



October 7, 2015

SEA OTTER TAYLOR LIMITED

39 COVESIDE LN

YARMOUTH, ME 04096

CBL: 057 B009001

Located at 12 TAYLOR ST

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 black ink, appearing to read "C. J. [unclear]".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager SEA OTTER TAYLOR LIMITED		Inspector Craig Messinger	Inspection Date 10/6/2015
Location 12 TAYLOR ST	CBL 057 B009001	Status Failed	Inspection Type Fire Prevention-FP Complaint

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 2.140

Violation: NFPA 1- 10.1.1 STRUCTURE NEEDS REPAIR; Every new and existing building or structure shall be constructed, arranged, equipped, maintained, and operated in accordance with this code so as to provide a reasonable level of life safety, property protection, and public welfare from the actual and potential hazards created by fire, explosion, and other hazardous conditions.

Notes: FRONT STEPS APPEAR UNSAFE.
BRAVO SIDE OVERHANG FOLLING OFF BUILDING.

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: SEVERAL DOORS TO APARTMENTS AS WELL TO THE BASEMENT ARE REQUIRED TO BE FIRE RATED.
SELF CLOSING HINGES ARE REQUIRED.

3) 8.001

Violation: NFPA 101- 9.6.10.1.1 SMOKE DETECTOR REQUIRED; Where required by another section of this code, single-station and multiple-station smoke alarms shall be in accordance with NFPA 72, National Fire Alarm Code, shall be provided in all occupiable areas in environments that are suitable for proper smoke detector operation.

Notes: EACH SLEEPING AREA IS REQUIRED TO HAVE A HARD-WIRED BATTERY BACK-UP SMOKE DETECTOR.

4) 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: CO DETECTORS ARE REQUIRED IN EACH APARTMENT,

5) 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: DOMESTIC SPRINKLER HEAD IS REQUIRED WITHIN 10 FEET OF HEATING DEVICES IN BASEMENT.

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

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Comments: Multiple violations exist.

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)

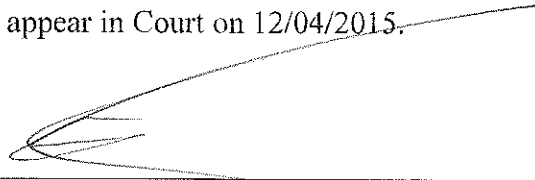
v.

Sea Otter Taylor LLC
Defendant

SUMMONS NUMBER: 353609

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 12/04/2015. Please 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 meet with somebody in the Fire Prevention Bureau to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 12/04/2015.

Dated: 11/3/15



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