

#353641

Portland, Maine



Yes. Life's good here.

November 5, 2015

BURNHAM PROPERTIES LLC

PO BOX 34

SCARBOROUGH, ME 04070

CBL: 046 B019001

Located at 17 DEERING 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.

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,

A handwritten signature in cursive script that reads "A/C Keith Sartre".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager BURNHAM PROPERTIES LLC		Inspector Scott Corey		Inspection Date 11/4/2015	
Location 17 DEERING ST	CBL 046 B019001	Status Failed		Inspection Type Fire Company-FP Routine Inspec	

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

1) 69.20

Violation: PORTLAND FIRE DEPARTMENT CHAPTER 10 SECTION 12 KNOX BOX REQUIRED; KNOX BOXES ARE REQUIRED FOR ALL BUILDINGS WITH FIRE ALARM OR SUPPRESSION SYSTEMS.

Notes:

2) 73.30

Violation: NFPA 101-31.3.4.1.1 FIRE ALARM SYSTEM REQUIRED; Apartment buildings four or more stories in height or with more than 11 dwelling units, other than those meeting the requirements of 31.3.4.1.2, shall be provided with a fire alarm system in accordance with Section 9.6, except as modified by 31.3.4.2 through 31.3.4.6.

Notes: CURRENTLY DOING A FIRE ALARM ENGINEERING STUDY, BLUE PRINTS ARE CURRENTLY BEING MADE. HAS HIRED COMPANY TO DRAW UP FIRE ALARM SYSTEM ONCE PRINTS ARE MADE.

Comments: Currently doing a fire alarm engineering study, Blue prints are currently being made. Has hired company to draw up fire alarm system once prints are made. Expects system to be in place by early next year.

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,

v.

Burnham Properties LLC
Defendant

**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

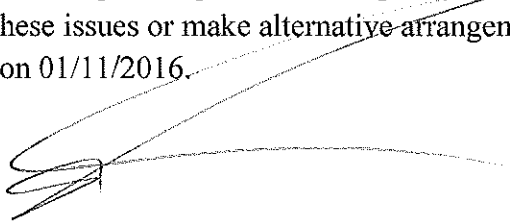
(M.R. CIV. P. 80H AND 80k)

SUMMONS NUMBER: 353641

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 01/11/2016. Please contact Tori Ross in Fire Prevention at (207)-874-8400 or via e-mail at meservev@portlandmaine.gov to set up an in-person meeting to meet with somebody in the Fire Prevention Bureau to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 01/11/2016.

Dated:

11/16/15



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