

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

*Director of Planning and Urban Development
Jeff Levine*

*Inspection Services, Director
Tammy M. Munson*

May 29, 2015

40WATERVILLE LLC
5518 PAINTER GREEN
SAN ANTONIO, TX 78240

CBL: 017 E014001
Located at: 40 WATERVILLE ST

Certified Mail 70101870000281368121

Dear 40WATERVILLE LLC,

An evaluation of the above-referenced property on **04/15/2015** shows that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within **30 days** of the date of this notice. A re-inspection of the premises will occur on **06/29/2015** at which time compliance will be required. 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.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$150.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$150.00 fee will be assessed for each inspection.

Sincerely,

/s/

A handwritten signature in black ink, appearing to read "Doug Morin", written over a white background.

Doug Morin
Code Enforcement Officer
(207) 874-8705

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

Inspection Violations

Owner/Manager 40WATERVILLE LLC		Inspector Doug Morin	Inspection Date 4/15/2015
Location 40 WATERVILLE ST	CBL 017 E014001	Status Violations Exist	Inspection Type Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 105.1	Exterior			Deck	
Violation:	BUILDING W/O PERMIT; Any owner or authorized agent who intends to construct, enlarge, alter, repair move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.				
Notes:	See Letter Dated 04/21/2015 from the Zoning Administrator.				
2) 6-108.(b)	Interior			Various locations	
Violation:	INTERIOR FLOORS, WALLS, CEILINGS AND DOORS; EVERY FLOOR, WALL, CEILING, AND DOOR SHALL BE IN A STRUCTURALLY SOUND CONDITION AND IN GOOD REPAIR AND SHALL BE SUBSTANTIALLY VERMIN PROOF.				
Notes:	This shall include repairs to the floor joist on the first floor, and the first floor ceiling (kitchen and bathroom). A building permit is required prior to the commencement of work (See Photographs).				
3) 6-113.(e)	Interior	3	3	Electrical Panel	
Violation:	MAINTENANCE OF LIGHTING FIXTURES; Maintenance of lighting fixtures. All fixtures required by this article and all fixtures installed in addition thereto shall be maintained in good and safe working conditions and shall be installed in accordance with the electrical code of the city.				
Notes:	A separate service is required for the proposed dwelling unit.				
Comments:	Third floor is an illegal unit. Rear Decks appear to have been built without a permit, need structural engineer approval. It is unknown what the ledger to band joist is, but it is specifically not attached per code specs, ie; staggered 1/2 inch lag screws or listed product. There is also no lateral load connection in the prescribed two location minimum. Basement floor joist are supported at foundation wall with pressure treated lumber and adjustable columns, structural engineer will need to inspect and approve repairs. Several holes and penetrations need sealing above suspended ceiling for continuity (1st floor). Life safety needs complete updating from fire doors to updated smoke detectors as well as carbon monoxide detectors. Sprinkler needed in basement over the fuel fired furnace. To legalize the third unit the apartment will need it's own meter and a house meter added as well for all common area power.				

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager 40WATERVILLE LLC		Inspector Doug Morin	Inspection Date 4/15/2015
Location 40 WATERVILLE ST	CBL 017 E014001	Status Violations Exist	Inspection Type Fire Prevention-Housing Inspecti

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 8.001

Violation: NFPA 101- 9.6.10.1.1 SMOKE DETECTOR REQUIRED; Where required by another section of this code, single-station and multiple-station smoke alarms shall be in accordance with NFPA 72, National Fire Alarm Code, shall be provided in all occupiable areas in environments that are suitable for proper smoke detector operation.

Notes: SMOKE AND CO DETECTION IS REQUIRED IN BASEMENT AND HALLWAYS.
SMOKES AND CO DETECTORS THAT ARE >10 YEARS OLD SHOULD BE REPLACED.

2) 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: SPRINKLER HEAD REQUIRED

3) 71.20

Violation: NFPA 101- 31.3.3.2 INTERIOR FINISH; INTERIOR WALL AND CEILING FINISH MATERIALS COMPLYING WITH 10.2 SHALL BE PERMITTED AS FOLLOWS:
(1) EXIT ENCLOSURES- CLASS A OR B
(2) LOBBIES AND CORRIDORS- CLASS A OR B
(3) OTHER SPACES- CLASS A, B, OR C.

Notes: HALLWAY FINISH SHOULD BE DRYWALL

Comments: Third floor is an illegal unit. Rear Decks appear to have been built without a permit, need structural engineer approval. It is unknown what the ledger to band joist is, but it is specifically not attached per code specs, ie; staggered 1/2 inch lag screws or listed product. There is also no lateral load connection in the prescribed two location minimum. Basement floor joist are supported at foundation wall with pressure treated lumber and adjustable columns, structural engineer will need to inspect and approve repairs. Several holes and penetrations need sealing above suspended ceiling for continuity (1st floor). Life safety needs complete updating from fire doors to updated smoke detectors as well as carbon monoxide detectors. Sprinkler needed in basement over the fuel fired furnace. To legalize the third unit the apartment will need it's own meter and a house meter added as well for all common area power.