



Planning & Urban Development Department

August 28, 2015

THOMAS KEVIN W
39 DEERING AVE
PORTLAND, ME 04101

CERTIFIED MAIL: 70101870000281368220

CBL: 048 C021001
LOCATED AT: 119 SHERMAN ST.
RE: HOUSING COMPLAINT # 30716

Notice of Violation

Dear Mr. Thomas:

An evaluation of the above-referenced property with Officials from the City's Inspections Division and Fire Prevention Bureau on 08/28/2015 revealed that the structure fails to comply with several aspects of City Code including: § 6-109 (a), (b), & (d), § 6-116 (b), as well as Maine Uniform Building and Energy Code ("MUBEC") § 105.1, § 114, and §10-107 of the City's Building, and Life Safety (Fire) Code.

Amongst the violations present (a list of which is attached hereto) this building contains partially blocked exits; there is excessive storage of trash and debris (fire load) inside and outside; and appropriate permitting has not been issued for removal of the rear porches; therefore all construction activity at the property must stop immediately.

These violations must be repaired or remedied in accordance with the City of Portland Code of Ordinances.

Given the present circumstances of this Property:

1. The building's three exterior porches doors must remain properly secured from tenant use; and
2. You are required to submit an after-the-fact building permit electronically, for the demolition, or repair of the exterior porches and to the Building Inspections Office by 09/15/2015.
 - a. Note: The City is requiring the building Owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. The design professional in responsible charge shall be responsible for reviewing and coordinating

submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

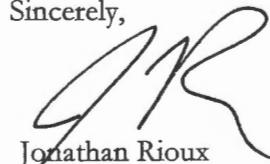
- b. You may resume construction activity only after an assessed fee of \$300.00 is paid accompanied with the issuance of appropriate building permit(s) and the subsequent lifting of this order.
3. Follow all inspection requirements outlined in each permit issued by the City.
4. Immediately address the Life Safety (Fire) and Housing Code Violations identified on the attached Violation Notice.

The City's Corporation Counsel's Office has been alerted to the existence of this matter and if you do not remedy these issues as required by this Notice of Violation they will pursue legal action including civil penalties , as provided for in § 1-15 of the Portland City Code and in Title 30-A of M.R.S.A § 4452.

This letter constitutes a decision from which you may appeal pursuant to § 6-127 of the Portland City Code and Rule 80B of the Maine Rules of Civil Procedure.

If you have any questions, concerns or require emergency repair permits- please contact me at 207-874-8701.

Sincerely,



Jonathan Rioux
Deputy Director of Inspections

cc: Tenants of 119 Sherman St.
Adam R. Lee, Associate Corporation Counsel
Keith Gautreau, Assistant Chief of Prevention and Community Outreach

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

Inspection Violations

Owner/Manager THOMAS KEVIN W		Inspector Chuck Fagone	Inspection Date 8/28/2015
Location 119 SHERMAN ST	CBL 048 C021001	Status Failed	Inspection Type Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 6-109.(a) Interior Various locations
Violation: MAINTENANCE OF ASSIGNED AREAS; Every occupant of a dwelling, dwelling unit, or rooming unit shall maintain in a clean and sanitary manner that part of the dwelling, dwelling unit, or rooming unit, and dwelling premises which he or she occupies and controls.

Notes:

2) 6-109.(b) Exterior Various locations
Violation: MAINTENANCE OF SHARED AREAS.; MAINTENANCE OF SHARED AREAS. EVERY OWNER OR OPERATOR OF A MULTIPLE DWELLING OR ROOMING HOUSE SHALL MAINTAIN IN A CLEAN AND SANITARY CONDITION THE SHARED OR PUBLIC AREAS OF THE DWELLING AND DWELLING PREMISES.

Notes:

3) 6-109.(d) Exterior Yard
Violation: DISPOSAL OF RUBBISH, ASHES, GARBAGE AND WASTE; Separate watertight, tightly covered plastic or metal containers shall be provided, one (1) or more for garbage and other food wastes, one (1) or more for rubbish, paper, and other non food wastes, and one (1) or more metal containers for ashes, and all such containers shall be kept covered at all times so as to prevent the ingress and egress of flies, rats or other animals. Plastic or paper bags or boxes are not considered "containers" for purposes of this section. Ashes shall be cold when placed in containers for collection. Such containers shall be cleaned periodically so that they will not become foul or offensive and shall be placed in convenient locations for removal of the contents by persons authorized to collect the same. Every occupant of a dwelling, dwelling unit, rooming house or rooming unit shall place or cause to be placed all garbage, rubbish and other waste material in such containers and shall not permit any accumulation or deposit of such substances in or about the premises except in said containers. The responsibility for the provision of such containers shall be as follows

1.It shall be the duty of every occupant of every dwelling occupied by not more than two (2) families to provide and keep within the dwelling or upon the premises where the dwelling is situated sufficient containers to meet the above requirements.

2.It shall be the duty of the owner or operator of every multiple dwelling to provide and keep within the dwelling or upon the premises where the dwelling is situated sufficient containers to meet the above requirements.

3.It shall be the duty of every owner or operator of a rooming house to provide and keep within the dwelling or upon the premises where the dwelling is situated sufficient containers to meet the above requirements.

Notes:

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4) 6-116.(b) Interior Various locations

Violation: EGRESS; EVERY DWELLING UNIT AND EVERY ROOMING UNIT SHALL HAVE SAFE, UNOBSTRUCTED MEANS OF EGRESS LEADING TO SAFE AND OPEN SPACES AT GROUND LEVEL IN ACCORDANCE WITH APPLICABLE STATUTES, REGULATIONS AND ORDINANCES.

Notes:

5) 105.1 Exterior Porch

Violation: BUILDING W/O PERMIT; Any owner or authorized agent who intends to construct, enlarge, alter, repair move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Notes:

Comments:

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
Portland, Maine 04101

INVOICE FOR FEES

Applicant: THOMAS KEVIN W
Location: 119 SHERMAN ST
CBL: 048 C021001
Invoice Date: 08/28/2015

Fee Description	Fee Charge
08/28/2015 STOP WORK ORDER REMOVAL	\$300.00
Amount Due Now:	\$300.00

Detach and remit with payment

Bill to: THOMAS KEVIN W

CBL 048 C021001
Invoice Date: 08/28/2015
Invoice No: 2973
Total Amt Due: \$300.00
Payment Amount:

Make checks payable to the *City of Portland*, Inspections Division, Room 315, 389 Congress Street, Portland, ME 04101.