

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

October 25, 2017

Responsible Party 1: ELEVEN EXCHANGE LLC PO BOX 4894 PORTLAND , ME 04112		
Location 9 EXCHANGE ST	CBL 032 F010001	Inspection Date 4/17/2017
Inspector Dean Berry	Inspection Type FP Routine Inspection	Status 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 propose a date of completion to remedy each violation, a final date of completion, and a date of re-inspection.

You must send this form to the Fire Prevention Bureau no later than 11/15/2017.

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
NFPA 101- 7.2.1.15.8 FIRE DOOR ASSEMBLY REQ REPAIR; Door openings not in proper operating condition shall be repaired or replaced without delay. Stairwell doors not fully closing. 2nd floor fire escape door. 9 Exchange	11/25/2017
NFPA 101-7.2.4.3.1 FIRE BARRIER REQUIRES MAINTENANCE; Fire barriers separating buildings or areas between which there are horizontal exits shall have a minimum 2-hour fire resistance rating, unless otherwise provided in 7.2.4.4.1, and shall provide a separation that is continuous to the finished grounded level. hole in wall rear stairwell between 2nd and 3rd floor. 9 Exchange	11/25/2017
NFPA 101- 31.3.1.1.1 VERTICAL OPENINGS NOT FIRE RATED; Vertical openings shall be enclosed or protected in accordance with Section 8.6. Electrical closets. 9 Exchange	11/25/2017
NFPA 101-7.9.3 EMERGENCY LIGHTS REQUIRE MAINTENANCE; 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. Second Floor front landing. Over door labeled "15". 9 Exchange	11/25/2017

Violation	Proposed Date of Completion
<p>NFPA 101- 7.5.1.1 EXIT OBSTRUCTED; Where exits are not immediately accessible from an open floor area, continuous passageways, aisles, or corridors leading directly to every exit shall be maintained and shall be arranged to provide access for each occupant to not less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4. Rear stairwell. Outside rear door. Hallways and landings. Ground level exit to Market St. is obstructed by garbage cans and flows to an unapproved iron gate. 9 Exchange</p>	<p>IMMEDIATELY remove all obstructions from the exits. Your signature below indicates that all obstructions have been removed and will not be replaced.</p>
<p>NFPA 101- 7.2.1.8.1 FIRE DOORS MUST BE SELF- OR AUTO-CLOSING; 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. Throughout. 9 Exchange</p>	<p>11/25/2017</p>
<p>NFPA 101- 7.2.8.6.2 FIRE ESCAPE REQUIRES REPAIR; The authority having jurisdiction shall be permitted to approve any existing fire escape stair that has been shown by load test or other satisfactory evidence to have adequate strength. Ground level obstructed. 9 Exchange</p>	<p>11/25/2017</p>
<p>NFPA 101- 7.2.1.5.2 ILLEGAL LOCKS ON EXIT DOOR; Locks, if provided, shall not require the use of a key, a tool, or special knowledge or effort for operation from the egress side. Door to 4th floor. 9 Exchange</p>	<p>IMMEDIATELY remove or disable all illegal locks on exit doors. Your signature below indicates that the illegal locks have been removed or disabled and will not be replaced.</p>
<p>NFPA 101-7.2.1.5.1 LOCKED EXITS; Door leaves shall be arranged to be opened readily from the egress side whenever the building is occupied. 4th floor fire door. 9 Exchange</p>	<p>IMMEDIATELY unlock all exits from the egress side while the building is occupied. Your signature below indicates that all exits have been unlocked and will remain unlocked from the egress side while the building is occupied.</p>
<p>NFPA 101- 7.5.1.1.1 SECOND EXIT REQUIRED; Where exits are not immediately accessible from an open floor area, continuous passageways, aisles, or corridors leading directly to every exit shall be maintained and shall be arranged to provide access for each occupant to no less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4. Secondary stairwell for above grade levels. 9 Exchange</p>	<p>11/25/2017</p>
<p>PORTLAND FIRE DEPARTMENT CHAPTER 10 FIRE ALARM SYSTEM REQUIRES SERVICE; Fire alarm system requires service by a licensed master fire alarm company. A list of licensed master fire alarm companies can be viewed at: www.portlandmaine.gov/fireprevention. In trouble condition. Exposed fire alarm wiring needs rigid protection. 9 Exchange</p>	<p>11/25/2017</p>
<p>NFPA 720- 5.5.6.1 CO ALARMS REQUIRED; The performance, location, and mounting of notification appliances used to initiate or direct action, evacuation or relocation of the occupants, or for providing information to occupants or staff, shall comply with the requirements of Chapter 6. Required in all units. 9 Exchange</p>	<p>IMMEDIATELY install temporary alarms where required. Your signature below indicates that temporary alarms have already been installed.</p>
<p>NFPA 101- 31.2.4.1 TWO EXITS REQUIRED ABOVE FIRST FLOOR; Every dwelling unit shall have access to not less than two separate exits remotely located from each other as required by 7.5.1. 3rd and 4th Floors. 9 Exchange</p>	<p>11/25/2017</p>

Violation	Proposed Date of Completion
<p>NFPA 1 EXCESSIVE/DISORDERLY STORAGE; Reference NFPA 1 for excessive fuel-load. Electric closets, Stairwells, Hallways, Basement. 9 Exchange</p>	11/25/2017
<p>NFPA 101- 7.2.1.8.1 FIRE DOOR BLOCKED OPEN; 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. 9 Exchange</p>	IMMEDIATELY remove all blocks or chocks from fire doors, ensuring that they close fully. Your signature below indicates that all fire doors are fully closed and will not be blocked open in the future.
<p>NFPA 70- ARTICLE 110.12 B EXPOSED WIRING CONNECTIONS; Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, or corrosive residues. There shall be no damaged parts that may adversely affect safe operation or mechanical strength of the equipment such as parts that are broken; bent; cut; or deteriorated by corrosion, chemical reaction, or overheating. Broken receptical cover rear stairwell. 9 Exchange</p>	11/25/2017
<p>NFPA 1, CHAPTER 10 - 10.11.6 HIBACHI OR GRILL ON BALCONY; NO HIBACHI, GAS-FIRED GRILL, CHARCOAL GRILL, OR OTHER SIMILAR DEVICES USED FOR COOKING, HEATING, OR OTHER PURPOSE, SHALL BE USED OR KINDLED ON ANY BALCONY OR UNDER ANY OVERHANG PORTION OR WITHIN 10 FTOF ANY STRUCTURE Rear exit ground level under porch roof. 9 Exchange</p>	11/25/2017
<p>FINAL DATE OF COMPLETED VIOLATION(S)</p>	___/___/___
<p>FIRE PREVENTION BUREAU RE-INSPECTION OF COMPLETED VIOLATION(S)</p>	___/___/___

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.

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