



Planning & Urban Development Department

December 8, 2015

VIA CERTIFIED MAIL: 70101870000281368268

Michael R. Hamlin, #15305
c/o Mountain View
1182 Dover Road
Charleston, ME 04422

Re: Request for Information - MAF, LLC

Dear Mr. Hamlin:

In response to your letter of November 18, 2015, enclosed please find our memorandum of June 3, 2015 to you, as well as another copy of the enclosures we previously sent.

I trust this satisfies your request.

Sincerely,

A handwritten signature in black ink, appearing to read "JR" with a stylized flourish.

Jonathan Rioux,
Deputy Director of Inspection

JR/
Enclosures
cc: Adam R. Lee, Esq., Associate Corporation Counsel

Memorandum
Department of Planning and Urban Development
Inspection Services Division



TO: Mr. Michael R. Hamlin
DATE: June 3, 2015
RE: Request for Information (Letter dated May 18, 2015)

Chapter 6 BUILDINGS AND BUILDING REGULATIONS* is available online, see the link below:

<http://www.ci.portland.me.us/DocumentCenter/Home/View/1070>

Art. II. Building Code, §§ 6-16--6-31

Sec. Sec. 6-16. Maine Uniform Building and Energy Code.

The construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, shall comply with the Maine Uniform Building and Energy Code ("MUBEC").

(Code 1968, § 301.1; Ord. No. 211-79, 10-22-79; Ord. No. 354-81, 12-21-81; Ord. No. 290-84, § 1, 11-19-84; Ord. No. 540-87, § 1, 6-3-87; Ord. No. 109-90, 10-1-90; Ord. No. 170-93, § 1, 12-20-93; Ord. No. 40-96, § 1, 7-1-96; Ord. No. 137, §1, 1-19-00; Ord. No. 32-04/05, 9-8-04; Ord. No. 76-10/11, 11-15-10)

<http://publiccodes.cyberregs.com/icod/>

Art. V. Housing Code, §§ 6-106--6-149

Sec. Sec. 6-108. Minimum standards for structural elements.

Attached* is a copy of the Code of Ordinance, Section 6-108 (d) specific to your question "an apartment owner must follow that is required to be used as an entrance to a building, up one flight of stairs" in the letter dated May 18, 2015 as it relates to the minimum standards for structural elements. This section of the City Code would apply for existing and permitted "stairways, stairwells, stairs and porches".

"What is the maximum width the top stair hand railing can be"- this code question would require more information to answer, i.e. our Staff would need to reference the applicable building code for when the porch was permitted/ constructed. For new construction, please reference the Maine Uniform Building and Energy Code (IRC or IBC, 2009) link provided above.



CITY OF PORTLAND



BUILDING CODES

Adopted by the State as the Maine Uniform Building and Energy Code (MUBEC):

View State amendments at <http://www.maine.gov/dps/bbcs/>

Effective December 1, 2010, the State of Maine adopted the statewide Maine Uniform Building and Energy Code (MUBEC) which consists of four International Code Council (ICC) codes and four standards.

A. Maine Uniform Building and Energy Code "MUBEC" consists of the following codes:

2009 International Residential Code (IRC)

2009 International Building Code (IBC)

2009 International Existing Building Code (IEBC)

2009 International Energy Conservation Code (IECC)

The following standards are also adopted as part of the MUBEC:

B. The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standards:

62.1 - 2007 (Ventilation for Acceptable Indoor Air Quality)

62.2 - 2007 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings)

90.1 - 2007 (Energy Standard for Buildings except Low-Rise Residential Buildings) editions without addenda.

C. E-1465-2006, Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings.

- (a) Shall have legal or record title to any dwelling, dwelling unit, or dwelling premises;
- (b) Shall have charge, care, or control of any dwelling, dwelling unit, or dwelling premises as an agent of the owner, executor, administrator, trustee, or guardian of the estate of the owner;
- (c) Shall have an equitable interest in a dwelling, dwelling unit, or dwelling premises under a contract or a bond for a deed with the person having legal or record title.

Rooming house shall mean any dwelling, or part thereof, containing three (3) or more rooming units in which space is rented or offered for rent by the owner or operator to be occupied or intended to be occupied by three (3) or more persons who are not related by blood or marriage to the owner or operator.

Rooming unit shall mean one (1) or more rooms forming a single unit used, or intended to be used, for living and sleeping purposes, but not designed for food preparation, by two (2) or more persons living in common or by a person living alone.

Supplied shall mean installed, furnished, or provided by the owner at his or her expense.

(Code 1968, § 307.2; Ord. No. 310-68, § 1, 8-5-68; Ord. No. 490-74, § 1, 8-5-74; Ord. No. 114-77, § 2, 2-23-77; Ord. No. 475-86, § 1, 4-7-86; Ord. No. 159-95, 1-4-95; Ord. No. 45-04/05, 9-8-04)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 6-107. Minimum standards for dwellings established.

There are hereby established minimum standards for buildings used for dwelling purposes in the city. All such buildings not now conforming to these standards will be required to meet such minimum standards, and buildings newly constructed or converted for dwelling purposes shall meet such minimum standards. The standards set forth herein are intended to be minimum only and shall not be construed otherwise, nor shall they apply wherever a greater standard is required by any other ordinance or law.

