

Portland, Maine



Yes. Life's good here.

Danielle P. West-Chuhta
Corporation Counsel

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Associate Counsel

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Associate Counsel

Victoria E. Morales
Associate Counsel

December 2, 2016

NOTICE OF INTENT TO PROSECUTE

To Whom it May Concern,

Please see the attached Notice of Violation and Order to Correct from the City of Portland Fire Prevention Bureau. The Fire Prevention Bureau has referred this matter to me for prosecution in the event that you do not complete and return the required plan of action by the date contained in the Notice of Violation. Your failure to comply will result in the issuance of a summons for you to appear in court, and the imposition of civil penalties in the minimum amount of \$100 per violation per day.

Please contact the Fire Prevention Bureau at (207)874-8400 to resolve these outstanding violations. I look forward to your anticipated cooperation and appreciate your efforts to help keep the citizens of Portland safe.

Sincerely,

A handwritten signature in blue ink that reads 'Anne M. Torregrossa'. The signature is written in a cursive, flowing style.

Anne M. Torregrossa
Associate Corporation Counsel
City of Portland

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 2, 2016

Responsible Party 1: MATHEW'S APARTMENTS INC 10 GRANT ST PORTLAND , ME 04101		Responsible Party 2: McLain Timothy 12 Grant St 1st Floor Portland, ME 04101
Location 10 GRANT ST	CBL 036 E008001	Inspection Date 11/19/2016
Inspector Curtis Magnuson	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 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 12/30/2016. 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
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. Basement by furnace	IMMEDIATELY install temporary alarms where required. Your signature below indicates that temporary alarms have already been installed.
NFPA 72- 5.5.2.1 SMOKE DETECTORS ON ALL FLOOR LEVELS; If required and unless otherwise modified by 5.5.2.1.1 through 5.5.2.1.5, total coverage shall include all rooms, halls, storage areas, basements, attics, lofts, spaces above suspended ceilings, and other subdivisions and accessible spaces as well as the inside of all closets, elevator shafts, enclosed stairways, dumbwaiter shafts, and chutes. Most detectors were not functioning and are well over 10 years old and need to be replaced.	
NFPA 1- 19.1.2 INSIDE STORAGE NOT ORDERLY; Persons owning or having control of any property shall not allow any combustible waste material to accumulate in any area or in any manner that creates a fire hazard to life or property. Nothing allowed in common stairwells and excessive storage falling out of a room on 2nd floor on #10	
NFPA 1- 10.1.1 STRUCTURE NEEDS REPAIR; Every new and existing building or structure shall be constructed, arranged, equipped, maintained, and operated in accordance with this code so as to provide a reasonable level of life safety, property protection, and public welfare from the actual and potential hazards created by fire, explosion, and other hazardous conditions. Exterior front stairs handrail needs to be repaired. It is loose.	

Violation	Proposed Date of Completion
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. All doors to common halls and basement.	____/____/____

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