

Portland, Maine



Yes. Life's good here.

Danielle P. West-Chuhta  
Corporation Counsel

Michael I. Goldman  
Associate Counsel

Anne M. Torregrossa  
Associate Counsel

Victoria E. Morales  
Associate Counsel

December 1, 2016

### **NOTICE OF INTENT TO PROSECUTE**

To Whom it May Concern,

Please see the attached Notice of Violation and Order to Correct from the City of Portland Fire Prevention Bureau. The Fire Prevention Bureau has referred this matter to me for prosecution in the event that you do not complete and return the required plan of action by the date contained in the Notice of Violation. Your failure to comply will result in the issuance of a summons for you to appear in court, and the imposition of civil penalties in the minimum amount of \$100 per violation per day.

Please contact the Fire Prevention Bureau at (207)874-8400 to resolve these outstanding violations. I look forward to your anticipated cooperation and appreciate your efforts to help keep the citizens of Portland safe.

Sincerely,

A handwritten signature in blue ink that reads 'Anne M. Torregrossa'. The signature is written in a cursive, flowing style.

Anne M. Torregrossa  
Associate Corporation Counsel  
City of Portland

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**

December 1, 2016

<b>Responsible Party 1:</b> ROUSE REGINALD 15 HONEYSUCKLE LN SCARBOROUGH , ME 04074		
<b>Location</b> 365 WOODFORD ST	<b>CBL</b> 122 F017001	<b>Inspection Date</b> 11/18/2016
<b>Inspector</b> John Brennan	<b>Inspection Type</b> FP Routine Inspection	<b>Status</b> Failed

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 complete the proposed date of completion column by proposing a reasonable timeframe to remedy each violation. This form must be received by the Fire Prevention Bureau no later than 12/30/2016. 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.

**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
<b>PORTLAND FIRE DEPARTMENT CHAPTER 10 4.3.1, 4.3.2 BUILDING ADDRESS NOT MARKED ON BUILDING;</b> 4.3.1 Signs shall be located in a position readily visible as approaching from the main access and approved by the Fire Department. Signs shall be illuminated or retro reflective on a contrasting background and the letter(s) size shall be approved by the Fire Department. 4.3.2 Street Address shall be clearly marked on the front of the building and building sign as approved by the Fire Department. Apartment 2 is incorrectly labeled as Apt 1 at the entrance off the driveway (Woodford St side).	___/___/___
<b>NFPA 101- 7.5.1.1 EXIT OBSTRUCTED;</b> 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. Egress from the second and third floor via the front stairwell (Stevens Ave side) requires the occupants to open an additional (non fire rated) door that divides the stairwell.	IMMEDIATELY remove all obstructions from the exits. Your signature below indicates that all obstructions have been removed and will not be replaced.
<b>NFPA 101- TABLE 8.3.4.2 UNRATED WINDOWS ARE NOT PERMITTED IN EXIT STAIRS;</b> Fire window assemblies are not permitted in vertical shafts (including stairways, exits, and refuse chutes). Windows in apartment doors shall have the same fire rating as the door and assembly	___/___/___

Violation	Proposed Date of Completion
<p><b>NFPA 101- 7.5.1.1.1 SECOND EXIT REQUIRED;</b> 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 no less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4. The occupant of apartment 5 has to utilize a small door at the back of a closet for a second means of egress. Once they get to this door, they are required to break a pain of glass and reach thru the glass to unlock the slide bolt.</p>	<p>___ / ___ / ___</p>
<p><b>NFPA 10- 7.2.4.4 FIRE EXTINGUISHER INSPECTION TAG;</b> Where manual inspections are conducted, records for manual inspections shall be kept on a tag or label attached to the fire extinguisher, on an inspection checklist maintained on file, or by an electronic method. Any fire extinguishers in the common areas and the basement require an inspection and tag</p>	<p>___ / ___ / ___</p>
<p><b>NFPA 720- 5.5.6.1 CO ALARMS REQUIRED;</b> 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. The Carbon Monoxide detector are not hard wired but rather plug in models.</p>	<p>IMMEDIATELY install temporary alarms where required. Your signature below indicates that temporary alarms have already been installed.</p>
<p><b>NFPA 101- 8.3.4.2 60 MINUTE FIRE DOOR REQUIRED;</b> Refer to NFPA 101- Table 8.3.4.2 that states fire door assemblies for vertical shafts (including stairways, exits, and refuse chutes) are rated and required for 1 hour. Install fire doors on all of the 7 apartments and any doors that open into the stairwell.</p>	<p>___ / ___ / ___</p>

**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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Responsible Party

\_\_\_\_\_  
Date

\_\_\_\_\_  
Responsible Party

**SEEN AND AGREED**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fire Prevention Bureau