



Jerome F. LaMoria
Fire Chief, Fire Department

Portland Fire Department
Fire Prevention Bureau
380 Congress St
Portland, ME 04101

July 14, 2015

Lado Lodoka
560 Main St
South Portland, ME 04106

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 3 Horton Place on 06/23/2015 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,

Portland Fire Department
Fire Prevention Bureau

**CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager Lodoka Lado		Inspector David Petrucelli	Inspection Date 6/23/2015
Location 3 Horton Place	CBL 055 E024001	Status Failed	Inspection Type Complaint-FP Routine Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 73.05					
Violation:	NFPA 101- 7.2.1.15.8 FIRE DOOR ASSEMBLY REQ REPAIR; DOOR OPENINGS NOT IN PROPER OPERATING CONDITION SHALL BE REPAIRED OR REPLACED WITHOUT DELAY.				
Notes:	basement stairs				
2) 91.20					
Violation:	NFPA 70- 590.6 EXTENSION CORDS; Ground-fault protection for personnel for all temporary wiring installations shall be provided to comply with 590.6(A) and (B). This section shall apply only to temporary wiring installations used to supply temporary power to equipment used by personnel during construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment, or similar activities.				
Notes:					
3) 69.25					
Violation:	PORTLAND FIRE DEPARTMENT CHAPTER 10 4.6.1, 4.6.2 UNIT/SUITE NUMBERS NOT MARKED; 4.6.1 RESIDENTIAL UNITS SHALL BE DESIGNATED USING NUMERALS.				
	4.6.2 THE FIRST NUMERAL OF EACH RESIDENTIAL UNIT SHALL BE THE FLOOR DESIGNATION.				
Notes:					
4) 73.10					
Violation:	NFPA 101-7.2.4.3.1 FIRE BARRIER REQUIRES MAINTENANCE; Fire barriers separating buildings or areas between which there are horizontal exits shall have a minimum 2-hour fire resistance rating, unless otherwise provided in 7.2.4.4.1, and shall provide a separation that is continuous to the finished grounded level.				
Notes:	ceiling in stairwell				
5) 73.20					
Violation:	NFPA 101- 31.3.7 FLOOR/ CEILINGS ASSEMBLY NOT SMOKE-TIGHT; IN BUILDINGS OTHER THAN THOSE MEETING THE REQUIREMENTS OF 31.3.7.1, 31.3.7.2, 31.3.7.3, 31.3.7.4, OR 31.3.7.5, IN ADDITION TO THE FOLLOWING CRITERIA TO BE MET.				
Notes:					
6) 80.40					
Violation:	NFPA 101- 31.2.2.1.2 EXIT STAIR REQ 60-MIN FIRE DOORS - NON-HIGH-RISE; IN BUILDINGS USING OPTION 4, EXIT ENCLOSURES SHALL HAVE A MINIMUM 1-HOUR FIRE RESISTANCE RATING, AND DOORS SHALL HAVE A MINIMUM 1-HOUR FIRE PROTECTION RATING.				
Notes:	basement door				

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7) 71.05

Violation: CO ALARMS REQUIRED

Notes: 3rd floor apartment missing detectors

8) 71.25

Violation: SMOKE ALARMS REQUIRED

Notes: missing detector at mounting plate above basement stairs, 3rd floor apartment missing detectors

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.

Lado Ladoka
Defendant

**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**


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

SUMMONS NUMBER: 353731

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:

7/15/15



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