

Portland, Maine



Yes. Life's good here.

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October 11, 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,

A handwritten signature in black ink, appearing to read 'Anne Torregrossa', is written over the typed name and title.

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 13, 2016

<b>Responsible Party 1:</b> MILLIKEN SMITH BLOCK LLC 383 COMMERCIAL ST PORTLAND, ME 04101		
<b>Location</b> 0383 COMMERCIAL ST	<b>CBL</b> 042 A001001	<b>Inspection Date</b> 9/30/2016
<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 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.**

Violation	Proposed Date of Completion
<p><b>NFPA 101- 7.9.1.1 EMERGENCY LIGHTING REQUIRED;</b> Emergency lighting facilities for means of egress shall be provided in accordance with Section 7.9 for the following: (1) Buildings or structures where required in Chapters 11 through 43 (2) Underground and limited access structures as addressed in Section 11.7 (3) High-rise buildings as required by other sections of this code (4) Doors equipped with delayed-egress locks (5) Stair shaft and vestibule of smokeproof enclosures, for which of the following also apply: (a) The stair shaft and vestibule shall be permitted to include a standby generator that is installed for the smokeproof enclosure mechanical ventilation equipment (b) The standby generator shall be permitted to be used for the stair shaft and vestibule emergency lighting power supply (6) New access-controlled egress doors in accordance with 7.2.1.6.2  <i>Multiple emergency lights in the store and office failed to work.</i></p>	<p>___/___/___</p>
<p><b>NFPA 70- 4.10.8 DEFECTIVE LIGHT FIXTURE;</b> Luminaries shall be installed such that the connections between the luminaire conductors and the 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.  <i>Four lights in the open pole barn are hanging from the junction boxes. They need to be secured to the boxes.</i></p>	<p>___/___/___</p>

Violation	Proposed Date of Completion
<b>NFPA 101- 9.1.2 ELECTRICAL WIRES BREECH CEILING;</b> Electrical wiring and equipment shall be in accordance with NFPA 70, unless such installations are approved existing installations, which shall be permitted to be continued in service. <i>The outlet coming from the ceiling above the fire alarm panel needs to be properly secured.</i>	___ / ___ / ___
<b>NFPA 70- 4.10.8 DEFECTIVE LIGHT FIXTURE;</b> Luminaries shall be installed such that the connections between the luminaire conductors and the 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. <i>There is a light in the office on the second floor that needs to have a cover replaced over the electrical connections.</i>	___ / ___ / ___
<b>NFPA 1- 13.7.3.1.1 FIRE ALARM NEEDS REPAIR;</b> Equipment constructed and installed in conformity with this code shall be listed for the purpose for which it is used. Fire alarm system components shall be installed, tested, and maintained in accordance with the manufacturer's published instructions and this code. <i>A heat detector on the second floor of the main warehouse needs repair.</i>	___ / ___ / ___
<b>PORTLAND CHAPTER 10 CODE SECTION 12 KNOX BOX REQUIRED;</b> Knox boxes are required for all buildings with fire alarm or suppression systems. <i>Please install a Knox Box at the entrance on the Commercial Street side of the building.</i>	___ / ___ / ___

**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