



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

November 14, 2017

SADI ZAID F AL &  
P.O. Box 3063

PORTLAND, ME 04104

**CBL: 126 E002001**  
**Located at: 579 FOREST AVE**

**Certified Mail 7014 1820 0001 4049 5273**

Dear SADI ZAID F AL &,

An evaluation of the above-referenced property on **10/21/2017** 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. I have enclosed the requirements for egress windows, please note that these requirements are applicable to all units in the building, not just the third floor apartment. 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,



Matthew Sarapas  
Code Enforcement Officer

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**CITY OF PORTLAND  
HOUSING SAFETY OFFICE**

389 Congress Street  
Portland, Maine 04101

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**Inspection Violations**

<b>Owner/Manager</b> SADI ZAID F AL &		<b>Inspector</b> Matthew Sarapas	<b>Inspection Date</b> 10/21/2017
<b>Location</b> 579 FOREST AVE	<b>CBL</b> 126 E002001	<b>Status</b> Failed	<b>Inspection Type</b> Inspection

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<b>Code</b>	<b>Int/Ext</b>	<b>Floor</b>	<b>Unit No.</b>	<b>Area</b>	<b>Compliance Date</b>
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1) 55.005

**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:** Only unit #3 was inspected, bedroom windows not egress compliant.

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**Comments:** Third floor unit: bedroom windows not egress compliant

- (2) The dwelling unit is protected throughout by an approved automatic sprinkler system in accordance with 24.3.5.

The sprinkler system referred to in 24.2.2.1.2(2) must be installed in accordance with one of the following standards:

1. NFPA 13, *Standard for the Installation of Sprinkler Systems*
2. NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*<sup>1</sup>
3. NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*<sup>2</sup>

The sprinkler provision in 24.2.2.1.2(2) is probably the most practical and common way to avoid providing secondary means of escape. The sprinkler provision might be used, for example, in an underground dwelling without windows or in a dwelling where the windows do not comply with 24.2.2.3.3. Since new one- and two-family dwellings are required to be sprinklered per 24.3.5.1, they are exempt from the requirement for secondary means of escape.

**24.2.2.2 Primary Means of Escape.** The primary means of escape shall be a door, stairway, or ramp providing a means of unobstructed travel to the outside of the dwelling unit at street or the finished ground level.

A door, stairway, or ramp providing a means of unobstructed travel to the outside is usually provided for the functional purposes of entering and leaving the dwelling. Therefore, the requirement for a primary means of escape is almost automatically met in a typical dwelling.

Where an attic bedroom is accessible only by means of a trap door or folding ladder, the room does not meet the Code requirements for primary means of escape. Such bedrooms must be provided with direct stair access. See 24.2.5.6.

The primary means of escape from a dwelling unit in an apartment building, or from a guest room in a hotel, is permitted to lead to a means of egress, such as a corridor leading to exit stairs complying with Chapter 7.

**24.2.2.3 Secondary Means of Escape.** The secondary means of escape, other than an existing approved means of escape, shall be one of the means specified in 24.2.2.3.1 through 24.2.2.3.3.

**24.2.2.3.1** It shall be a door, stairway, passage, or hall providing a way of unobstructed travel to the outside of the dwelling at street or the finished ground level that is independent of and remote from the primary means of escape.

**24.2.2.3.2** It shall be a passage through an adjacent non-lockable space, independent of and remote from the primary means of escape, to any approved means of escape.

**24.2.2.3.3\*** 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 ft<sup>2</sup> (0.53 m<sup>2</sup>). The width shall be not less than 20 in. (510 mm), and the height shall be not less than 24 in. (610 mm). The bottom of the opening shall be not more than 44 in. (1120 mm) above the floor. Such means of escape shall be acceptable where one of the following criteria is met:

- (1) The window shall be within 20 ft (6100 mm) of the finished ground level.
- (2) The window shall be directly accessible to fire department rescue apparatus as approved by the authority having jurisdiction.
- (3) The window or door shall open onto an exterior balcony.
- (4) Windows having a sill height below the adjacent finished ground level shall be provided with a window well meeting the following criteria:
  - (a) The window well shall have horizontal dimensions that allow the window to be fully opened.
  - (b) The window well shall have an accessible net clear opening of not less than 9 ft<sup>2</sup> (0.82 m<sup>2</sup>) with a length and width of not less than 36 in. (915 mm).
  - (c) A window well with a vertical depth of more than 44 in. (1120 mm) shall be equipped with an approved permanently affixed ladder or with steps meeting the following criteria:
    - i. The ladder or steps shall not encroach more than 6 in. (150 mm) into the required dimensions of the window well.
    - ii. The ladder or steps shall not be obstructed by the window.

