

CITY OF PORTLAND  
FIRE PREVENTION BUREAU  
380 Congress Street, Portland, Maine 04101  
fireprevention@portlandmaine.gov  
(207) 874-8400

**NOTICE OF VIOLATION AND ORDER TO CORRECT**

September 6, 2016

<b>Responsible Party 1:</b> 85 CUMBERLAND AVENUE LLC 405 WEST YALE CIR GLENWOOD SPRINGS, CO 81601		<b>Responsible Party 2:</b> Mainely Property Management 188 Dartmouth Street Portland, ME 04103
<b>Location</b> 0052 MYRTLE ST	<b>CBL</b> 026 H003001	<b>Inspection Date</b> 8/12/2016
<b>Inspector</b> Sean Donaghue	<b>Inspection Type</b> FP Routine Inspection	<b>Status</b> Failed

The City of Portland Fire Department inspected this property, and found the fire and life safety code violations listed below, which you are hereby ordered to correct. You must complete the proposed date of completion column by proposing a reasonable timeframe to remedy each violation. This form must be received by the Fire Prevention Bureau no later than 9/30/2016. The Bureau reserves the right to reject or modify any proposed plan of action, and may require evidence of sufficient financial and technical capacity to complete the proposed plan. Please contact the Bureau with any questions.

**YOUR FAILURE TO SUBMIT A PLAN OF ACTION BY THE DATE PROVIDED, OR TO CORRECT ANY VIOLATION WITHIN THE APPLICABLE TIME FRAME, MAY RESULT IN LEGAL ACTION AGAINST YOU, THE IMPOSITION OF CIVIL PENALTIES, AND THE PURSUIT OF OTHER LEGAL REMEDIES.**

<b>Violation</b>	<b>Proposed Date of Completion</b>
<b>NFPA 101- 7.2.8.5.1 HANDRAILS REQUIRED ON STAIRS;</b> All fire escape stairs shall have walls or guards and handrails on both sides in accordance with 7.2.8.4.1 (b). Myrtle St stairwell between 1st and 2nd floor	SEP 26 2016
<b>NPFA 101- 7.2.2.1.1 STAIRS REQUIRE REPAIR;</b> Stairs shall meet the following criteria: (1) New stairs shall be in accordance with Table 7.2.2.2.1.1(a) (2) Existing stairs shall be permitted to remain in use, provided that they meet the requirements for existing stairs shown in Table 7.2.2.2.1.1(b) (3) Approved existing stairs shall be permitted to be rebuilt in accordance with the following: (a) dimensional criteria of table 7.2.2.2.1.1(b) and other stair requirements of 7.2.2 (4) The requirements for new and existing stairs shall not apply to stairs located in industrial equipment access areas where otherwise provided in 40.2.5.2. Myrtle St outside landing missing a baluster	SEP 26 2016
<b>NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED;</b> In buildings other than those equipped through out with an existing, complete automatic smoke detection system, smoke alarms shall be installed in accordance with 9.6.2.10, as modified by 31.3.4.5.2, outside every sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit, including basements. Noted smoke detector chirping, requires back up battery or replacement of detector	SEP 26 2016
<b>NFPA 1 EXCESSIVE/DISORDERLY STORAGE;</b> Reference NFPA 1 for excessive fuel-load. Debris stored in egress stairwells isn't permitted	SEP 26 2016

Violation	Proposed Date of Completion
<b>NFPA 70 MISSING BOX COVERS;</b> Refer to NFPA 70, National Electrical Code, on standards for missing box covers. Basement, near old boiler, open junction box with exposed wiring	<u>SEP 26 2016</u>
<b>NFPA 101- 8.3.4.2 60 MINUTE FIRE DOOR REQUIRED;</b> 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. Secondary egress stairwell basement access door required to be a fire door	<del>SEP 26 2016</del> SEP 29 2016

### VIOLATOR CERTIFICATION

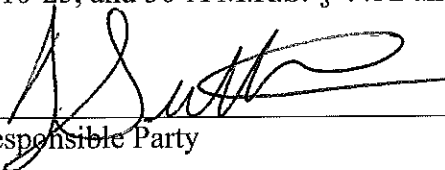
I agree to remedy the violations listed within the timeframes provided. If I require additional time to comply, I understand that I must contact the Fire Prevention Bureau prior to the deadline to request an extension, which is entirely within the Bureau's discretion to grant or deny.

I further understand that it is my responsibility to schedule a reinspection of my property once the violations have been remedied to do so. My failure to schedule a reinspection shall be deemed an admission that the violations have not been remedied.

If I fail to comply with this agreement, I understand that I am liable for penalties pursuant to the City of Portland Code of Ordinances §§ 1-15 and 10-25, and 30-A M.R.S. § 4452 and may be subject to further legal action.

SEP 16 2016

Date

  
Responsible Party

MaineLy Property  
Management

Date

Responsible Party

### SEEN AND AGREED

9/20/2016  
Date

CAPT PETRUCELLI  
Fire Prevention Bureau