



December 24, 2015

SEPULVERES THOMAS A

43 MYRTLE ST

PORTLAND, ME 04101

CBL: 026 K007001

Located at 43 MYRTLE ST

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 that reads "A/c Keith Soutreau".

Portland Fire Department

Fire Prevention Bureau

CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager Sepulveres Thomas A		Inspector Sean Donaghue		Inspection Date 11/30/2015
Location 0043 MYRTLE ST	CBL 026 K007001	Status Failed		Inspection Type Fire Company-FP Routine Inspec

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

1) 89.15

Violation: NFPA 30- TABLE 9.6.2.1 FLAMMABLE/COMBUSTIBLE LIQUIDS STORAGE EXCEED LIMIT; SEE NFPA 30 TABLE 9.6.2.1 FOR SPECIAL OCCUPANCY LIMITS FOR FLAMMABLE AND COMBUSTIBLE LIQUID STORAGE.

Notes: 1ST FLOOR BY UNIT 1 HAS FURNISHINGS AND CLOTHING STORED IN COMMON AREA

2) 91.30

Violation: NFPA 70 MISSING BREAKER IN PANEL; REFER TO NFPA 70, NATIONAL ELECTRICAL CODE, FOR INFORMATION ON MISSING BREAKERS IN AN ELECTRICAL PANEL.

Notes: BASEMENT, MULTIPLE MISSING BREAKERS

Comments: Complete inspection performed, occupants allowed entry into dwelling unit and basement. This property is listed as a three family, and report from the occupant was that 15 to 16 people were living there in some type of lodging/rooming environment. There is a dwelling room in the basement, which has had a larger window, although I am not sure it is large enough to be considered an egress window. This property requires Fire Prevention assistance in determining proper property classification, I believe ultimately it will require a fire alarm system.

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**

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

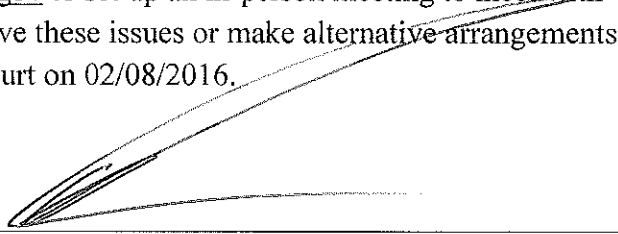
v.

Thomas Sepulveres
Defendant

SUMMONS NUMBER: 353723

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 02/08/2016. Please contact Tori Ross in Fire Prevention at (207)-874-8400 or via e-mail at meservev@portlandmaine.gov to set up an in-person meeting to meet with somebody in the Fire Prevention Bureau to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 02/08/2016.

Dated: 12/22/15



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