



June 20, 2016

Halestones Llc

401 Hendricks Isle

Fort Lauderdale , FL 33301

CBL: 017 E006001

Located at 62 WATERVILLE ST

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at the address referenced above 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,

Capt. Petrucci

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101 #353893

Inspection Violations

Owner/Manager Halestones Llc		Inspector Daniel Small	Inspection Date 6/14/2016
Location 62 WATERVILLE ST	CBL 017 E006001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 73.15

Violation: NFPA 101- 31.3.1.1.1 VERTICAL OPENINGS NOT FIRE RATED; VERTICAL OPENINGS SHALL BE ENCLOSED OR PROTECTED IN ACCORDANCE WITH SECTION 8.6.

Notes: HOLES IN STAIRWAY WALLS

2) 55.25

Violation: NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED; In buildings other than those equipped through out 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.

Notes: FRONT STAIRWAY HAS SMOKE DETECTOR BASE W/NO DETECTOR

3) 89.05

Violation: NFPA 1 EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.

Notes: STORAGE ITEMS AND RECYCLING BINS IN STAIRWAYS

4) 91.05

Violation: NFPA 70- 4.10.8 BROKEN LIGHT FIXTURE; Luminaries shall be installed such that the connections between the luminaire conductors and circuit conductors can be inspected without requiring the disconnection of any part of the wiring unless the luminaries are connected by attachment plugs and receptacles.

Notes: FLOURESCENT LIGHT IN STAIRWAY-INOPERATIVE W/EXPOSED WIRES

5) 91.30

Violation: NFPA 70 MISSING BREAKER IN PANEL; REFER TO NFPA 70, NATIONAL ELECTRICAL CODE, FOR INFORMATION ON MISSING BREAKERS IN AN ELECTRICAL PANEL.

Notes: "HOUSE" PANEL, #4 PANEL AND #6 PANEL

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,

v.

Halestones LLC
Defendant


**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

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

SUMMONS NUMBER: 353893

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 08/08/2016. Please contact Tori Ross in Fire Prevention at (207)-874-8400 or via e-mail at meservev@portlandmaine.gov to set up an in-person meeting to meet with somebody in the Fire Prevention Bureau to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 08/08/2016.

Dated: June 21, 2016



Danielle P. West-Chuhta, ME Bar Number 9532
Corporation Counsel
City of Portland
389 Congress St
Portland, ME 04101
207-874-8480