

Portland, Maine



Yes. Life's good here.

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Corporation Counsel

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Associate Counsel

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Victoria E. Morales
Associate Counsel

December 6, 2016

NOTICE OF INTENT TO PROSECUTE

To Whom it May Concern,

Please see the attached Notice of Violation and Order to Correct from the City of Portland Fire Prevention Bureau. The Fire Prevention Bureau has referred this matter to me for prosecution in the event that you do not complete and return the required plan of action by the date contained in the Notice of Violation. Your failure to comply will result in the issuance of a summons for you to appear in court, and the imposition of civil penalties in the minimum amount of \$100 per violation per day.

Please contact the Fire Prevention Bureau at (207)874-8400 to resolve these outstanding violations. I look forward to your anticipated cooperation and appreciate your efforts to help keep the citizens of Portland safe.

Sincerely,

A handwritten signature in blue ink that reads 'Anne M. Torregrossa'. The signature is written in a cursive style.

Anne M. Torregrossa
Associate Corporation Counsel
City of Portland

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

December 6, 2016

Responsible Party 1: MELLEN-SHERMAN CORP 189 ST JOHN STREET PORTLAND , ME 04102		
Location 62 MELLEN ST	CBL 048 E012001	Inspection Date 11/26/2016
Inspector Edward Dexter, Jr.	Inspection Type FP Routine Inspection	Status 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 complete the proposed date of completion column by proposing a reasonable timeframe to remedy each violation. This form must be received by the Fire Prevention Bureau no later than 12/30/2016. 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.

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.

Violation	Proposed Date of Completion
NFPA 101- 7.9.1.1 EMERGENCY LIGHTING REQUIRED; Emergency lighting facilities for means of egress shall be provided in accordance with Section 7.9 for the following: (1) Buildings or structures where required in Chapters 11 through 43 (2) Underground and limited access structures as addressed in Section 11.7 (3) High-rise buildings as required by other sections of this code (4) Doors equipped with delayed-egress locks (5) Stair shaft and vestibule of smokeproof enclosures, for which of the following also apply: (a) The stair shaft and vestibule shall be permitted to include a standby generator that is installed for the smokeproof enclosure mechanical ventilation equipment (b) The standby generator shall be permitted to be used for the stair shaft and vestibule emergency lighting power supply (6) New access-controlled egress doors in accordance with 7.2.1.6.2 No emergency exit lighting	
NFPA 101- 7.5.1.1.1 SECOND EXIT REQUIRED; 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 no less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4. basement 14B	___/___/___
NFPA 101- 7.2.2.5.1.1 EXIT STAIRS NOT SEPARATED.; All inside stairs serving as an exit or exit component shall be enclosed in accordance with 7.1.3.2. open stairs	___/___/___

Violation	Proposed Date of Completion
PORTLAND FIRE DEPARTMENT CHAPTER 10 FIRE ALARM INSPECTION STICKER REQUIRED; Provide annual fire alarm inspection sticker at the annunciator. This sticker must be provided by a licensed master fire alarm company. A list of licensed master fire alarm companies can be found at: www.portlandmaine.gov/fireprevention . Needs inspection sticker	___ / ___ / ___
PORTLAND CHAPTER 10 CODE SECTION 12 KNOX BOX REQUIRED; Knox boxes are required for all buildings with fire alarm or suppression systems. Front door	___ / ___ / ___
NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED; 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. Basement stairs, 1st floor	IMMEDIATELY install temporary alarms where required. Your signature below indicates that temporary alarms have already been installed.
NFPA 70 MISSING COVER ON PANEL; Refer to NFPA 70, National Electrical Code, on requirements of missing cover on electrical panel. Open electrical panel in basement	___ / ___ / ___

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