



June 20, 2016

Mckenzie June D

12 Montgomery St

Portland, ME 04101

CBL: 021 F012001

Located at 12 MONTGOMERY 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 #353896

Inspection Violations

Owner/Manager Mckenzie June D		Inspector Daniel Small	Inspection Date 6/14/2016
Location 12 MONTGOMERY ST	CBL 021 F012001	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: SEVERAL NON-RATED BREACHES IN WALLS AND OPENINGS INTO ATTIC

2) 80.28

Violation: NFPA 101- 7.5.1.1 EXIT OBSTRUCTED; Where exits are not immediately accessible from an open floor area, continuous passageways, aisles, or corridors leading directly to every exit shall be maintained and shall be arranged to provide access for each occupant to not less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4.

Notes: FRONT EXIT DOOR IMPEDED BY CARPET

3) 80.52

Violation: NFPA 101- 7.2.8.6.2 FIRE ESCAPE REQUIRES REPAIR; THE AUTHORITY HAVING JURISDICTION SHALL BE PERMITTED TO APPROVE ANY EXISTING FIRE ESCAPE STAIR THAT HAS BEEN SHOWN BY LOAD TEST OR OTHER SATISFACTORY EVIDENCE TO HAVE ADEQUATE STRENGTH.

Notes: REAR DECKS ARE DISCONNECTING FROM BUILDING

4) 80.84

Violation: NFPA 101- 7.1.8 STAIR GAURDS MUST BE REPAIRED; GUARDS IN ACCORDANCE WITH 7.2.2.4 SHALL BE PROVIDED AT THE OPEN SIDES OF MEANS OF EGRESS THAT EXCEED 30 INCHES ABOVE THE FLOOR OR THE FINISHED GROUND LEVEL BELOW.

Notes: INSECURE RAILINGS AND BALLUSTERS

5) 89.05

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

Notes: THROUGHOUT BUILDING

6) 91.25

Violation: NFPA 70 MISSING BOX COVERS; REFER TO NFPA 70, NATIONAL ELECTRICAL CODE, ON STANDARDS FOR MISSING BOX COVERS.

Notes: LIGHT SWITCH IN REAR STAIRWAY/OPEN BOXES IN BASEMENT

7) 80.37

Violation: 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.

Notes: MISSING THROUGHOUT BUILDING

Comments: Inspections from Naviline Fire Inspections. 3 were listed.

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.

June McKenzie
Defendant

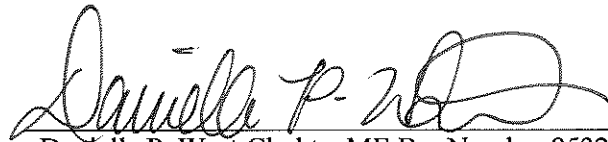
**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

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

SUMMONS NUMBER: 353896

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