

CITY OF PORTLAND
 FIRE PREVENTION BUREAU
 380 Congress Street, Portland, Maine 04101
 fireprevention@portlandmaine.gov
 (207) 874-8400

NOTICE OF VIOLATION AND ORDER TO CORRECT

August 18, 2017

Responsible Party 1: COLE KEVIN 33 FESSENDEN ST PORTLAND, ME 04103		
Location 29 FESSENDEN ST	CBL 116 C013001	Inspection Date 8/2/2017
Inspector Edward Doughty	Inspection Type FP Routine Inspection	Status Violations Exist

The City of Portland Fire Department inspected this property, and found the fire and life safety code violations listed below, which you are hereby ordered to correct. You must propose a date of completion to remedy each violation, a final date of completion, and a date of re-inspection.

You must send this form to the Fire Prevention Bureau no later than 9/15/2017.

Your failure to submit a plan of action by the date provided, or to correct any violation within the applicable time frame, may result in legal action against you, the imposition of civil penalties, and the pursuit of other legal remedies.

Violation	Proposed Date of Completion
NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED; The areas described in Table 31.3.2.1.1 shall be protected as indicated: Boiler and fuel-fired heater rooms serving more than a single dwelling unit (minimum separation/protection is 1 hour or sprinklers) Sprinkler required for the Furnace in the (A / B "Corner") of the Basement. Owner was shown which Furnance during Inspection	6 NOV 17
NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED; The areas described in Table 31.3.2.1.1 shall be protected as indicated: Boiler and fuel-fired heater rooms serving more than a single dwelling unit (minimum separation/protection is 1 hour or sprinklers) Sprinkler required for the Heating System located on the (D) Wall, (C / D "Corner") of the Basement. It is the System for Apartment # 04 and is noted as such.	6 NOV 17
NFPA 70- ARTICLE 314.28 OPEN ELECTRICAL JUNCTION BOX; Boxes and conduit bodies used as pull or junction boxes shall comply with 314.28 (A) through (D). Open Electrical Boxes (2 +) in the Basement (Hanging from the Floor Joist)	18 SEP 17
NFPA 101- 7.1.3.2.1 60-MIN FIRE DOOR ASSEMBLIES REQ; The separation shall have a minimum 1-hour fire resistance rating where the exit connects three or fewer stories. Fire Doors required throughout the Apartment Building. There were a couple of Fire Doors all ready installed, however, randomly. Not only for the Entrance / Exits for the Apartments, also for the Basement Door that is within the Hallway / Stairwell	APRT 1 st 1 DEC 17 APT 2 1 JUN 18 BASEMENT 1 JAN 18 REAR PAT 1 DEC 17
NFPA 101- 31.3.6.2.3 DOORS MUST BE SELF-CLOSING; Doors that open onto exit access corridors shall be self-closing and self-latching. When Fire Doors are installed they must also be self closing.	2/1/18

Violation	Proposed Date of Completion
NFPA 101- 7.2.2.4.2 HANDRAILS ARE NOT CONTINUOUS: Required guards and handrails shall continue for the full length of each flight of stairs. At turns of new stairs, inside handrails shall be continuous between flights at landings. Rear Stairwell	1 Dec 17
NFPA 101- 7.10.9.2 EMERGENCY LIGHTS SHALL BE MAINTAINED: Exit signs connected to, or provided with, a battery-operated emergency illumination source, where required in 7.10.4, shall be tested and maintained in accordance with 7.9.3. Front Stairwell / 1st Floor / Light Bulb(s) need to be replaced	Completed
NFPA 101- 31.3.6.3.1 REPAIR CORRIDOR WALLS: Unprotected openings, other than those from spaces complying with 31.3.6.3.2, shall be prohibited in exit access corridor walls and doors. Holes through Walls in the Front (Side A) Stairwell need repair	1 Dec 17
NFPA 101- 31.3.6.3.1 REPAIR CORRIDOR WALLS: Unprotected openings, other than those from spaces complying with 31.3.6.3.2, shall be prohibited in exit access corridor walls and doors. Basement / Stairwell - Wall(s) need to be repaired Explained to the Owner the objectives that were necessary to eliminate the travel of fire	1 Dec 17
NFPA 101-7.2.2.3.1.1 STAIRS MUST BE MAINTAINED SOLID: All stairs serving as required means of egress shall be of permanent fixed construction, unless they are stairs serving seating that is designed to be repositioned in accordance with Chapter 12 and 13. Front Stairs (Side A)	Completed
NFPA 101-7.2.2.3.1.1 STAIRS MUST BE MAINTAINED SOLID: All stairs serving as required means of egress shall be of permanent fixed construction, unless they are stairs serving seating that is designed to be repositioned in accordance with Chapter 12 and 13. Rear Stairs (Side B)	6 NOV 17
FINAL DATE OF COMPLETED VIOLATION(S)	
FIRE PREVENTION BUREAU RE-INSPECTION OF COMPLETED VIOLATION(S)	21/1/18

