

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**

Responsible Party 1: April 21, 2017  
 PACHIOS BROTHERS II LLC  
 167 PERRY ST 5D  
 NEW YORK NY 10014

<b>Location</b> 0516 CONGRESS ST	<b>CBL</b> 037 H009001	<b>Inspection Date</b> 4/7/2017
<b>Inspector</b> David Pratt	<b>Inspection Type</b> FP Routine Inspection Commerci	<b>Status</b> 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 5/15/2017.**

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.

<b>Violation</b>	<b>Proposed Date of Completion</b>
<b>NFPA 101- 7.10.1.1 EXITS CLEARLY VISIBLE OR CONSPICUOUSLY INDICATED;</b> Where Required: Means of egress shall be marked in accordance with section 7.10 where required in Chapters 11 through 43. rear exit in the studio has storage blocking half the exit,	___/___/___
<b>NFPA 101- 7.5.1.1 AND 7.5.1.1.1 OBSTRUCTED EGRESS;</b> Exits shall be located and exit access shall be arranged so that exits are readily accesible at all times (7.5.1.1). 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 (7.5.1.1.1).	___/___/___
<b>1-4.5.8 MAINTENANCE, INSPECTION, AND TESTING;</b> 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.	___/___/___
<b>NFPA 101- 8.3.3.3 FIRE DOOR BLOCKED IN OPEN POSITION;</b> Unless otherwise specified, fire doors shall be self-closing or automatic-closing in accordance with 7.2.1.8 basement rear fire door was propped open. The double fire doors seperating the basment was wedged open and has no automatic closure.	___/___/___

Violation	Proposed Date of Completion
<p><b>N.F.P.A. 101 CHP. 31.3.3.2 HOLE IN CEILING NEEDS REPAIR;</b>  InteriorWall and Ceiling Finish Interior walls and ceiling finish materials complying with 10.2 shall be permitted as follows: 1) Exit enclosures -- Class A or class B 2) Lobbies and corridors--Class A or Class B 3) Other spaces Class A, orClass B, or Class C  most of the fire barrier in the basment is in disrepair.</p>	
<p><b>NFPA 101- 8.3.5 HOLE IN WALL NEEDS REPAIR;</b> The provisions of 8.3.5 shall govern the materials and methods of construction used to protect through-penetrations and membrane penetrations in fire walls, fire barrier walls, and fire resistance-rated horizontal assemblies. The provisions of 8.3.5 shall not apply to approved existing materials and methods of construction used to protect existing through-penetrations and existing membrane penetrations in fire walls, fire barrier walls, or fire resistance-rated horizontal assemblies, unless otherwise required by chapters 11 though 43.  most of the fire barrier on the walls in the basment is either missing or damage.</p>	
<p><b>NFPA 101- 10.2.4.1 CEILING TILES MISSING;</b> The use of textile materials on walls or ceilings shall comply with one of the following conditions: (See NFPA 101-10.2.4.1 for conditions)  some of the offices on the main floor have either missing or damaged ceiling tiles.</p>	
<p><b>NFPA 101- 7.2.1.1.1 FIRE DOOR(S) REQUIRE REPAIR;</b> A door assembly in a means of agress shall conform to the general requirements of Section 7.1 and to the special requirements of 7.2.1.  rear exit in studio, does not close properly</p>	
<p><b>FINAL DATE OF COMPLETED VIOLATION(S)</b></p>	<p>___/___/___</p>
<p><b>FIRE PREVENTION BUREAU RE-INSPECTION OF COMPLETED VIOLATION(S)</b></p>	<p>___/___/___</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