

# 353 627

Portland, Maine



Yes. Life's good here.

September 29, 2015

D'amboise Kevin J

5 Adelbert St

South Portland , ME 04106

CBL: 063 C030001

Located at 0067 WEST 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](http://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 Nick Santorelli".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> D'amboise Kevin J		<b>Inspector</b> James Randall	<b>Inspection Date</b> 9/28/2015
<b>Location</b> 0067 WEST ST	<b>CBL</b> 063 C030001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Prevention-FP Routine Inspe

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
------	---------	-------	----------	------	-----------------

1) 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:** 2ND FLOOR FRONT HALL 67 SIDE

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:** REAR HALL 3RD FLOOR 67 SIDE

3) 81.15

**Violation:** PORTLAND FIRE DEPARTMENT CHAPTER 10 FIRE ALARM SYSTEM REQUIRES SERVICE; FIRE ALARM SYSTEM REQUIRES SERVICE BY A LICENSED MASTER FIRE ALARM COMPANY. A LIST OF LICENSED MASTER FIRE ALARM COMPANIES CAN BE VIEWED AT: WWW.PORTLANDMAINE.GOV/FIREPREVENTION.

**Notes:** SMOKE DETECTOR MISSING ON 2ND FLOOR 69 SIDE (120 VOLT.)

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:** RESIDENT TOLD US NO CO OR SMOKES IN HIS UNIT 3RD FLR 67 SIDE

5) 89.05

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

**Notes:** IN REAR HALLS & STAIRS ON 67 SIDE

**Comments:** Inspections from Naviline Fire Inspections. 6 were listed. The owner was a no show, We did not get into the basement on 67 or 69 side, or the rear stairs on the 69 side.

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)**

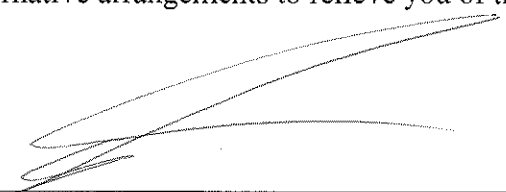
v.

Kevin D'Amboise  
Defendant

SUMMONS NUMBER: 353627

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](mailto: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: 10/8/15



---

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