



June 20, 2016

B & C Limited

31 Exchange St

Portland, ME 04101

CBL: 032 E009001

Located at 0031 EXCHANGE 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,

Capt. Petrucci

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

353898

Inspection Violations

Owner/Manager B & C Limited		Inspector Curtis Magnuson	Inspection Date 6/18/2016
Location 0031 EXCHANGE ST	CBL 032 E009001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 10.002

Violation: NFPA 10- 7.1.1 FIRE EXTINGUISHERS NEED ANNUAL SERVICE; THE OWNER OR DESIGNATED AGENT OR OCCUPANT OF A PROPERTY IN WHICH FIRE EXTINGUISHERS ARE LOCATED SHALL BE RESPONSIBLE FOR INSPECTION, MAINTENANCE, AND RECHARGING.

Notes: KITCHEN

2) 6.003

Violation: NFPA 70- ARTICLE 590.6 EXT. CORD USED FOR PERMENANT WIRING; Ground-fault protection for personnel for all TEMPORARY wiring installations shall be provided to comply with 590.6 (A) and (B). This section shall apply only to temporary wiring installations used to supply temporary power to equipment used by personnel during construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment or similar activities.

Notes: EXTENSION CORD RUNNING TO THE WAHING MACHINE

3) 1.132

Violation: 1-14-3.2 EMERGENCY LIGHTING AND EXIT SIGNS SHALL BE TESTED; EMERGENCY LIGHTING FACILITIES AND EXIT SIGNS SHALL BE TESTED MONTHLY FOR 30 SECONDS AND ANNUALLY FOR 90 MINUTES, AND WRITTEN RECORDS SHALL BE MAINTAINED.

Notes: EMERGENCY LIGHT IN THE BASEMENT SEATING AREA NOT WORKING

4) 7.001

Violation: NFPA 54- 9.6.4 UTILITY DISCONNECTS BLOCKED; Each appliance connected to a piping system shall have an accessible, approved manual shutoff valve with a nondisplaceable valve member, or a listed gas convenience outlet. Appliance shutoff valves and convenience outlets shall serve a single appliance only and shall be installed in accordance with 9.6.4.1.

Notes: NO STORAGE ALLOWED IN THE ELECTRICAL/ SPRINKLER ROOM

Comments:

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,

v.

B & C Limited
Defendant

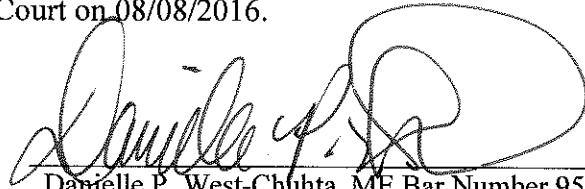
**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

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

SUMMONS NUMBER: 353898

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 08/08/2016. 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 08/08/2016.

Dated: June 21, 2016



Danielle P. West-Chuhta, ME Bar Number 9532
Corporation Counsel
City of Portland
389 Congress St
Portland, ME 04101
207-874-8480