

Inspection Services  
Michael J. Nugent  
Manager



Dept. of Planning & Development  
Lee Urban  
Director

**CITY OF PORTLAND**  
**STOP WORK ORDER**

October 20, 2004

Merl Clarke  
40 Portland Pier #2  
Portland, Maine 04101

RE: 263 Cumberland Ave.  
CBL: 026-F-008

**Certified Mail: 7002 0510 0003 3312 3567**

Dear Mr. Clarke,

An evaluation of the property on October 13, 2004 at 263 Cumberland Avenue revealed that the property fails to comply with Section 107.1 of the 1999 BOCA Building Code of the City of Portland. Section 107.1 states that "An application shall be submitted to the code official for the following activities, and these activities shall not commence without a permit being issued in accordance with Section 108.0."

At the time of inspection the following deficiencies were noted:

1. The fire escape as configured may not meet the 100 psf. Loading requirement. (Section 1025.3). Confirmed with the contract engineer, Tim Shelley this date.
2. The stair Guard range from 27 inches to 34 inches, less than the required 42 inches. (Section 1022.2.)
3. The landing guards are 38 to 41 inches in height, less than the required 42 inches. (Section 1021.2)
4. The dimensional uniformity of both the treads exceeds the allowances in section 1014.6.2 of the BOCA Code.
5. The stair risers are open, must be closed required in section 1014.6.1.
6. Doors and windows along the configured portions fire escape are not protected as required in section 1025.3.2. and 2406.2.8.
7. The fire escape stairs do not land to the ground. (Section 1006.3)

Appropriate permitting has not been issued for the property listed above; therefore all construction activity at that property must STOP immediately. This is a **STOP WORK ORDER** pursuant to Section 117.1 of the 1999 BOCA Building Code.

There are a number of structural deficiencies which are addressed by plans submitted from Shelley Engineering. This will require a special inspection conducted by them, with a written report sent to us.

You may resume construction activity only after issuance of the appropriate building permit and the subsequent lifting of this order. Building Permit Applications are available in this office, room 3 315 at Portland city Hall, from 8:00 a.m. to 4:00 p.m. weekdays, except holidays.

All submissions must be given to this office by November 1, 2004.

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 and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appeal able decision pursuant to Section 1-16. (2) Of the City of Portland Code of Ordinances.

If you wish to discuss the matter, or have any questions, please feel free to contact me at 874-8697.

Sincerely,

Arthur Rowe  
Code Enforcement Officer

