



December 14, 2015

CARON JOSHUA W &

PO BOX 8711

PORTLAND, ME 04104

CBL: 130 I003001

Located at 34 CLINTON 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,

A handwritten signature in black ink, appearing to read "Dan P. Stull".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> CARON JOSHUA W &		<b>Inspector</b> Christopher Alves	<b>Inspection Date</b> 12/11/2015
<b>Location</b> 34 CLINTON ST	<b>CBL</b> 130 I003001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Company-FP Routine Inspec

<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) 55.125 Interior Stairways  
**Violation:** 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.  
**Notes:** THERE IS HOLES IN THE PLASTER IN THE FRONT STAIR WELL, ALSO THE BACK STAIRWELL HAS A OPENING BETWEEN THE SECOND AND THIRD FLOORS

2) 55.122  
**Violation:** NFPA 101- 6.1.14.4.1(B) CORRIDOR DOORS 1-HOUR FIRE RATING; REQUIRED SEPARATION OF OCCUPANCIES (HOURS) TABLE  
APARTMENT BUILDINGS TO RESIDENTIAL IS A 1 HOUR RATING.  
**Notes:** APARTMENTS NEED FIRE DOORS

3) 55.080 Interior Basement  
**Violation:** NFPA 101- 31.1.5.1 ELECTRICAL VIOLATION; UTILITIES SHALL COMPLY WITH THE PROVISIONS OF SECTION 9.1.  
**Notes:** EPOSED WIRES IN THE CEILING IN THE BASEMENT

**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.

Joshua W Caron  
Defendant

SUMMONS NUMBER: 353668

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 02/08/2016. 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 02/08/2016.

Dated: 12/21/15

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Adam R. Lee, Esq. Bar No. 4143  
Associate Corporation Counsel  
City of Portland  
389 Congress St  
Portland, ME 04101  
207-874-8480