



Permitting and Inspections Department  
Michael A. Russell, MS, Director

Jonathan Rioux, Inspections Director

3/20/2018

DOZET BARBARA I  
28 GRANT ST  
PORTLAND ME, 04101

**CBL:** 036 E003001

**Located At:** 28 Grant Street

NOTICE OF VIOLATION  
AND ORDER TO CORRECT

Barbara Dozet,

The City of Portland Housing Safety Office inspected the above-referenced property on 3/20/18 and found violations of the City of Portland Code of Ordinances, which are listed on the attached pages. You are hereby ordered to correct these violations by the dates given on the attached. If you fail to do so, this matter may be referred to the City of Portland Corporation Counsel for legal action, including civil penalties and other legal remedies. This constitutes an appealable decision under the City of Portland Code of Ordinances. Your failure to appeal this Notice may result in you being barred from challenging the City's determinations in the future.

A re-inspection will take place on 3/30/18 to insure windows open in all bedrooms and check electrical concerns.

Please feel free to contact me if you have any questions with respect to this matter.

Sincerely,

Jason Duval  
Housing Safety  
Code Enforce Officer  
City of Portland  
jduval@portlandmaine.gov

# INSPECTION WORKSHEET 141447

Checklist Item	Passed	Comments		
<b>Noncompliance</b>				
Code Name	Description	Comments	Deadline	Resolve Date
NFPA 101-9.1.2; NFPA 70	Electrical Violations	Cover any exposed wiring throughout the building. Unit 1 has exposed wiring in bedroom and next to rear exit door.	04/18/2018	
PFD Rules, 4.6	Unit/Suite Numbers Not Marked	All unit doors require numbers	04/18/2018	
City Code 6-108(b)	Residential Interior Walls	Repair the holes throughout the building and repair the walls in rear interior stairwell.	04/18/2018	
NFPA 101-9.1.2; NFPA 70	Certify Electrical System	Circuits need to be able to take the load that the grow room is putting on them.	04/18/2018	
City Code 6-108(c)	Residential Windows and Skylights	Immediately address the windows in each sleeping area. Multiple bedroom windows are unable to open. All windows must be able to open and meet minimum escape requirements of a window opening of 24 inches high by 20 inches wide	03/30/2018	
NFPA 101-24.2.2, 31.2.1.2	Secondary Means of Escape from Sleeping Rooms	Immediately address the windows in each sleeping area. Multiple bedroom windows are unable to open. All windows must be able to open and meet minimum escape requirements of a window opening of 24 inches high by 20 inches wide	03/30/2018	
NFPA 101-31.3.4.5; City Code 10-3(i)	Smoke Alarms Required (3-11 units)	Install a working hardwired smoke alarm to unit 2 bedroom. Install a hardwired smoke/CO combination alarm for unit 1 common area.	04/18/2018	
NFPA 1-60.1.26.1	Excess Hazardous Materials	IMMEDIATELY remove all excess flammable and /or combustible materials. Remove dryer from rear interior stairwell.	04/18/2018	
NFPA 101-8.3.3.3	Fire Doors Must Be Self- Or Auto-Closing	All fire doors are required to self close and self latch	04/18/2018	
City Code 6-108(c)	Residential Exterior Doors	Repair door knob to front exterior door of building	04/18/2018	
City Code 10-3(l)	Carbon Monoxide Alarms Required (residential)	Co alarm required for unit 2	04/18/2018	
NFPA 101- 7.2.1.5.2	Illegal Locks On Exit Door	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. Remove metal pin lock outside of bedroom in unit 3.	04/18/2018	
NFPA 1-11.1.7.6	Extension Cords	Discontinue use of extension cords in unit 3 and in grow room.	04/18/2018	



# INSPECTION WORKSHEET (141447) FOR CITY OF PORTLAND

<b>Case Number:</b>		<b>Case Module:</b>	Permit Management
<b>Inspection Date:</b>	03/19/2018	<b>Inspection Status:</b>	Re-inspection required
<b>Inspector:</b>	Jason Duval	<b>Inspection Type:</b>	Long Term Rental Registration
<b>Job Address:</b>	28 Grant St Portland, ME 04101	<b>Parcel Number:</b>	036 E003001

<b>Contact Type</b>	<b>Company Name</b>	<b>Name</b>
Owner		BARBARA DOZET

<b>Checklist Item</b>	<b>Passed</b>	<b>Comments</b>
General Comments	False	A re-inspection will occur on 3/30 to insure that windows open and that electrical standards are checked.