(Code 1968, § 307.1; Ord. No. 475-86, § 1, 4-7-86)

Sec. 6-108. Minimum standards for structural elements.

No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, rooming house, rooming unit, or a combination of the same, which does not comply

Portland, Maine

Yes. Life's good here.

Planning & Urban Development Department

Director of Planning and Urban Development
Jeff Levine

Inspection Services, Director
Tammy M. Munson

June 8, 2015

MAF LLC
PO BOX 15430
PORTLAND, ME 04112

COPY

CBL: 036 F011001
Located at: 212 HIGH ST

Certified Mail 7010 1870 0002 8136 8022

To whom it may concern:

An evaluation of the above-referenced property on **05/12/2015** shows that the structure fails to comply with Chapter 6. Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within **60 days** of the date of this notice. A re-inspection of the premises will occur On **07/12/2015** at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$150.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$150.00 fee will be assessed for each inspection.

Sincerely,



Chuck Fagone
Code Enforcement Officer
(207) 874-8789

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
 389 Congress Street
 Portland, Maine 04101

Inspection Violations

Owner/Manager Maf Lic		Inspector Chuck Fagone	Inspection Date 5/12/2015
Location 212 HIGH ST	CBL 036 F011001	Status Violations Exist	Inspection Type Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 6-108.(d)	Exterior			Porch	

Violation: **STAIRWAYS, STAIRWELLS, STAIRS AND PORCHES**
 Every inside and outside stairway, stairwell, stairs and porch and any appurtenances thereto shall be structurally sound, in good repair, and safe to use.

Notes:

Comments: Existing hand rails do not meet MUBEC codes, 2009 International Building Codes (IBC) section 1012.

Planning & Urban Development Department

Director of Planning and Urban Development
Jeff LevineInspection Services, Director
Tammy M. Munson

June 16, 2015

MAF LLC
PO BOX 15430
PORTLAND, ME 04112**COPY****CBL: 036 F011001**
Located at: 212 HIGH ST
Amended Copy**Certified Mail 7010 1870 0002 8136 8367**

To whom it may concern:

An evaluation of the above-referenced property on **05/12/2015** shows that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

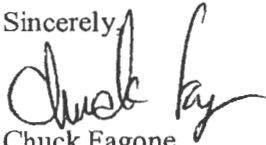
This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within **60 days** of the date of this notice. A re-inspection of the premises will occur On **08/17/2015** at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$150.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$150.00 fee will be assessed for each inspection.

Sincerely,

Chuck Fagone
Code Enforcement Officer
(207) 874-8789

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager Maf Lic		Inspector Chuck Fagone		Inspection Date 5/12/2015	
Location 21 2 HIGH ST	CBL 036 F011001	Status Violations Exist		Inspection Type Complaint-Inspection	

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 6-108.(d)	Exterior			Porch	

Violation: STAIRWAYS, STAIRWELLS, STAIRS AND PORCHES

Every inside and outside stairway, stairwell, stairs and porch and any appurtenances thereto shall be structurally sound, in good repair, and safe to use.

Notes:

Comments: Existing hand rails do not meet MUBEC codes, 2009 International Building Codes (IBC) section 1012.

COPY

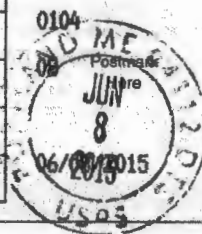
U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

2209 9E1R 2000 029T 0102

Postage	\$ 3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	N/A
036 F011 Total Postage & Fees	\$0.49
INSP	\$6.74



Sent To **MAF LLC**
 Street, Apt. No., or PO Box No. **PO Box 15430**
 City, State, ZIP+4 **PORTLAND ME 04112**

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**MAF LLC
 PO BOX 15430
 PORTLAND ME 04112**

**RE: 036 F011
 INSP: 212 HIGH ST**

2. Article Number
 (Transfer from service label)

7010 1870 0002 8136 8022

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

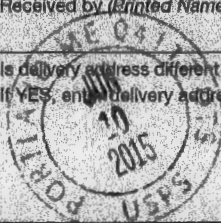
A. Signature Agent Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail[®] Priority Mail Express[™]
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes



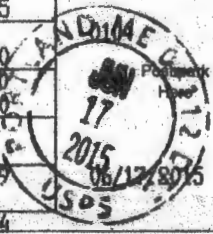
U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

PORTLAND ME 04112 **OFFICIAL USE**

7010 1870 0002 8136 8367

Postage	\$ 3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00 \$0.00
Restricted Delivery Fee (Endorsement Required)	N/A
036 F011 Total Postage & Fees	\$0.49 \$6.74



Sent To **MAF LLC**
 Street, Apt. No., or PO Box No. **Po Box 15430**
 City, State, ZIP+4 **PORTLAND ME 04112**

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**MAF LLC
 PO BOX 15430
 PORTLAND ME**

**RE: 036 F011
 INSP: 212 HIGH ST**



COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
x Andrew Jordan

B. Received by (Printed Name) **Andrew Jordan** C. Date of Delivery **6/22/15**

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7010 1870 0002 8136 8367**