**A.24.2.2.3.3** A window with dimensions of 20 in. × 24 in. (510 mm × 610 mm) has an opening of 3.3 ft<sup>2</sup> (0.31 m<sup>2</sup>), which is less than the required 5.7 ft<sup>2</sup> (0.53 m<sup>2</sup>). Therefore, either the height or width needs to exceed the minimum requirement to provide the required clear area. [See Figure A.24.2.2.3.3.]

The purpose of the secondary means of escape is to provide an occupant with an alternate escape route when fire or smoke blocks the primary means of escape from the dwelling unit. The three types of sec-

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consisting of apartment dwelling units is calculated using 200 ft<sup>2</sup> (18.6 m<sup>2</sup>) per person; an area used for a building management office is calculated using 100 ft<sup>2</sup>

## 30.2 Means of Egress Requirements

### 30.2.1 General.

**30.2.1.1** Means of egress from dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

**30.2.1.2** Means of escape within the dwelling unit shall comply with the provisions of Section 24.2 for one- and two-family dwellings.

Per 30/31.2.1.2, every dwelling unit is required to comply with Section 24.2, which addresses means of escape in one- and two-family dwellings. This mandatory reference to Section 24.2 is important for several reasons. First, it establishes a requirement for two means of escape from every sleeping room and living area of a dwelling unit having two rooms or more. Several acceptable types of secondary means of escape are established in 24.2.2.3, the most common of which is an operable window with specified minimum opening dimensions. No secondary means of escape is required if a dwelling unit is protected by an automatic sprinkler system. Note that 24.2.2.1.2 does not require the entire building to be sprinklered, only the dwelling unit that is deficient with respect to the secondary means of escape. However, a mandate for complete building sprinkler protection, such as that in 30.3.5.1, might be specified elsewhere.

A second important provision of Section 24.2 is that the means of egress provisions of Chapter 7 do not apply within the dwelling units unless they are specifically referenced. For example, the minimum width of means of escape doors within a dwelling unit is 28 in. (710 mm), rather than the 32 in. (810 mm) minimum width specified by Chapter 7 for means of egress. The requirements of Chapter 7 apply to the door from the dwelling unit to the common corridor, because this door is the transition point at which means of escape

### 30.2.2 Means of Egress Components.

#### 30.2.2.1 General.

**30.2.2.1.1** Components of means of egress shall be limited to the types described in 30.2.2.2 through 30.2.2.12.

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(9.3 m<sup>2</sup>) per person, the appropriate factor for business use (see Table 7.3.1.2).

## 31.2 Means of Egress Requirements

### 31.2.1 General.

**31.2.1.1** Means of egress from dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

**31.2.1.2** Means of escape within the dwelling unit shall comply with the provisions of Section 24.2 for one- and two-family dwellings.

ends and the standard means of egress begins. Chapter 24 also permits the use of winders and spiral stairs within a dwelling unit, and the provisions of Chapter 24 for headroom apply within the dwelling unit, superseding those of Chapter 7. See the commentary on Chapter 24 for additional information on means of escape from dwelling units.

The means of egress provisions of Chapter 7 are applied from the dwelling unit to the outside of the building. Many of the items contained in Section 30/31.2 are provisions that Chapter 7 provides as options that might be specifically recognized by an occupancy chapter; for example, 30/31.2.2.2.2 permits the use of delayed-egress locks in accordance with 7.2.1.6.1, with the additional proviso that not more than one such device is encountered in any single egress path. In other cases, a feature addressed by Chapter 7 is not permitted to be used in the means of egress of apartment buildings, because it is not specifically permitted by Section 30/31.2. The absence of slide escapes in the list of acceptable means of egress components in 30/31.2.2 is an example of a component that is not permitted. Also, Section 30/31.2 limits the degree to which Chapter 7 features can be used, such as the provision of maximum lengths for dead-end corridors and common paths of travel addressed in 30/31.2.5.

### 31.2.2 Means of Egress Components.

#### 31.2.2.1 General.

**31.2.2.1.1** Components of means of egress shall be limited to the types described in 31.2.2.2 through 31.2.2.12.