

CITY OF PORTLAND FIRE DEPARTMENT
 FIRE PREVENTION BUREAU
 380 Congress Street, Portland, Maine 04101
 fireprevention@portlandmaine.gov
 (207)874-8400

**NOTICE OF VIOLATION
 AND ORDER TO CORRECT**

August 2, 2016

Violator 1: James Di Biase, Jr. and Francesca Di Biase 14 Larchwood Road South Portland, Maine 04106		James Di Biase, Jr. and Francesca Di Biase 14 Applewood Circle South Portland, Maine 04106
Location: 69 Merrill Street	CBL: 014 M002001	Inspection Date: 7/14/2016
Inspector: John Cenate	Inspection Type: Fire Company – FP Routine	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 complete the proposed plan of action column by proposing a reasonable timeframe to remedy each violation. This form must be received by the Fire Prevention Bureau no later than **August 15, 2016**. 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.

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.

Temporary smoke detectors have been installed in bedrooms from hard-wired detectors in living rms

Violation	Proposed Plan of Action
<p>1. NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED. In buildings other than those equipped throughout with an existing, complete automatic smoke detection system, smoke alarms shall be installed in accordance with 9.6.2.10, as modified by 31.3.4.5.2, outside every sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit, including basements. <i>Smoke alarm missing in all sleeping areas.</i></p>	<p>IMMEDIATELY install temporary alarms where needed. Your signature below indicates that a temporary alarm has already been installed.</p> <p>Date of completion for full permanent installation:</p>
<p>2. NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED. The areas described in table 31.3.2.1.1 shall be protected as indicated: boiler and fuel-fired heater rooms serving more than a single dwelling unit (minimum separation/protection</p>	<p><i>Briggs Oil to install sprinkler head above hot water tank per NFPA Code on Wednesday, Aug. 10th</i></p>

Ampt for smoke alarms for 8/16 w/ T.A. pol. Lano

T.A. schedule to install hard-wired detectors per Code on originally scheduled for Aug 16.

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<p>is 1 hour or sprinklers). <i>Install sprinkler head over hot water tank.</i></p>	
<p>3. NFPA 101- 8.3.4.2 60 MINUTE FIRE DOOR REQUIRED. Refer to NFPA 101- table 8.3.4.2 that states fire door assemblies for vertical shafts (including stairways, exits, and refuse chutes) are rated and required for 1 hour. <i>Install fire rated doors on basement.</i></p>	<p><i>I have ordered fire dr from basement to back hall (in accordance with NFPA Code) from howe's, est. delivery time is approx 30 days. I will inform Fire Dept after door is installed</i></p>

You may appeal this Notice of Violation and Order to Correct to the City of Portland Zoning Board of Appeals within ten business days of this decision, pursuant to the City of Portland Code of Ordinances § 10-23. Your failure to appeal may result in you being barred in the future from challenging the determinations of City of Portland Fire Prevention Bureau contained in this notice.

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. 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.

Aug 9, 2016
Date

James DeBenedictis
Violator 1

SEEN AND AGREED

8/12/2016
Date

[Signature]
Fire Prevention Bureau