



June 6, 2016

Doe Peter F

Po Box 952

Portland, ME 04104

CBL: 124 D004001

Located at 0234 WOODFORD 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,

*Capt. David Petrucci*

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

# 334523

**Inspection Violations**

|                                     |                           |                                |  |
|-------------------------------------|---------------------------|--------------------------------|--|
| <b>Owner/Manager</b><br>Doe Peter F |                           | <b>Inspector</b><br>Brad James | <b>Inspection Date</b><br>6/2/2016                       |
| <b>Location</b><br>0234 WOODFORD ST | <b>CBL</b><br>124 D004001 | <b>Status</b><br>Failed        | <b>Inspection Type</b><br>Fire Company-FP Routine Inspec |

| Code              | Int/Ext   | Floor | Unit No. | Area              | Compliance Date |
|-------------------|---|-------|----------|-------------------|-----------------|
| 1) 9.002          | Interior  |       |          | Various locations |                 |
| <b>Violation:</b> | NFPA 80- ANNEX D.4 1-HOUR FIRE DOORS ASSEMBLIES REQ; Listings are provided for floor fire door assemblies that are installed in fire-rated floor-ceiling or roof-ceiling assemblies that have been tested in accordance with the methods described in NFPA 288. The listing indicates the fire-rated assembly and the hourly rating (3 hours, 2 hours, 1.5 hours, 1 hour, .75 hours) for which the door can be permitted to be used so that access to the space above the ceiling or to the floor above can be provided without adversely affecting the fire resistance rating of the entire assembly. The listing provides limitations on the maximum size of an individual door opening and the total area of all door openings permitted for each 100 square feet of floor or ceiling. |       |          |                   |                 |
| <b>Notes:</b>     | INTERIOR FIRE RATED DOORS NEEDED THROUGHOUT INTERIOR, AND REAR STAIRWAY.  |       |          |                   |                 |
| 2) 55.088         | Interior  |       |          | Basement          |                 |
| <b>Violation:</b> | NFPA 70 PLUG OPENINGS IN FUSE PANEL; REFER TO NFPA 70, NATIONAL ELECTRICAL CODE, REGARDING PLUGGING OPEN FUSES IN PANELS.   |       |          |                   |                 |
| <b>Notes:</b>     | MULTIPLE OPENINGS IN THE ELECTRICAL PANEL NEED BLANKS.  |       |          |                   |                 |
| 3) 7.008          | Interior  |       |          | Various locations |                 |
| <b>Violation:</b> | NFPA 101- 7.1.10.2.1 DEBRIS INSIDE BUILDING; NO FURNISHINGS, DECORATIONS, OR OTHER OBJECTS SHALL OBSTRUCT EXITS OR THEIR ACCESS THERE TO, EGRESS THEREFROM, OR VISIBILITY THEREOF.  |       |          |                   |                 |
| <b>Notes:</b>     | EXCESSIVE STORAGE AND DEBRIS THROUGHOUT STRUCTURE, INCLUDING BASEMENT, AND REAR STAIRWAY.   |       |          |                   |                 |
| 4) 8.001          | Interior  |       |          | Various locations |                 |
| <b>Violation:</b> | NFPA 101- 9.6.10.1.1 SMOKE DETECTOR REQUIRED; Where required by another section of this code, single-station and multiple-station smoke alarms shall be in accordance with NFPA 72, National Fire Alarm Code, shall be provided in all occupiable areas in environments that are suitable for proper smoke detector operation.  |       |          |                   |                 |
| <b>Notes:</b>     | SMOKE/CO NEEDED IN BASEMENT, AND DID NOT ACCESS 2ND AND 3RD FLOOR APARTMENTS TO VERIFY.   |       |          |                   |                 |
| 5) 3.003          | Interior  |       |          | Basement          |                 |
| <b>Violation:</b> | NFPA 211- 13.8 FLUE PIPE NOT SEALED IN CHIMNEY; When inspection or an operating malfunction shows that an existing chimney, fireplace, or vent is damaged, unsuitable, or improperly sized, it shall be repaired, rebuilt, or resized to the construction and functional requirements of its standard.  |       |          |                   |                 |
| <b>Notes:</b>     | HOLE ON THE B SIDE OF THE CHIMNEY (IN BASEMENT) NEEDS CAPPED OR PLUGGED   |       |          |                   |                 |

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**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

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**Inspection Violations**

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| <b>Owner/Manager</b><br>Doe Peter F |                           | <b>Inspector</b><br>Brad James | <b>Inspection Date</b><br>6/2/2016                       |
| <b>Location</b><br>0234 WOODFORD ST | <b>CBL</b><br>124 D004001 | <b>Status</b><br>Failed        | <b>Inspection Type</b><br>Fire Company-FP Routine Inspec |

6) 2.125 Interior Living Room  
**Violation:** N.F.P.A. 101 CHP. 31.3.3.2 HOLE IN CEILING NEEDS REPAIR; InteriorWall and Ceiling Finish  
Interior walls and ceiling finish materials complying with 10.2 shall be permitted as follows:  
1) Exit enclosures -- Class A or class B  
2) Lobbies and corridors--Class A or Class B  
3) Other spaces Class A, orClass B, or Class C  
**Notes:** HOLE IN FIRST FLOOR FRONT APARTMENT CEILING NEEDS REPAIR

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7) 55.040 Interior Stairways  
**Violation:** NFPA 101- 31.3.1.1 VERTICAL OPENING VIOLATIONS; VERTICAL OPENINGS SHALL COMPLY WITH 31.3.1.1.1 THROUGH 31.3.1.2.  
**Notes:** REAR STAIRWELL NEEDS ONE HOUR FIRE RATING - SHEETROCK

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**Comments:**

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)**

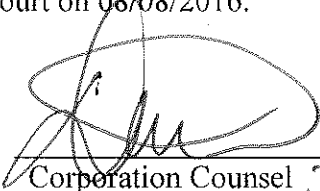
v.

Peter Doe  
Defendant

SUMMONS NUMBER: 354523

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 08/08/2016. Please contact Tori Ross in 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 meet with somebody in the Fire Prevention Bureau to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 08/08/2016.

Dated:

  
Corporation Counsel, Danielle P. West-Chubita  
City of Portland BAR #9532  
389 Congress St  
Portland, ME 04101  
207-874-8480