

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**

December 20, 2016

<b>Location</b> 0435 CONGRESS ST	<b>CBL</b> 027 B004001	<b>Inspection Date</b> 11/14/2015
<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 1/15/2017. 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.**

Violation	Proposed Date of Completion
<p><b>NFPA 101-7.9.3 EMERGENCY LIGHTS REQUIRE MAINTENANCE;</b> 7.9.3 Periodic Testing of Emergency Equipment 7.9.3.1 Required emergency lighting systems shall be tested in accordance with one of the three options offered by 7.9.3.1.1, 7.9.3.1.2, or 7.9.3.1.3. 7.9.3.1.1 Testing of required emergency lighting systems shall be permitted to be conducted as follows: (1) Functional testing shall be conducted monthly with a minimum of 3 weeks and a maximum of 5 weeks between tests, for not less than 30 seconds, except as otherwise permitted by 7.9.3.1.1(2). (2) The test interval shall be permitted to be extended beyond 30 days with the approval of the authority having jurisdiction. (3) Functional testing shall be conducted annually for a minimum 1-1/2 hours if the emergency lighting system is battery powered. (4) The emergency lighting equipment shall be fully operational for the duration of the test required by 7.9.3.1.1(1) and (3). (5) Written records of visual inspections and tests shall be kept by the owner for inspection by the authority having jurisdiction.</p> <p>Multiplpe locations on multiple floors found to be not functioning, 2nd 3rd and 4th and 5th floors</p>	<p>___/___/___</p>
<p><b>NFPA 101- 7.2.1.8.1 FIRE DOORS MUST BE SELF- OR AUTO-CLOSING;</b> A door leaf normally required to be kept closed shall not be secured in the open position at any time and shall be self-closing or automatic-closing in accordance with 7.2.1.8.2, unless otherwise permitted by 7.2.1.8.3.</p> <p>Multiple stairwell doors self closing mechanism not functioning properly, door doesn't close fully</p>	<p>___/___/___</p>
<p><b>NFPA 101- 7.2.1.5.2 ILLEGAL LOCKS ON EXIT DOOR;</b> Locks, if provided, shall not require the use of a key, a tool, or special knowledge or effort for operation from the egress side.</p> <p>Only stairwell to exit from the basement is locked from the outside by a padlock, no stairwell egress from basement from inside</p>	<p>___/___/___</p>

Violation	Proposed Date of Completion
<b>NFPA 10- 7.2.4.4 FIRE EXTINGUISHER INSPECTION TAG;</b> Where manual inspections are conducted, records for manual inspections shall be kept on a tag or label attached to the fire extinguisher, on an inspection checklist maintained on file, or by an electronic method. 3 extinguishers in basement and 1 in laundry are currently uninspected	___ / ___ / ___
<b>NFPA 70 MISSING BOX COVERS;</b> Refer to NFPA 70, National Electrical Code, on standards for missing box covers. multiple open boxes in basement, open boxes also found on 1st and 4th floors, and in laundry room closet	___ / ___ / ___

**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.

\_\_\_\_\_ Date

\_\_\_\_\_ Responsible Party

\_\_\_\_\_ Date

\_\_\_\_\_ Responsible Party

**SEEN AND AGREED**

\_\_\_\_\_ Date

\_\_\_\_\_ Fire Prevention Bureau