

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

Harry M Krigman  
24 Wildwood Dr  
Cape Elizabeth, ME 04107

### NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 218 Walton 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](http://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

~~#353784~~ - #353790

CITY OF PORTLAND  
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street  
Portland, Maine 04101

Inspection Violations

|   |                           |                                     |  |
|---|---------------------------|-------------------------------------|--|
| <b>Owner/Manager</b><br>KRIGMAN HARRY M |                           | <b>Inspector</b><br>Craig Messinger | <b>Inspection Date</b><br>5/12/2015                      |
| <b>Location</b><br>218 WALTON ST        | <b>CBL</b><br>143 F005001 | <b>Status</b><br>Failed             | <b>Inspection Type</b><br>Building-FP Routine Inspection |

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

1) 9.003

**Violation:** NFPA 80- D.4 90-MIN FIRE DOORS ASSEMBLIES REQ; Listings are provided for floor fire dor assemblies that are installed in fire-rated floor-ceiling or roof-ceiling assemblies that have been tested in accordance with the methods described in NFPA 288. The listing indicates the fire-rated assembly and the hourly rating for which the door can be permitted to be used so that access to the space above the ceiling or to the floor above can be provided without adversely affecting the fire resistance rating of the entire assembly.

**Notes:** Replace any self-closing hinges not functioning  
Remove rear door in Apt. #2 at rear, not being used.

2) 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 inaccordance 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:** Bedrooms required to have Photoelectric Hardwired, Battery-back-up, smoke detectors.

3) 55.390

**Violation:** PROTECTION

**Notes:** Oil/fuel fire device is required to have sprinkler protection.

4) 55.080

**Violation:** ELECTRICAL VIOLATION

**Notes:** GFCI required for sump pmp

5) 55.100

**Violation:** HVAC VIOLATION; HVAC VIOLATION

**Notes:** Dryer vent shall be replaced with solid type vent.

**Comments:** Violations Exist

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.

Harry M Krigman  
Defendant

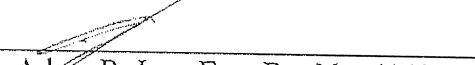
(M.R. CIV. P. 80H AND 80k)

SUMMONS NUMBER: 353790

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](mailto: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:

5/17/15

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

**City of Portland, Maine**  
**Inspections Division**  
**Violations Report**

**Appointment Date Between 1/1/2000 And 5/26/2015**

| Dist. # | Sch. Date<br>Contact:         | CBL         | Appl. Type<br>Inspector     | Schedule Type<br>Comments  | Appl # | Location      |
|---------|-------------------------------|-------------|-----------------------------|--|--------|---------------|
| 7       | 05/12/2015<br>KRIGMAN HARRY M | 143 F005001 | Building<br>Craig Messinger | FP Routine Inspection<br>Housing inspection with fire; John, 650-4102 per Jon. Bs. |        | 218 WALTON ST |

| Code                              | Violation   | Status | IntExt | Floor | Area | Corrected                | Date |
|-----------------------------------|---|--------|--------|-------|------|--------------------------|------|
| NFPA 80-<br>D.4-9.003             | 90-min Fire Doors Assemblies Req<br>Replace any self-closing hinges not functioning<br>Remove rear door in Apt. #2 at rear, not being used. | Open   |        |       |      | <input type="checkbox"/> |      |
| NFPA 101-<br>9.6.10.1.1-<br>8.001 | Smoke Detector Required<br>Bedrooms required to have Photoelectric Hardwired, Battery-back-up, smoke detectors.                             | Open   |        |       |      | <input type="checkbox"/> |      |
| 55.390                            | Protection<br>Oil/fuel fire device is required to have sprinkler protection.  | Open   |        |       |      | <input type="checkbox"/> |      |
| 55.080                            | Electrical Violation<br>GFCI required for sump pmp  | Open   |        |       |      | <input type="checkbox"/> |      |
| 55.100                            | Hvac Violation<br>Dryer vent shall be replaced with solid type vent.  | Open   |        |       |      | <input type="checkbox"/> |      |

| Dist. # | Sch. Date<br>Contact:         | CBL         | Appl. Type<br>Inspector      | Schedule Type<br>Comments   | Appl # | Location      |
|---------|-------------------------------|-------------|------------------------------|---|--------|---------------|
| 7       | 05/12/2015<br>KRIGMAN HARRY M | 143 F005001 | Building<br>George Froehlich | Inspection<br>Housing inspection with fire; John, 650-4102 per Jon. Bs. |        | 218 WALTON ST |

| Code      | Violation  | Status | IntExt   | Floor | Area     | Corrected                | Date |
|-----------|--|--------|----------|-------|----------|--------------------------|------|
| 6-111.(d) | Maintenance of plumbing fixtures.<br>Remove sump pump from untrapped insanitary connection to residential waste system.<br>Properly trap or remove and cap washing machine waste connection. | Open   | Interior |       | Basement | <input type="checkbox"/> |      |
| 6-116.(e) | Fire Protection<br>All Units: Adjust self closing fire doors.<br>Properly separate Unit 3 from common area at existing unused wooden door & provide smoke detectors in bedrooms.             | Open   | Interior |       |          | <input type="checkbox"/> |      |

**Total Listed: 2**