The Bureau reserves the right to reject or modify any proposed plan of action, and may require evidence of sufficient financial and technical capacity to complete the proposed plan. Please contact the Bureau with any questions.

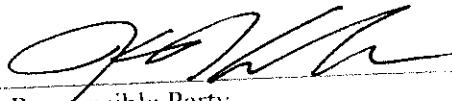
VIOLATOR CERTIFICATION

I agree to remedy the violations listed within the timeframes provided. If I require additional time to comply, I understand that I must contact the Fire Prevention Bureau prior to the deadline to request an extension, which is entirely within the Bureau's discretion to grant or deny.

I further understand that it is my responsibility to schedule a reinspection of my property once the violations have been remedied to do so. My failure to schedule a reinspection shall be deemed an admission that the violations have not been remedied.

If I fail to comply with this agreement, I understand that I am liable for penalties pursuant to the City of Portland Code of Ordinances §§ 1-15 and 10-25, and 30-A M.R.S. § 4452 and may be subject to further legal action.

14 Sep 17
Date

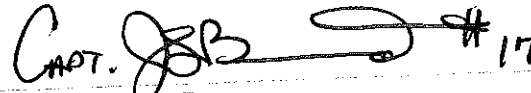

Responsible Party

Date

Responsible Party

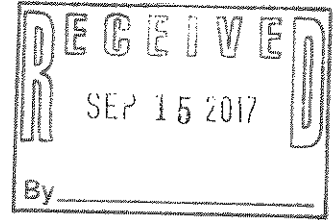
SEEN AND AGREED

09/18/17
Date


Fire Prevention Bureau

Kevin T. Cole
33 Fessenden Street
Portland, ME 04103-4817

14 September 2017



City of Portland
Fire Prevention Bureau
380 Congress Street
Portland, ME 04101

RE: Proposal to Correct Violations Discovered on August 18, 2017
29 Fessenden Street

1. I have inspected the job to be done with a plumber, who expects to commence work on installation of sprinklers above the two boilers requiring them within the next two weeks. Expected completion of installation is on or before November 6, 2017.
2. The open electrical junction box will be closed on or before September 18, 2017.
3. I have a contractor working on small projects inside and outside the building.
 - a. He has completed structural repairs to the front stairs and porch. Painting is scheduled to commence on September 15, 2017.
 - b. The side stairs and overhang are scheduled to commence on or before September 25, 2017 and should be complete on or before November 6, 2017.
 - c. First floor apartment egress fire doors should be completed by December 1, 2017. I don't intend at this time to make individual apartment fire doors self-closing. If that is, in fact, a requirement, please discuss that with me. We did not discuss that during the inspection.
 - d. Second floor apartment egress rear fire door may require a custom installation. I'd like to establish a target date of June 1, 2017 in the event we have to make structural modifications to the surrounding wall and acquire a non-standard sized door.
 - e. Basement stairway and front stairwell plaster work should be completed by December 1, 2017.
 - f. Basement access door may also require a custom installation, so I'd like to establish a target date of June 1, 2017 for its installation. I must share that I am encountering resistance from my tenants regarding the self-closing requirement of that door. They feel that a self-closing door will make it much more difficult to access the laundry room with a full basket of laundry. I agree. My concern is that the tenants will defeat the self-closing mechanism for convenience. Perhaps you have a suggestion that would address those concerns.

g. End sections for the handrails will be addressed during the current project. Expected completion date is on or before December 1, 2017.

3. The front stairway lights are functional.

If you'd like to perform an interim inspection, please let me know. I may be reached at 207-775-7954. Otherwise, I suggest we schedule a re-inspection of all items on the list during the month of June, 2018.



Kevin T. Cole
Owner

1 Enclosure:
Notice of Violation and Order to Correct (Completed and Signed)