

Portland, Maine



Yes. Life's good here.

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October 11, 2016

### NOTICE OF INSPECTION

To Whom it May Concern,

On September 12, 2016, the City of Portland Fire Department conducted a preliminary inspection of your property but was unable to conduct a full inspection. Please contact the Fire Prevention Bureau at 874-8400 no later than Friday October 21, 2016 to schedule a full inspection of the property. If you fail to do so, the City may consider this a refusal to allow an inspection and seek an administrative inspection warrant in court. The City may also pursue its remedies for civil penalties for refusing to allow the inspection of the property.

Additionally, please see the attached Notice of Violation and Order to Correct from the City of Portland Fire Prevention Bureau for the violations that were noted on September 12. Please complete and return the form to the Fire Prevention Bureau by the date indicated. Your failure to do so may result in legal action, including the imposition of civil penalties.

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

Sincerely,

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**

October 11, 2016

|  |   |                                     |
|--|---|-------------------------------------|
| <b>Responsible Party 1:</b><br>THIDWICK LLC<br>100 COMMERCIAL ST<br>PORTLAND, ME 04101 |   |                                     |
| <b>Location</b><br>106 HIGH ST   | <b>CBL</b><br>039 A037001                       | <b>Inspection Date</b><br>9/12/2016 |
| <b>Inspector</b><br>Donald Brown, li   | <b>Inspection Type</b><br>FP Routine Inspection | <b>Status</b><br>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 10/30/2016. 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.**

| <b>Violation</b>  | <b>Proposed Date of Completion</b>   |
|---|--|
| <b>NFPA 101-7.9.3 EMERGENCY LIGHTS REQUIRE MAINTENANCE;</b> 7.9.3 Periodic Testing of Emergency Equipment 7.9.3.1 Required emergency lighting systems shall be tested in accordance with one of the three options offered by 7.9.3.1.1, 7.9.3.1.2, or 7.9.3.1.3. 7.9.3.1.1 Testing of required emergency lighting systems shall be permitted to be conducted as follows: (1) Functional testing shall be conducted monthly with a minimum of 3 weeks and a maximum of 5 weeks between tests, for not less than 30 seconds, except as otherwise permitted by 7.9.3.1.1(2). (2) The test interval shall be permitted to be extended beyond 30 days with the approval of the authority having jurisdiction. (3) Functional testing shall be conducted annually for a minimum 1-1/2 hours if the emergency lighting system is battery powered. (4) The emergency lighting equipment shall be fully operational for the duration of the test required by 7.9.3.1.1(1) and (3). (5) Written records of visual inspections and tests shall be kept by the owner for inspection by the authority having jurisdiction.<br>Emergency lighting does not work in the main restraint area. | ___/___/___  |
| <b>NFPA 101- 7.5.1.1 EXIT OBSTRUCTED;</b> 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. Basement bulkhead exit is blocked with storage materials. Electrical panel and sprinkler system control area blocked with storage materials.   | IMMEDIATELY remove all obstructions from the exits. Your signature below indicates that all obstructions have been removed and will not be replaced. |

| Violation  | Proposed Date of Completion |
|--|-----------------------------|
| <b>PORTLAND FIRE DEPARTMENT CHAPTER 10 FIRE ALARM SYSTEM REQUIRES SERVICE;</b> Fire alarm system requires service by a licensed master fire alarm company. A list of licensed master fire alarm companies can be viewed at: <a href="http://www.portlandmaine.gov/fireprevention">www.portlandmaine.gov/fireprevention</a> .<br>Basement smoke detector is disconnected and missing. We were only able to access the restrant area at this time. | ____/____/____              |

### **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