

354 081

Portland, Maine



Yes. Life's good here.

August 17, 2015

BALDWIN MARTINA M

1231 FOREST AVE

PORTLAND, ME 04103

CBL: 052 H008001

Located at 168 WASHBURN 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.

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 Kirk Santora".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager BALDWIN MARTINA M		Inspector Christopher Goodall	Inspection Date 8/14/2015
Location 168 WASHBURN AVE	CBL 052 H008001	Status Yellow 5-9 Violations	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 2.125

Violation: N.F.P.A. 101 CHP. 31.3.3.2 HOLE IN CEILING NEEDS REPAIR; InteriorWall and Ceiling Finish
Interior walls and ceiling finish materials complying with 10.2 shall be permitted as follows:
1) Exit enclosures -- Class A or class B
2) Lobbies and corridors--Class A or Class B
3) other spaces Class A, orClass B, or Class C

Notes: STAIRWELL OF 168 SIDE SECOND FLOOR LANDING

2) 9.002

Violation: NFPA 80- ANNEX D.4 1-HOUR FIRE DOORS ASSEMBLIES REQ; Listings are provided for floor fire door assemblies that are installed in fire-rated floor-ceiling or roof-ceiling assemblies that have been tested in accordance with the methods described in NFPA 288. The listing indicates the fire-rated assembly and the hourly rating (3 hours, 2 hours, 1.5 hours, 1 hour, .75 hours) for which the door can be permitted to be used so that access to the space above the ceiling or to the floor above can be provided without adversely affecting the fire resistance rating of the entire assembly. The listing provides limitations on the maximum size of an individual door opening and the total area of all door openings permitted for each 100 square feet of floor or ceiling.

Notes: FRONT AND REAR STAIRWELLS SECOND FLOOR, FIRST FLOOR REAR STAIRWELL

3) 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: NO BOILER PROTECTION FOR FURNACE IN BASEMENT

4) 55.229

Violation: NFPA 101- 31.3.3.2 INTERIOR FINISH FOR EXITS AND ENCLOSURES; INTERIOR WALL AND CEILING FINISH MATERIALS COMPLYING WITH 10.2 SHALL BE PERMITTED AS FOLLOWS:
EXIT ENCLOSURES- CLASS A OR CLASS B

Notes: PANELING IN STAIRWELLS AND LANDINGS IN FRONT STARIWELL FOR #168

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PORTLAND FIRE DEPARTMENT**

380 Congress Street
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5) 1.120

Violation: NFPA 101- 7.5.1.1 AND 7.5.1.1.1 OBSTRUCTED EGRESS; Exits shall be located and exit access shall be arranged so that exits are readily accesible at all times (7.5.1.1).

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 not less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4 (7.5.1.1.1).

Notes: STORAGE OF ITEMS IN FIRST FLOOR REAR HALLWAY

Comments:

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.

Martina M. Baldwin
Defendant

**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

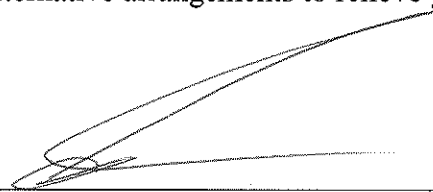
(M.R. CIV. P. 80H AND 80k)

SUMMONS NUMBER: 354881

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 09/14/2015. I strongly urge you to contact Victoria Meserve at Fire Prevention at (207)-874-8400 or via e-mail at 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 09/14/2015.

Dated:

8/19/15



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