August 12, 2016

**NOTICE OF VIOLATION AND ORDER TO CORRECT**

Mr. Tony Fusco

15 Eleanor Street

Portland, Me 04103

Re: Land Use Violation at Public Beach Located at the Foot of Welch Street Public Parking Lot, Peaks Island

CBL: 084-R-020

Dear Mr. Fusco:

This office has received complaints that you are impermissibly storing a boat on a public beach on Peaks Island. The public beach in question, depicted at CBL 084-R-020 and located at the foot of the Welch Street Parking Lot on Peaks Island is in the City’s Residential Open Space Zone (“ROS”). Private storage of privately owned property, including boats, is not a permitted use in the ROS zone and is therefore prohibited. *See* Portland City Code of Ordinances at 14-153.

In light of the above, this letter shall serve as formal notice that **if you fail to remove the boat in question within 30 days of the date of this letter, the City will refer this matter to the City’s Corporation Counsel’s office for enforcement action. Be advised that, under Section 1-15 of the City’s Code of Ordinances and 30-A M.R.S. § 4452, violations of the City’s code are subject substantial civil penalties and can include fines of up to $500/day.**

You have the right to appeal this Notice of Violation.  If you wish to exercise your right to appeal, you have thirty days from the date of this letter to do so.  If you fail to appeal, my decision is binding. Please contact this office for the necessary paperwork if you decide to file an appeal.

Thank you for your prompt attention to this matter.

Very truly yours,

Ann B. Machado

Zoning Administrator

Permitting and Inspections Department

City of Portland, Maine

207. 874.8709

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