Permitting and Inspections Department

Michael A. Russell, MS, Director

Jonathan Rioux, Inspections Director

**Information Bulletin: 2018-01**

**Secondary Means of Escape and Rescue Openings**

Adopted: 02/02/2018 *MRR*

**Background**

The City of Portland has adopted the NFPA Life Safety Code (NFPA 101) and the NFPA Fire Code (NFPA 1), along with other building codes (MUBEC), which have minimum requirements for means of escape from residential dwellings, up to four stories in height.

NFPA 101 requires that new and existing dwellings provide for both a primary and a secondary means of escape from each sleeping room and living area.[1] NFPA 101 (2009) §§ 24.2.2.1.1, 31.2.1.2. A window may be used as the secondary means of egress or escape where the window is:

1. operable from the inside without the use of tools, keys, or special effort;
2. provides a net clear opening of not less than 5.7 sq. ft.;
3. not less than 20" wide;
4. not less than 24" high;
5. not more than 44" above the floor; and
6. meets one or more conditions for accessibility of fire department rescue apparatus.

*Id.* §§ 24.2.2.2.3.3, 31.2.1.2.

Windows in new construction have to meet the requirements of NFPA 101, as well as MUBEC, including the 5.7 sq. ft. net clear opening requirement. Note: The new construction provisions will also apply to replacement windows as part of the approval requirements for a change of use or occupancy.

**Enforcement of Minimum Window Size**

The City will generally not require existing windows to be replaced, even where they do not meet all of the above criteria numbered 1-6, as long as the existing windows meet certain minimum standards for safety.[2] The circumstances under which undersized, existing windows will be allowed to remain depends on:

1. When the existing window was installed,
2. The size of the window, and if
3. Changes are being proposed to the building.

*Windows installed before 1976* will be considered acceptable to the City and do not need to be replaced, if the windows meet the minimum requirements outlined in the State Fire Marshal's "Policy for clarification



Permitting and Inspections Department  
Michael A. Russell, MS, Director

Jonathan Rioux, Inspections Director

of existing egress windows” memo dated October, 17, 2013. These windows meet all of the requirements numbered 1-6 on Page 1 of this informational bulletin with the exception of number 2. Number 2 shall be replaced with, “2. provides a net clear opening of at least 3.3 sq. ft. and an overall opening size of 5.0 sq. ft. if all window parts are removed”.

*Windows installed after 1976* must be replaced by windows meeting all of the requirements numbered 1-6 on Page 1 of this informational bulletin. This includes a net clear opening of not less than 5.7 sq. ft.

*Renovations or projects involving a change of use or occupancy, legalization of nonconforming units, or renovations to exterior walls.* Where a renovation or project involves a change of use, the legalization of nonconforming units, or renovations to exterior walls, windows must be installed that meet all of the requirements numbered 1-6 on Page 1 of this informational bulletin.

*Other renovations.* The replacement window may be the same size as the existing window if:

1. No other renovations to the exterior wall are proposed,
2. No change of use or legalization of a nonconforming unit is proposed,
3. The window has a minimum net clear opening of at least 3.3 sq. ft. for a double hung or,
4. 5.0 sq. ft. for a casement-style, and,
5. Meets all of the other requirements numbered 1-6 on Page 1 of this informational bulletin.

However, when the rough opening for the replacement window is large enough to allow installation of a window with a minimum of 5.7 sq. ft. net clear opening, that requirement must be met, even if the window operation is different than the original window. If it is not possible to meet the 5.7 sq. ft. net clear opening, the replacement window must be the manufacturer's largest standard size window that will fit within the existing window frame or existing rough opening. The replacement window shall either be of the same operating style as the existing window or a style that provides for a greater window opening area than the existing window.

The City reserves the right to require installation or replacement of any window to meet the safety requirements of NFPA 1 and 101, MUBEC, City Code of Ordinances and any other relevant standards.

---

[1] Exceptions to this requirement are available where the sleeping room or living area has a door leading directly to the outside at or to the finished ground level, or where the dwelling unit is fully sprinkled.

[2] The City may allow windows to remain that are an “existing approved means of escape.” *Id.* § 24.2.2.3. An approved existing condition is “That which is already in existence on the date [the NFPA code] goes into effect and is acceptable to the authority having jurisdiction.” *Id.* § 3.3.75.1.

---