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Corporation Counsel
Gary C. Wood

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April 11, 2012

VIA REGULAR AND CERTIFIED MAIL

Mr. Kevin D'Amboise
5 Adelbert Street
South Portland, Maine 04106

Re: 67 West Street

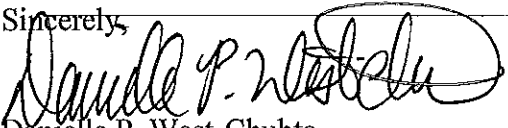
Dear Mr. D'Amboise:

It has been brought to my attention by the City's Building Inspections Division, that your property at 67 West Street (the "Property") is in violation of the City of Portland Code of Ordinances (the "Code"). See attached violation notice; see also City Code at section 14-52.

This letter is to inform you of your final opportunity to vacate the illegal unit and remove all kitchen facilities as required by the Code and specified in the enclosed violation notice. If you fail to comply, the City will be forced to file a Land Use Citation and Complaint against you. Title 30-A M.R.S.A. section 4452 provides that the minimum penalty for a specific violation is \$100 per day and the maximum penalty is \$2,500 per day. Furthermore, Maine law provides that the violator must pay for the City's attorney's fees and costs of bringing an enforcement action in all successfully prosecuted cases.

If the illegal unit is not vacated and the kitchen facilities are not removed on or before **April 30, 2012**, the City will be forced to promptly initiate the aforementioned legal proceeding.

Sincerely,


Danielle P. West-Chuhta
Associate Corporation Counsel

Encl.

cc: George Froehlich, Code Enforcement Officer

Acting Director of Planning and Urban Development
Greg Mitchell

Inspections Division Director
Tammy Munson

January 26, 2012
Kevin D'Amboise
5 Adelbert St.
South Portland ME 04106

CERTIFIED NUMBER: 7010 1870 0002 8136 5533

RE: 67 West St.

CBL: 063 C030

Case Number: 2011-12-2974

Dear Mr. D'Amboise,

It has come to the attention of this office that an illegal unit has been added at the above stated property address. This office has no record of a building permit being issued to this location to alter the existing legal use at this time from a "3 unit structure".

The property is in violation of Section 14-52 of the Portland Zoning Ordinance as stated below;

Section 14-52 Conformity Required: No building or structure shall be erected, altered, enlarged, rebuilt, removed or used, and no premises unless in conformity with the provisions of this article.

You have thirty (30) days in which to vacate this unit and remove all kitchen facilities. A re-inspection will occur on February 27, 2012. You will be contacted with a time to meet with me on site to confirm the discontinuation of the illegal unit.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A of M.R.S.A. Section 4452 and Section 14-57 of the Portland Zoning Ordinance. This constitutes an appealable decision pursuant to Section 121.5 of the City of Portland Building Code.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to file an appeal. If you should fail to do so, my decision is binding and no longer subject to appeal. If you decide to file an appeal, you may contact our office for the necessary paperwork.

If you have any questions you may contact me at 874-8707 to discuss this matter further.

Sincerely,

CITY OF PORTLAND
PLANNING AND URBAN DEVELOPMENT DEPARTMENT
389 CONGRESS STREET
PORTLAND, MAINE 04101

INSPECTION VIOLATIONS

Owner Kevin D'Amboise		Code Enforcement Officer George Froehlich	Inspection Date January 25, 2012
Location 67 West St.	CBL 063 C030	Status Open	Case Number 2011-12-2974

1. The property is in violation of the Portland Zoning Ordinance. -City Ord. § 14-52.

You have thirty (30) days in which to vacate this unit and remove all kitchen facilities.

No building or structure shall be erected, altered, enlarged, rebuilt, removed or used, and no premises unless in conformity with the provisions of this article.