, rooming house and rooming unit shall comply with the applicable provisions of the most current edition of the National Fire Protection Association Life Safety Code, and with all other applicable state statutes and regulations.

Notes:

7) 6-109.(a)

Violation: MAINTENANCE OF ASSIGNED AREAS; Every occupant of a dwelling, dwelling unit, or rooming unit shall maintain in a clean and sanitary manner that part of the dwelling, dwelling unit, or rooming unit, and dwelling premises which he or she occupies and controls.

Notes: 10 & 14 Merrill St. and 10 Cumberland Ave.

8) 6-109.(b)

Violation: MAINTENANCE OF SHARED AREAS.; MAINTENANCE OF SHARED AREAS. EVERY OWNER OR OPERATOR OF A MULTIPLE DWELLING OR ROOMING HOUSE SHALL MAINTAIN IN A CLEAN AND SANITARY CONDITION THE SHARED OR PUBLIC AREAS OF THE DWELLING AND DWELLING PREMISES.

Notes: 10 & 14 Merrill St. and 10 Cumberland Ave.

Comments: