

Portland, Maine



Yes. Life's good here.

Danielle P. West-Chuhta  
Corporation Counsel

Anne M. Torregrossa  
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July 14, 2016

**NOTICE OF INTENT TO PROSECUTE**

David & Carolyn Norberg  
275 Cottage Road  
South Portland, Maine 04106

RE: 19 Portland Street  
CBL033 L001001

To Whom it May Concern,

Please see the attached Inspection Violations. The City of Portland Fire Department has referred this matter to me for prosecution. In order to avoid prosecution, you must submit to Fire Prevention Bureau a plan of action to remedy the violations no later than **July 29, 2016**.

**YOUR FAILURE TO SUBMIT A PLAN OF ACTION  
WITHIN THE TIMEFRAME PROVIDED WILL RESULT IN  
LEGAL ACTION AND THE IMPOSITION OF CIVIL PENALTIES.**

Please feel free to contact Tori Ross of the Fire Prevention Bureau at (207)874-8400 with any questions. I look forward to your anticipated cooperation and appreciate your efforts to help keep the citizens of Portland safe.

Sincerely,

Anne M. Torregrossa  
Associate Corporation Counsel  
City of Portland

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

#353916

**Inspection Violations**

<b>Owner/Manager</b> Norberg David J &		<b>Inspector</b> Steven Hall	<b>Inspection Date</b> 7/1/2016
<b>Location</b> 19 Portland	<b>CBL</b> 033 L001001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 73.05

**Violation:** 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.

**Notes:** DOOR ON SECOND FLOOR NEEDS REPAIR AROUND THE TRIM (HOLES)

2) 73.15

**Violation:** 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.

**Notes:** HALLWAY CONNECTING # 19 AND 23 NOT RATED

3) 73.20

**Violation:** NFPA 101- 31.3.7 FLOOR/ CEILINGS ASSEMBLY NOT SMOKE-TIGHT; IN BUILDINGS OTHER THAN THOSE MEETING THE REQUIREMENTS OF 31.3.7.1, 31.3.7.2, 31.3.7.3, 31.3.7.4, OR 31.3.7.5, IN ADDITION TO THE FOLLOWING CRITERIA TO BE MET.

**Notes:** HOLES IN CEILING TILES AND CEILINGS

4) 1.131

**Violation:** NFPA 101- 7.9.1.1 EMERGENCY LIGHTING REQUIRED; Emergency lighting facilities for means of egress shall be provided in accordance with Section 7.9 for the following:

- (1) Buildings or structures where required in Chapters 11 through 43
- (2) Underground and limited access structures as addressed in Section 11.7
- (3) High-rise buildings as required by other sections of this code
- (4) Doors equipped with delayed-egress locks
- (5) Stair shaft and vestibule of smokeproof enclosures, for which of the following also apply:
  - (a) The stair shaft and vestibule shall be permitted to include a standby generator that is installed for the smokeproof enclosure mechanical ventilation equipment
  - (b) The standby generator shall be permitted to be used for the stair shaft and vestibule emergency lighting power supply
- (6) New access-controlled egress doors in accordance with 7.2.1.6.2

**Notes:** EMERGENCY LIGHTS NOT WORKING

5) 81.20

**Violation:** NFPA 10- 7.2.4.4 FIRE EXTINGUISHER INSPECTION TAG; 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.

**Notes:** EXTINGUISHERS THROUGHOUT NEED SERVICE TAGS AND ARE EMPTY

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6) 8.027

**Violation:** NFPA 1- 4.5.8.1 FIRE PROTECTION SYSTEM OUT OF SERV.; Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or any other feature is required for compliance with the provisions of this code, such device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or other feature shall thereafter be continuously maintained. Maintenance shall be provided in accordance with applicable NFPA requirements or requirements developed as part of a performance-based design, or as directed by the AHJ.

**Notes:** SOME TYPE OF FIRE ALARM SYSTEM ON THE 2ND FLOOR NEED S TO BE TAKEN OUT ( INOPERABLE )

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7) 55.25

**Violation:** NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED; 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.

**Notes:** SMOKE ALARMS MISSING IN APARTMENTS

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8) 89.05

**Violation:** NFPA 1 EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.

**Notes:** STOARGE IN STAIRWELLS 3RD FLOOR AND FIRST FLOOR, UNABLE TO ACCESS THE BASEMENT DUE TO STORAGE

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9) 91.20

**Violation:** NFPA 70- 590.6 EXTENSION CORDS; 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 FROM THE THIRD FLOOR APT. TO FIRST FLOOR

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10) 3.011

**Violation:** NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED; THE AREAS DESCRIBED IN TABLE 31.3.2.1.1 SHALL BE PROTECTED AS INDICATED:  
BOILER AND FUEL-FIRED HEATER ROOMS SERVING MORE THAN A SINGLE DWELLING UNIT (MINIMUM SEPARATION/PROTECTION IS 1 HOUR OR SPRINKLERS)

**Notes:** UNKNOWN IF IT NEEDS SPRINKLER DUE TO STORAGE BLOCKING THE BASEMENT DOOR

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11) 80.37

**Violation:** NFPA 101- 8.3.4.2 60 MINUTE FIRE DOOR REQUIRED; 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.

**Notes:** NEED A FIRE DOOR TO THE BASEMENT AND 2ND FLOOR

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**Comments:**