

353677

Portland, Maine



Yes. Life's good here.

November 9, 2015

MATERIAL OBJECTS

500 CONGRESS ST

PORTLAND, ME 04101

CBL: 037 H011001

Located at 500 CONGRESS ST

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at the address referenced above revealed that the structure and premises fail to comply with NFPA 2009 Fire Code and/or NFPA Life Safety Codes. Attached is a list of those violations.

The above-referenced property is in violation of the Chapter 10, Fire Prevention and Protection, Article 1 of the Portland City Code (the "Code") and National Fire Protection Association (NFPA) 101 Life Safety Code. Please note that the Code is available online at www.portlandmaine.gov.

This is a notice of intent to prosecute. As such, the matter is being referred to the City of Portland Corporation Council for legal action and possible civil penalties as provided for in Chapter 10, Fire Prevention and Protection, 10-25 of the Code and in Title 30- A.M.R.S.A. 4452.

Please be advised that you will need to contact the Fire Prevention Bureau at 207-874-8400 before the court date on the attached Reference to Court letter to either schedule a re-inspection or to submit a plan of action to correct these violations.

Sincerely,

A handwritten signature in cursive script that reads "A/C Keith Loutch".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager MATERIAL OBJECTS		Inspector Sean Donaghue	Inspection Date 11/6/2015
Location 500 CONGRESS ST	CBL 037 H011001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 80.64

Violation: NFPA 101-7.2.1.5.1 LOCKED EXITS; DOOR LEAVES SHALL BE ARRANGED TO BE OPENED READILY FROM THE EGRESS SIDE WHENEVER THE BUILDING IS OCCUPIED.

Notes: FRONT MAIN ENTRY DOOR IS DOUBLE DOOR, ONE SIDE IS PERMANENTLY LOCKED AND BLOCKED BY DISPLAYS INSIDE

2) 80.68

Violation: NFPA 101-7.10.5.1 NORMAL ILLUMINATION FOR EXITS; Every sign required by 7.10.1.2, 7.10.1.5, or 7.10.8.1, other than where operations or processes require low lighting levels, shall be suitably illuminated by a reliable light source. Externally and internally illuminated signs shall be legible in both the normal and emergency lighting mode.

Notes: NO ILLUMINATED EXIT SIGNS FRONT OR REAR, EMERGENCY LIGHTS IN REAR DON'T ILLUMINATE

3) 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 AREN'T INSPECTED

4) 81.30

Violation: NFPA 101- 9.7.4.1 FIRE EXTINGUISHERS REQ- OTHER; Where required by the provisions of another section of this code, portable fire extinguishers shall be installed, inspected, and maintained in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Notes: EXTINGUISHER IN REAR ISN'T MOUNTED AND ACCESIBLE

Comments: incomplete inspection, property owner was present and participated, was notified previously documented violations hadn't been addressed. Need fire prevention opinion on front door, double door has one side locked and displays in front of it inside store.

STATE OF MAINE

DISTRICT COURT
Location: Portland
Docket No.

CITY OF PORTLAND and body politic and
Corporate, located in the County of
Cumberland and State of Maine,

Plaintiff,

**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

(M.R. CIV. P. 80H AND 80k)

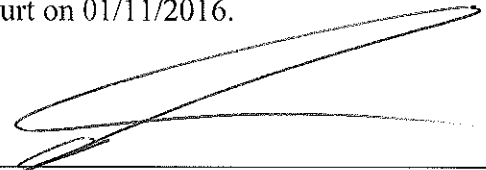
v.

Material Objects
Defendant

SUMMONS NUMBER: 353677

This matter has been referred to the Corporation Counsel's Office for immediate legal action with respect to the code violations detailed in the attached letter. It has been assigned the above summons number and will be filed with the Portland District Court and will be assigned for an initial appearance at the Portland District Court 205 Newbury Street Portland, Maine 04101 at 8:30 A.M. on 01/11/2016. Please contact Tori Ross in Fire Prevention at (207)-874-8400 or via e-mail at meservev@portlandmaine.gov to set up an in-person meeting to meet with somebody in the Fire Prevention Bureau to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 01/11/2016.

Dated: 11/18/15



Adam R. Lee, Esq. Bar No. 4143
Associate Corporation Counsel
City of Portland
389 Congress St
Portland, ME 04101
207-874-8480