

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**

July 18, 2017

<b>Responsible Party 1:</b> STEINBERG HENRY L 13 HUNTS POINT RD CAPE ELIZABETH , ME 04107		
<b>Location</b> 44 PLEASANT ST	<b>CBL</b> 040 B004001	<b>Inspection Date</b> 6/21/2017
<b>Inspector</b> Curtis Magnuson	<b>Inspection Type</b> FP Routine Inspection	<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 8/15/2017.**

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- 7.1.3.2.1 60-MIN FIRE DOOR ASSEMBLIES REQ;</b> The separation shall have a minimum 1-hour fire resistance rating where the exit connects three or fewer stories. All units need 1 hour rated fire doors that access an exit from the units. Units 11 and 2 are wood doors. The doors that have painted labels, we need verification that they are 1 hour doors.	
<b>NFPA 101- 7.2.1.15.8 FIRE DOORS MUST BE REPAIRED OR MAINTAINED;</b> Door openings not in proper operating condition shall be repaired or replaced without delay. Most apartment doors need to have the self closing hinges adjusted so the doors close without assistance.	
<b>NFPA 101- 7.5.1.1.1 TWO EXITS EACH FLOOR ABOVE GROUND;</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. All units on the 2nd and 3rd floor need a second means of egress. Most exit onto a roof top or roof decks with no access to the ground. Exits from the upper floors cannot re-enter the building.	

Violation	Proposed Date of Completion
<p><b>CITY ORDINANCE HARDWIRED SMOKE DETECTORS REQUIRED;</b> New smoke alarms shall be powered in accordance with NFPA 72. Where available options include:  Hardwired with battery back up                      A non-rechargeable, non-replaceable primary battery that is capable of operating the device for at least 10 years Existing smoke alarms shall be hardwired and replaced every 10 years with smoke alarms complying with the above notes. All new smoke alarms shall be photoelectric.  In units 1,2,3,4,7,11 and basement either need missing smoke detectors replaced or new ones installed in the bedrooms</p>	
<p><b>NFPA 1, CHAPTER 10 - 10.11.6 HIBACHI OR GRILL ON BALCONY; NO HIBACHI, GAS-FIRED GRILL, CHARCOAL GRILL, OR OTHER SIMILAR DEVICES USED FOR COOKING, HEATING, OR OTHER PURPOSE, SHALL BE USED OR KINDLED ON ANY BALCONY OR UNDER ANY OVERHANG PORTION OR WITHIN 10 FTOF ANY STRUCTURE</b>  Grills are not allowed on any decks or porches</p>	
<p><b>NFPA 101- 7.10.9.2 EXIT SIGNS SHALL BE MAINTAINED;</b> Exit signs connected to, or provided with, a battery-operated emergency illumination source, where required in 7.10.4, shall be tested and maintained in accordance with 7.9.3.  Rear hall on the second floor not working</p>	
<p><b>NFPA 101- 7.5.1.1.1 EXIT(S) 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 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.  Nothing allowed in the stairwell to apartment #9.</p>	
<p><b>CITY ORDINANCE HARDWIRED CARBON MONOXIDE ALARMS REQUIRED;</b> The owner shall install, or cause to be installed, by the manufacturer's requirements at least one approved carbon monoxide detector in each area within, or giving access to, bedrooms in:  Each unit in any building of multifamily occupancy                      Any addition to or restoration of an existing single-family dwelling                      Any conversion of a building to a single-family dwelling A carbon monoxide detector must be powered both by the electrical service in the building or dwelling and by battery.  Inside 1,2,3,4,7,11, and basement.</p>	
<p><b>NFPA 70 JUNCTION BOXES REQUIRE COVERS;</b> Refer to NFPA 70, National Electrical Code, on standards regarding junction boxes requiring covers.  Basement</p>	
<p><b>NFPA 101- 31.1.5.1 ELECTRICAL VIOLATION;</b> Utilities shall comply with the provisions of section 9.1.  Need clear access to panel in the basement</p>	
<p><b>NFPA 70- ARTICLE 110.12 EXPOSED WIRES;</b> 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.  Wires hanging from the floor joists in the basement need to be in a box.</p>	
<p><b>NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED;</b> 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)  Gas hot water heater in the basement</p>	

Violation	Proposed Date of Completion
<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 through 43.</p> <p>Hallway on the 1st floor on the right side of the building.</p>	
<p><b>NFPA 101- 7.5.1.1.1 EXIT(S) 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 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.</p> <p>Washer and dryer in the hall on the 1st floor exit on the right side of the building.</p>	
<p><b>NFPA 101- 31.2.1.1 ESCAPE WINDOWS - INSUFF. SIZE;</b> It shall be an outside window or door operable from the inside without the use of tools, keys, or special effort and shall provide a clear opening of not less than 5.7 square feet. The width shall be not less than 20 inches, and the height shall be not less than 24 inches. The bottom of the opening shall not be more than 44 inches above the floor. See NFPA 101 24.2.2.3.3 for a continuation of this code.</p> <p>Units 5,6, and 11. In these units it was obvious that egress would be an issue due to the size of the windows.</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