

Portland, Maine



Yes. Life's good here.

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December 1, 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,

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 1, 2016

Responsible Party 1: EAST DANFORTH LLC 104 GRANT ST PORTLAND , ME 04102		
Location 71 DANFORTH ST	CBL 040 A019001	Inspection Date 11/16/2016
Inspector Sean Donaghue	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 101- 7.5.1.1 EXIT OBSTRUCTED; 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 stairs to rear hallways on 71 and 73 side padlocked closed preventing egress from basement if necessary.	IMMEDIATELY remove all obstructions from the exits. Your signature below indicates that all obstructions have been removed and will not be replaced.
NFPA 101- 31.2.2.1.2 EXIT STAIR REQ 60-MIN FIRE DOORS - NON-HIGH-RISE; In buildings using Option 4, exit enclosures shall have a minimum 1-hour fire resistance rating, and doors shall have a minimum 1-hour fire protection rating. Rear stairwells both 71 and 73 have basement access doors that aren't fire rated. Please remove and wall over with appropriate fire barrier or install a fire door.	___/___/___
NFPA 101- 7.2.1.8.1 FIRE DOORS MUST BE SELF- OR AUTO-CLOSING; A door leaf normally required to be kept closed shall not be secured in the open position at any time and shall be self-closing or automatic-closing in accordance with 7.2.1.8.2, unless otherwise permitted by 7.2.1.8.3. Unit 71-1, 73-3 must be self closing fire doors. Please review all fire doors and ensure that they are self-closing and that the self closing mechanisms are operating appropriately	___/___/___
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. Please ensure all extinguishers in public view/shared areas of the building are serviced and certified	___/___/___

Violation	Proposed Date of Completion
<p>NFPA 70- 4.10.8 BROKEN LIGHT FIXTURE; Luminaries shall be installed such that the connections between the luminaire conductors and circuit conductors can be inspected without requiring the disconnection of any part of the wiring unless the luminaries are connected by attachment plugs and receptacles.</p> <p>Light fixtures in basement missing bulbs, broken, etc.</p>	<p>___ / ___ / ___</p>
<p>NFPA 70- ARTICLE 110.12 B EXPOSED WIRING CONNECTIONS; Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, or corrosive residues. There shall be no damaged parts that may adversely affect safe operation or mechanical strength of the equipment such as parts that are broken; bent; cut; or deteriorated by corrosion, chemical reaction, or overheating.</p> <p>Noted in basement</p>	<p>___ / ___ / ___</p>
<p>NFPA 70- 590.6 EXTENSION CORDS; Ground-fault protection for personnel for all temporary wiring installations shall be provided to comply with 590.6(A) and (B). This section shall apply only to temporary wiring installations used to supply temporary power to equipment used by personnel during construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment, or similar activities.</p> <p>Permanent use of extension cord noted for overhead light in 71-1. Please wire overhead light permanently into system. Also, please review all remaining units for permanent use of extension cords similar to 71-1</p>	<p>___ / ___ / ___</p>
<p>NFPA 70 MISSING BOX COVERS; Refer to NFPA 70, National Electrical Code, on standards for missing box covers.</p> <p>Junction boxes in basement noted to be missing covers exposing wiring connections</p>	<p>___ / ___ / ___</p>
<p>NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED; The areas described in Table 31.3.2.1.1 shall be protected as indicated: Boiler and fuel-fired heater rooms serving more than a single dwelling unit (minimum separation/protection is 1 hour or sprinklers)</p> <p>All fuel fired heating devices and water heaters must have sprinkler coverage, gas fired water heaters in basement found without sprinkler coverage</p>	<p>___ / ___ / ___</p>

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