

353 804

Portland, Maine



Yes. Life's good here.

Jerome F. LaMoria
Fire Chief, Fire Department

Portland Fire Department
Fire Prevention Bureau
380 Congress St
Portland, ME 04101

June 16, 2015

Martin R. Goodenberger &
Jill A. Golike
65 Monument St
Portland, ME 04101

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 65 Monument St on 6/16/2015 revealed that the structure and premises fail to comply with NFPA 2009 Fire Code and/or NFPA Life Safety Codes. Attached is a list of those violations.

The above-referenced property is in violation of the Chapter 10, Fire Prevention and Protection, Article 1 of the Portland City Code (the "Code") and National Fire Protection Association (NFPA) 101 Life Safety Code. Please note that the Code is available online at www.portlandmaine.gov.

This is a notice of intent to prosecute. As such, the matter is being referred to the City of Portland Corporation Council for legal action and possible civil penalties as provided for in Chapter 10, Fire Prevention and Protection, 10-25 of the Code and in Title 30- A.M.R.S.A. 4452.

Please be advised that you will need to contact the Fire Prevention Bureau at 207-874-8400 before the court date on the attached Reference to Court letter to either schedule a re-inspection or to submit a plan of action to correct these violations.

Sincerely,

Portland Fire Department
Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager GOODENBERGER MARTIN R &		Inspector John Cenate	Inspection Date 6/16/2015
Location 65 MONUMENT ST	CBL 017 A005001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 89.05					
Violation:	NFPA 1- EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.				
Notes:	STORAGE FIRST FLOOR FRONT HALL BLOCKING A DOOR				
2) 89.15					
Violation:	NFPA 30- TABLE 9.6.2.1 FLAMMABLE/COMBUSTIBLE LIQUIDS STORAGE EXCEED LIMIT; SEE NFPA 30 TABLE 9.6.2.1 FOR SPECIAL OCCUPANCY LIMITS FOR FLAMMABLE AND COMBUSTIBLE LIQUID STORAGE.				
Notes:	GAS GRILLS ON THE OUTSIDE DECK FLOORS 2 AND 3				
3) 3.011					
Violation:	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 IS 1 HOUR OR SPRINKLERS)				
Notes:	GAS FURNACE IN THE BASEMENT				
Comments:					

STATE OF MAINE

DISTRICT COURT
Location: Portland
Docket No.

CITY OF PORTLAND and body politic and
Corporate, located in the County of
Cumberland and State of Maine,

Plaintiff,

**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

(M.R. CIV. P. 80H AND 80k)

v.

Martin R. Goodenberger & Jill A. Golike
Defendant

SUMMONS NUMBER: 353804

This matter has been referred to the Corporation Counsel's Office for immediate legal action with respect to the code violations detailed in the attached letter. It has been assigned the above summons number and will be filed with the Portland District Court and will be assigned for an initial appearance at the Portland District Court 205 Newbury Street Portland, Maine 04101 at 8:30 A.M. on July 13, 2015. I strongly urge you to contact Victoria Meserve at Fire Prevention at (207)-874-8400 or via e-mail at meservev@portlandmaine.gov to set up an in-person meeting to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on July 13, 2015.

Dated: 6/17/15

Adam R. Lee, Esq. Bar No. 4143
Associate Corporation Council
City of Portland
389 Congress St
Portland, ME 04101
207-874-8480