

Portland, Maine



Yes. Life's good here.

Jerome F. LaMoria
Fire Chief, Fire Department

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

July 14, 2015

Grantwey Apartments LLC
103 Loudon Rd
Saco, ME 04072

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 5 Weymouth St on 02/17/2015 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
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager Grantwey Apartments Limited		Inspector David Petruccelli		Inspection Date 2/17/2015	
Location 0005 WEYMOUTH ST		CBL 053 C001001		Status Failed	
				Inspection Type Fire Prevention-FP Routine Inspe	

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 69.05					
Violation:	PORTLAND FIRE DEPARTMENT CHAPTER 10 4.3.1, 4.3.2 BUILDING ADDRESS NOT MARKED ON BUILDING; 4.3.1 Signs shall be located in a position readily visible as approaching from the main access and approved by the Fire Department. Signs shall be illuminated or retro reflective on a contrasting background and the letter(s) size shall be approved by the Fire Department.				
	4.3.2 Street Address shall be clearly marked on the front of the building and building sign as approved by the Fire Department.				
Notes:	ADDRESS HAS BEEN PAINTED OVER, SHALL BE IN CONTRAST TO BUILDING COLOR				
2) 80.28					
Violation:	NFPA 101- 7.5.1.1 EXIT OBSTRUCTED; 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.				
Notes:	TENANT STORAGE IN REAR STAIRWELLS.				
3) 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:	FIRE DOORS REQUIRED AT REAR OF UNITS AS WELL AS FRONT.				
4) 80.46					
Violation:	NFPA 101- 7.2.1.8.1 FIRE DOORS MUST BE SELF- OR AUTO-CLOSING; A door leaf normally required to be kept closed shall not be secured in the open position at any time and shall be self-closing or automatic-closing in accordance with 7.2.1.8.2, unless otherwise permitted by 7.2.1.8.3.				
Notes:					
5) 80.56					
Violation:	NFPA 101- 7.2.8.5.1 HANDRAILS REQUIRED ON STAIRS; ALL FIRE ESCAPE STAIRS SHALL HAVE WALLS OR GUARDS AND HANDRAILS ON BOTH SIDES IN ACCORDANCE WITH 7.2.8.4.1 (B).				
Notes:					
6) 80.60					
Violation:	NFPA 101- 7.2.1.5.2 ILLEGAL LOCKS ON EXIT DOOR; LOCKS, IF PROVIDED, SHALL NOT REQUIRE THE USE OF A KEY, A TOOL, OR SPECIAL KNOWLEDGE OR EFFORT FOR OPERATION FROM THE EGRESS SIDE.				
Notes:	PADLOCKS BEING USED ON BEDROOM DOORS.				

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Location 0005 WEYMOUTH ST	CBL 053 C001001	Status Failed	Inspection Type Fire Prevention-FP Routine Inspe

7) 80.82

Violation: 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.

Notes:

8) 55.05

Violation: NFPA 720- 5.5.6.1 CO ALARMS REQUIRED; The performance, location, and mounting of notification appliances used to initiate or direct action, evacuation or relocation of the occupants, or for providing information to occupants or staff, shall comply with the requirements of Chapter 6.

Notes: ON EVERY LEVEL, IN A COMMON AREA OF EACH UNIT

9) 55.25

Violation: 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.

Notes: IN ALL SLEEPING AREAS

10) 89.05

Violation: NFPA 1- EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.

Notes:

11) 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:

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,

**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

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

v.

Grantwey Apartments LLC
Defendant

SUMMONS NUMBER: 353732

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