

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**

August 17, 2017

JOSEPH PORTER & PETER RODWAY TRUSTEES  
 PO BOX 1833  
 PORTLAND ME 04104

<b>Location</b> 59-61 BRACKETT ST	<b>CBL</b> 044 E023001	<b>Inspection Date</b> 7/21/2017
<b>Inspector</b> Daniel Small	<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 9/15/2017.**

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 1 EXCESSIVE/DISORDERLY STORAGE</b> ; Reference NFPA 1 for excessive fuel-load. Debris/items located in both front and rear stairs	___/___/___
<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) No sprinkler heads over fuel fired appliances in the basement.	___/___/___
<b>NFPA 1, CHAPTER 10 - 10.11.6 HIBACHI OR GRILL ON BALCONY</b> ; 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 Grills located on rear decks	___/___/___
<b>PORTLAND FIRE DEPARTMENT CHAPTER 10 4.6.1, 4.6.2 UNIT/SUITE NUMBERS NOT MARKED</b> ; 4.6.1 Residential units shall be designated using numerals. 4.6.2 The first numeral of each residential unit shall be the floor designation. On both #59 and #61 sides	___/___/___
<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. Rear 2nd floor on #59 side, Rear all floors on #61 side	___/___/___

Violation	Proposed Date of Completion
<p><b>NFPA 720- 5.5.6.1 CO ALARMS REQUIRED;</b> The performance, location, and mounting of notification appliances used to initiate or direct action, evacuation or relocation of the occupants, or for providing information to occupants or staff, shall comply with the requirements of Chapter 6.</p> <p>Hardwired CO alarms are required in basement and each apartment. Battery operated units were installed as per the 6/6/2017 inspection until the hardwired units are in place.</p>	<p>___ / ___ / ___</p>
<p><b>NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED;</b> In buildings other than those equipped through out with an existing, complete automatic smoke detection system, smoke alarms shall be installed in accordance with 9.6.2.10, as modified by 31.3.4.5.2, outside every sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit, including basements.</p> <p>Hardwired smoke alarms are required in the basement and inside/outside of each sleeping room. Temporary battery opeated units were installed as required by the 6/6/2017 inspection until the hardwired units are installed.</p>	<p>___ / ___ / ___</p>
<p><b>NFPA 101- 8.3.4.2 60 MINUTE FIRE DOOR REQUIRED;</b> Refer to NFPA 101- Table 8.3.4.2 that states fire door assemblies for vertical shafts (including stairways, exits, and refuse chutes) are rated and required for 1 hour.</p> <p>Self-closing 60 minute rated fire doors are required for all apartment doors (front and rear).</p>	<p>___ / ___ / ___</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