

354 884

Portland, Maine



Yes. Life's good here.

August 18, 2015
195 CONGRESS STREET LLC
220 NORTH END BLVD
SALISBURY , MA 01952
CBL: 057 J034001
Located at 212 DANFORTH 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 cursive script that reads "A/C Keith Santorelli".

Portland Fire Department
Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

| | | | |
|---|---------------------------|-----------------------------------|--|
| Owner/Manager 195 CONGRESS STREET LLC | | Inspector Paul Marshall | Inspection Date 8/17/2015 |
| Location 212 DANFORTH ST | CBL 057 J034001 | Status | Inspection Type Fire Company-FP Routine Inspec |

| Code | Int/Ext | Floor | Unit No. | Area | Compliance Date |
|-------------------|---|-------|----------|-----------|---------------------------------|
| 1) 6.003 | Interior | | | Basement | |
| Violation: | NFPA 70- ARTICLE 590.6 EXT. CORD USED FOR PERMENANT WIRING; 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: | EXTENSION CORD, ALPHA END BASEMENT RUNNING UP TO FIRST FLOOR. APPEARS TO BE POWERING AN ATM. | | | | |
| 2) 6.003 | Interior | | | Basement | |
| Violation: | NFPA 70- ARTICLE 590.6 EXT. CORD USED FOR PERMENANT WIRING; 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: | LIGHTWEIGHT EXTENSION CORD IN MIDDLE OF BRAVO SIDE WALL POWERING COMPRESSOR UNIT. | | | | |
| 3) 7.013 | Exterior | | | Rear Deck | |
| Violation: | NFPA 1- 14.6.3 COMBUSTIBLES STORED UNDER STAIRWAY; ENCLOSED, USABLE SPACES, WITHIN EXIT ENCLOSURES SHALL BE PROHIBITED, INCLUDING UNDER STAIRS, UNLESS OTHERWISE PERMITTED BY 14.6.3.2. | | | | |
| Notes: | CRUSHED CARDBOARD BOXES STORED UNDER OUTSIDE STAIRS AT THE FIRST FLOOR LEVEL ON THE CHARLIE SIDE OF THE BUILDING. | | | | |
| 4) 2.125 | Interior | | | Stairways | |
| 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 encloures -- 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: | MISSING CEILING TILES IN FRONT STAIRWELL. | | | | |

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PORTLAND FIRE DEPARTMENT**

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Portland, Maine 04101

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5) 1.135

Violation: N.F.P.A. 101- 6.1.14.1.2&3.2& 8.6.8.2&13.3.1 FIRE ALARMS SHALL BE PROVIDED TO WARN OCCUPANTS; IN EVERY BUILDING OR STRUCTURE OF SUCH SIZE, ARRANGEMENT, OR OCCUPANCY THAT A FIRE ITSELF COULD NOT PROVIDE ADEQUATE OCCUPANT WARNING. FIRE ALARM SYSTEM SHALL BE PROVIDED WHERE NECESSARY TO WARN OCCUPANTS OF THE EXISTENCE OF FIRE.

Notes: SMOKE DETECTOR IN FRONT STAIRWELL NEEDS NEW BATTERY.

6) 1.135

Violation: N.F.P.A. 101- 6.1.14.1.2&3.2& 8.6.8.2&13.3.1 FIRE ALARMS SHALL BE PROVIDED TO WARN OCCUPANTS; IN EVERY BUILDING OR STRUCTURE OF SUCH SIZE, ARRANGEMENT, OR OCCUPANCY THAT A FIRE ITSELF COULD NOT PROVIDE ADEQUATE OCCUPANT WARNING. FIRE ALARM SYSTEM SHALL BE PROVIDED WHERE NECESSARY TO WARN OCCUPANTS OF THE EXISTENCE OF FIRE.

Notes: APARTMENTS DO NOT HAVE CARBON MONOXIDE DETECTORS.

7) 1.110

Violation: NFPA 101-40.2.4 MEANS OF EGRESS; THE NUMBER OF MEANS OF EGRESS SHALL COMPLY WITH EITHER 40.2.4.1.1 OR 40.2.3.2.

Notes: SOME BOARDS ON THE REAR EGRESS STAIRS ARE LOOSE AND UNSTABLE.

Comments: Fire prevention or inspections should assess overall condition of entire rear deck. Railings on stairs may provide inadequate protection and the entire structure may need to be replaced.

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.

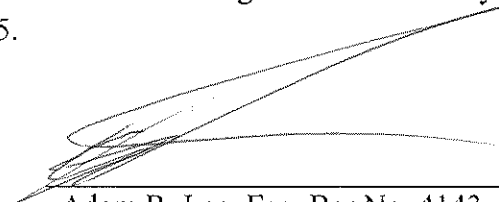
195 Congress St LLC
Defendant

SUMMONS NUMBER: 354884

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 11/09/2015. 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 11/09/2015.

Dated:

8/25/15



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