

Portland, Maine



Yes. Life's good here.

Jerome F. LaMoria
Fire Chief, Fire Department

Portland Fire Department
Fire Prevention Bureau
380 Congress St
Portland, ME 04101

April 30, 2015

Raj & Raj, LLC
PO Box 17533
Portland, ME 04112

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 27 State St on 04/15/2015 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 summons to either schedule a re-inspection or to submit a plan of action to correct these violations.

Sincerely,

Portland Fire Department
Fire Prevention Bureau

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.

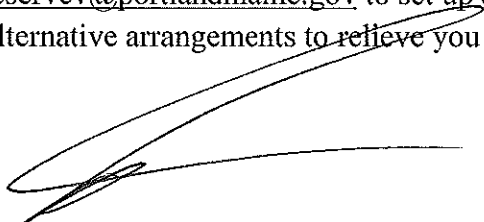
Raj & Raj, LLC
Defendant

SUMMONS NUMBER: 353779

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 June 8, 2015. I strongly urge you to contact Victoria Meserve at Fire Prevention at (207)-874-8400 or via e-mail at meservev@portlandmaine.gov to set up an in-person meeting to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on June 8, 2015.

Dated:

4/30/15



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

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Summons #
353779

Inspection Violations

Owner/Manager Raj & Raj Lic		Inspector Craig Messinger	Inspection Date 4/15/2015
Location 27 STATE ST	CBL 044 B010001	Status Failed	Inspection Type Fire Prevention-FP Routine Inspe

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 8.034

Violation: NFPA 72- 4.4.5 AUTOMATIC SMOKE DETECTION REQUIRED; In areas that are not continuously occupied, automatic smoke detection shall be provided at the location of each fire alarm control unit(s), notification appliances circuit power extenders, and supervising station transmitting equipment to provide notification of fire at that location.

Notes: HARDWIRED PHOTOELECTRIC BATTERY BACK-UP SMOKE DETECTION IS REQUIRED.
REPLACEMENT OF NON-FUNCTIONING MISSING DETECTION.
UPGRADE BASEMENT AND HALLWAY DETECTION.

2) 9.002

Violation: NFPA 80- ANNEX D.4 1-HOUR FIRE DOORS ASSEMBLIES REQ; Listings are provided for floor fire door assemblies that are installed in fire-rated floor-ceiling or roof-ceiling assemblies that have been tested in accordance with the methods described in NFPA 288. The listing indicates the fire-rated assembly and the hourly rating (3 hours, 2 hours, 1.5 hours, 1 hour, .75 hours) for which the door can be permitted to be used so that access to the space above the ceiling or to the floor above can be provided without adversely affecting the fire resistance rating of the entire assembly. The listing provides limitations on the maximum size of an individual door opening and the total area of all door openings permitted for each 100 ft. squared of floor or ceiling.

Notes: THROUGHOUT BUILDING

3) 55.060

Violation: LIFE SAFETY SYSTEMS

Notes: HARDWIRED CARBON MONOXIDE DETECTION REQUIRED WITHIN DWELLING UNITS.

4) 1.110

Violation: NFPA 101-40.2.4 MEANS OF EGRESS; THE NUMBER OF MEANS OF EGRESS SHALL COMPLY WITH EITHER 40.2.4.1.1 OR 40.2.3.2.

Notes: ESCAPE WINDOW SHOULD BE PROVIDED IN APARTMENT 27-3 BEDROOM.

5) 1.110

Violation: NFPA 101-40.2.4 MEANS OF EGRESS; THE NUMBER OF MEANS OF EGRESS SHALL COMPLY WITH EITHER 40.2.4.1.1 OR 40.2.3.2.

Notes: ANY BEDROOM WITHOUT ESCAPE WINDOW CANNOT BE USED OR WINDOW INTO COMMON HALLWAY SHOULD BE UPGRADED TO APPROVED EGRESS.

6) 3.011

Violation: 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)

Notes: BASEMENT AREA.

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PORTLAND FIRE DEPARTMENT**

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7) 1.110

Violation: NFPA 101-40.2.4 MEANS OF EGRESS; THE NUMBER OF MEANS OF EGRESS SHALL COMPLY WITH EITHER 40.2.4.1.1 OR 40.2.3.2.

Notes: THIRD FLOOR ROOF EGRESS AND REAR DECK REQUIRE MAJOR UPGRADES.

8) 6.015

Violation: NFPA 101- 9.1.2 IMPROPER WIRING, NOT TO CODE; 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.

Notes: DAMAGED WEATHER HEAD FROM STORM DAMAGE, NEEDS TO BE REPAIRED.

Comments: Multiple Violations.
POA will be required.