



August 6, 2015

Phanord Ismith

155 Cumberland Ave

Portland , ME 04101

CBL: 022 J026001

Located at 155 CUMBERLAND AVE

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,

A handwritten signature in cursive script, appearing to read "R. Blawie".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager Phanord Ismith		Inspector Craig Messinger		Inspection Date 8/6/2015	
Location 155 CUMBERLAND AVE	CBL 022 J026001	Status Failed		Inspection Type Fire Prevention-Trash on Propert	

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 6.014

Violation: NFPA 70- ARTICLE 410.42 EXPOSED LIVE ELECTRICAL WIRES; Exposed metal parts shall be connected to an equipment grounding conductor or insulated from the equipment grounding conductor and other conducting surfaces or be inaccessible to unqualified personnel. Lamp tie wires, mounting screws, clips, and decorative bands on glass spaced at least 38 mm from lamp terminals shall not be required to be grounded.

Notes: THROUGHOUT BUILDING

2) 9.006

Violation: NFPA 101- 7.2.1.8.1 FIRE DOOR(S) MUST SELF-CLOSE; A door leaf normally required to be kept closed shall not be secured in the open position at any time and shall be self-closing or automatic-closing in accordance with 7.2.1.8.2, unless otherwise permitted by 7.2.1.8.3.

Notes: THROUGHOUT BUILDING

3) 55.164

Violation: NFPA 72- 5.5.2.1 SMOKE DETECTORS ON ALL FLOOR LEVELS; If required and unless otherwise modified by 5.5.2.1.1 through 5.5.2.1.5, total coverage shall include all rooms, halls, storage areas, basements, attics, lofts, spaces above suspended ceilings, and other subdivisions and accessible spaces as well as the inside of all closets, elevator shafts, enclosed stairways, dumbwaiter shafts, and chutes.

Notes: SEVERAL MISSING SMOKE AND CO DETECTORS.

4) 55.250

Violation: APARTMENT BUILDINGS

Notes: NO OCCUPANCY APPROVED IN BASEMENT AREA.

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.

Phanord Ismith
Defendant

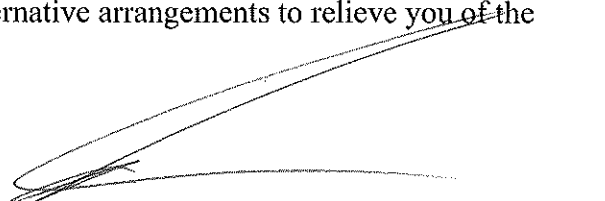
**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

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

SUMMONS NUMBER: 353759

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 09/14/2015. 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 09/14/2015.

Dated: 8/13/15



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