

# 353649

Portland, Maine



Yes. Life's good here.

November 6, 2015

556 CUMBERLAND AVENUE LLC

PO BOX 7225

PORTLAND, ME 04112

CBL: 047 A003001

Located at 556 CUMBERLAND AVE

#### 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,

A/c *Keith J. Gauthier*

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> 556 CUMBERLAND AVENUE LLC		<b>Inspector</b> Scott Corey	<b>Inspection Date</b> 11/5/2015
<b>Location</b> 556 CUMBERLAND AVE	<b>CBL</b> 047 A003001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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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) 55.15

**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:**

**Comments:** Went for a 120v alarm sounding, was burned food 3rd floor. At least 12 units with no fire alarm system. Incomplete inspection. Units and basement not checked due to early am call time.

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)**

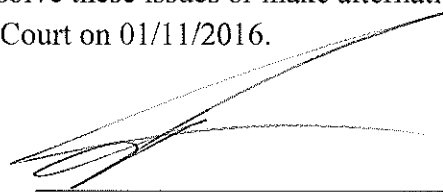
v.

556 Cumberland Ave LLC  
Defendant

SUMMONS NUMBER: 353649

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](mailto: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 / 18 / 15



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