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DEPARTMENT OF PLANNING AND DEVELOPMENT

July 17, 2003

Joel B. Monaghan
57 Melbourne St.
Portland, Maine 04101

RE: 57 Melbourne St. (015 F016)

Dear Mr. Monaghan,

An evaluation of the exterior rear decks and stairway at the above location on 7/14/03 revealed that the structure fails to comply with the Building Code (1999 BOCA) of the City of Portland. Attached is a list of the violations and copies of the referenced Code sections. The structure was erected pursuant to Building Permit # 01-1486. The following is a list of deficiencies:

- 1) The Stairway was constructed differently than the approved plan; in violation of Section 111.3 of the Building Code.
- 2) The 9" Treads and 8" Risers fail to comply with the 11" Tread and 7" Riser standard; in violation of Section 1014.6 of the Building Code.
- 3) There is no guard on the right side and the left side is 34" in height instead of the required 42"; in violation of Section 1014.7 & 1005.5 of the Building Code.
- 4) There are no balusters on the stair guard that was present and the stair risers are open; in violation of Section 1021.3 of the Building Code.
- 5) The triangle openings that are formed by the tread, riser and guardrail exceeds 6"; in violation of Section 1021.3.1 of the Building Code.
- 6) There is no graspable handrail; in violation of Section 11022.2.4 of the Building Code.
- 7) The landing is outside of the footprint of the original structure and requires further review from the zoning administrator.
- 8) The permit requires amendment to include the changes specified in item #7

All work must cease, and new plans reflecting code compliant changes must be submitted for a permit amendment by 7/25/03. The correction must occur by 8/15/03. A reinspection of the premises will occur on 8/18/03 at which time compliance will be required.

This is a notice of violation pursuant to Section 116.2 of the Code. 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 Section 1-15 of the Code and in Title 30-A M.R.S.A. ss 4452.

This constitutes an appealable decision pursuant to Section 121.5 of the Code. Please feel free to contact me at 874- 8700, if you wish to discuss the matter or have any questions.

Sincerely,

Mike Nugent
Manager of Inspection Services