



Permitting and Inspections Department
Michael A. Russell, MS, Director

February 1, 2018

TAFERE MESELE
378 PARK AVE
PORTLAND, ME 04102

CBL: 067 C002001
Located at: 378 PARK AVE

Certified Mail 7017 2680 0000 5498 1358

Dear TAFERE MESELE,

An evaluation of the above-referenced property on **01/31/2018** shows that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within **30** days of the date of this notice. A re-inspection of the premises will occur on **03/05/2018** at which time compliance will be required. 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.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$150.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$150.00 fee will be assessed for each inspection.

Sincerely,

/s/

A handwritten signature in black ink, appearing to read "Jason Duval", written over a horizontal line.

Jason Duval
Code Enforcement Officer

**CITY OF PORTLAND
HOUSING SAFETY OFFICE**

389 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager TAFERE MESELE		Inspector Jason Duval	Inspection Date 1/31/2018
Location 378 PARK AVE	CBL 067 C002001	Status Failed	Inspection Type Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 206	Interior			Bedroom	
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Violation: SMOKE ALARMS / BEDROOMS; Smoke Alarms - One and Two-Family Dwellings: Single-station or multiple-station (interconnected) photoelectric smoke alarms must be powered by the building electrical system or powered by a 10-year non-replaceable battery and shall be positioned correctly on walls or ceilings: in all sleeping rooms.

NFPA 101 (2009) 24.3.4.1(1), 9.6.2.10, amended by City Code of Ordinances Section 10-3(i)

Notes: All bedrooms require smoke alarms.

2) 55.005	Interior			Basement	
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Violation: NFPA 101- 31.2.1.1 ESCAPE WINDOWS - INSUFF. SIZE; It shall be an outside window or door operable from the inside without the use of tools, keys, or special effort and shall provide a clear opening of not less than 5.7 square feet. The width shall be not less than 20 inches, and the height shall be not less than 24 inches. The bottom of the opening shall not be more than 44 inches above the floor. See NFPA 101 24.2.2.3.3 for a continuation of this code.

Notes: Windows need to be able to open from the inside and be egress compliant. Windows need to be a minimum 20 inches wide by 24 inches high.

Comments: Basement unit is an illegal unit. Smoke alarms needed in all bedrooms in upstairs home. Windows in basement unit are not able to open. Basement bedroom windows do not meet egress compliance standards. Unit is not registered with housing safety.



Permitting and Inspections Department
Michael A. Russell, MS, Director

Ann Machado, Zoning Administrator

2/1/2018

NOTICE OF VIOLATION AND ORDER TO CORRECT
Sent by Certified Mail and by Regular Mail

378 Park Ave Portland, ME 04102

Re:378 Park Ave Portland, ME 04102 – 067 C002001– R6

Dear Mesele Tafere,

On 01/31/2018, this office inspected the above-referenced property and observed that there were 2 dwelling units in the building. City records show that the legal use of the property is 1 dwelling unit. The additional dwelling unit was constructed without the required permits, in violation of section 14-463 of the City's Code (available online or at the City Clerk's office), which requires that "no building or part thereof shall be constructed, altered, enlarged or moved unless a permit for such action has been issued by the building authority."

To remedy this violation, you must 1) submit a change of use permit to the Permitting and Inspections Department; 2) obtain legalization of the dwelling unit(s) under section 14-391 of the City Code, or 3) remove the illegal dwelling unit(s) by removing the kitchen(s), including all equipment and plumbing.

Within 30 days of the date of this letter, you must submit an application to Legalize the Nonconforming Dwelling Unit, submit a change of use permit, or remove the illegal unit(s). If you choose to apply for legalization or a change of use permit, and the application is denied, you must remove the illegal unit(s) within 30 days of the City's initial decision.

If you do not do so, the City will refer this matter to the City's Corporation Counsel's office for enforcement action. The City may be entitled to an order to correct the violations, civil penalties in the minimum of \$100 per violation per day, costs and fees, and other relief, under section 1-15 of the City Code and 30-A M.R.S. § 4452.

You have the right to appeal this Notice of Violation and Order to Correct pursuant to section 14-472 within thirty days from the date of this letter. If you do not appeal, you may be barred from challenging my findings in the future. Please contact the Zoning Division for the necessary paperwork if you decide to file an appeal.

Please contact me with any questions. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Duval', with a stylized flourish at the end.

Jason Duval
Code Enforcement Officer (Housing Safety)
207-874-8706
jduval@portlandmaine.gov