

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

May 13, 2015

Ellie LLC
24 Wildwood Dr
Cape Elizabeth, ME 04107

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 9 Cedar St on May 12, 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 summons 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
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

Inspection Violations

Owner/Manager ELLIE LLC		Inspector George Froehlich	Inspection Date 5/12/2015
Location 9 CEDAR ST	CBL 026 C017001	Status Violations Exist	Inspection Type Building-Housing Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
------	---------	-------	----------	------	-----------------

1) 6-108.(d) Exterior Rear Entry
Violation: STAIRWAYS, STAIRWELLS; STAIRS AND PORCHES.; EVERY INSIDE AND OUTSIDE STAIRWAY, STAIRWELL, STAIRS, AND PORCH AND ANY APPURTENANCES THERETO SHALL BE STRUCTURALLY SOUND, IN GOOD REPAIR, AND SAFE TO USE.
Notes: Stabilize Rear Entry Stairs and Landing Assembly.

2) 6-108.(b) Interior
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: Unit 3: Rear Fire Door Jammed Shut / Very Dificult to Operate.

3) 6-111.(d) Interior Kitchen
Violation: MAINTENANCE OF PLUMBING FIXTURES.; All fixtures required by this article and all fixtures installed in addition thereto shall be properly installed and maintained in sound mechanical condition, free from defects, leaks, or obstructions, and in accordance with the state plumbing code.
Notes: Unit 3: Sink Waste Leaking.

4) 6-116.(e) Interior
Violation: FIRE PROTECTION; Every dwelling, dwelling unit, rooming house and rooming unit shall comply with the applicable provisions of the most current edition of the National Fire Protection Association Life Safety Code, and with all other applicable state statutes and regulations.
Notes: Units: 1,2,and 5 - Smoke Detectors Missing in Bedrooms.

Comments: See follow-up letter/ notice of violation from the Portland Fire Department.

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**

v.

Ellie LLC
Defendant

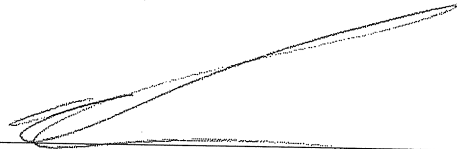
(M.R. CIV. P. 80H AND 80k)

SUMMONS NUMBER: 353788

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 June 8, 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 June 8, 2015.

Dated:

S/13/15



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