



September 8, 2015

Rogers Phyllis E

16 Pine St

Portland, ME 04102

CBL: 045 C031001

Located at 0016 PINE ST

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at the address referenced above 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](http://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 Reference to Court letter to either schedule a re-inspection or to submit a plan of action to correct these violations.

Sincerely,

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> Rogers Phyllis E		<b>Inspector</b> James Randall		<b>Inspection Date</b> 9/4/2015	
<b>Location</b> 0016 PINE ST		<b>CBL</b> 045 C031001		<b>Status</b> Failed	
<b>Inspection Type</b> Fire Prevention-FP Routine Inspe					

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
------	---------	-------	----------	------	-----------------

1) 69.25

**Violation:** PORTLAND FIRE DEPARTMENT CHAPTER 10 4.6.1, 4.6.2 UNIT/SUITE NUMBERS NOT MARKED;  
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.

**Notes:**

2) 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:** ALSO OVER HOT WATER HEATER

**Comments:** Inspections from Naviline Fire Inspections. 6 were listed.

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.

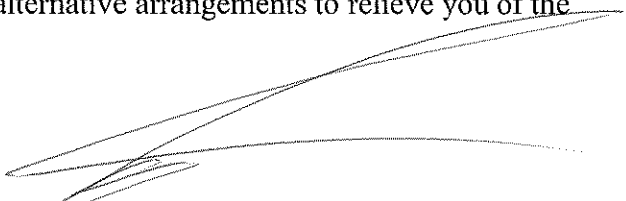
Phyllis Rogers  
Defendant

SUMMONS NUMBER: 354855

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 11/09/2015. I strongly urge you to contact Victoria Meserve at Fire Prevention at (207)-874-8400 or via e-mail at [meservev@portlandmaine.gov](mailto: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 11/09/2015.

Dated:

8/10/15



---

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