

Portland, Maine



Yes. Life's good here.

August 3, 2015

BELANGER GLENN A &

71 LAWN AVE

PORTLAND, ME 04103

CBL: 131 F012001

Located at 71 LAWN AVE

#### NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at the above referenced address on 07/31/2015 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 cursive script that reads "A/C Keith Gauthier".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> BELANGER GLENN A &		<b>Inspector</b> Christopher Goodall	<b>Inspection Date</b> 7/31/2015
<b>Location</b> 71 LAWN AVE	<b>CBL</b> 131 F012001	<b>Status</b>	<b>Inspection Type</b> Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 1.120					
<b>Violation:</b>	NFPA 101- 7.5.1.1 AND 7.5.1.1.1 OBSTRUCTED EGRESS; Exits shall be located and exit access shall be arranged so that exits are readily accesible at all times (7.5.1.1).				
	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 (7.5.1.1.1).				
<b>Notes:</b>	STORAGE OF ITEMS IN FRONT HALLWAY				
2) 9.002					
<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>	THROUGHOUT BUILDING, FRONT AND REAR STAIRWELLS				
3) 2.140					
<b>Violation:</b>	NFPA 1- 10.1.1 STRUCTURE NEEDS REPAIR; Every new and existing building or structure shall be constructed, arranged, equipped, maintained, and operated in accordance with this code so as to provide a reasonable level of life safety, property protection, and public welfare from the actual and potential hazards created by fire, explosion, and other hazradous conditions.				
<b>Notes:</b>	RAILINGS ON FRONT, SIDE AND REAR PORCHES NEED REPAIR				
4) 55.025					
<b>Violation:</b>	NFPA 101- 7.2.2.4.1.1 STAIRS SHALL HAVE HANDRAILS; STAIRS AND RAMPS SHALL HAVE HANDRAILS ON BOTH SIDES, UNLESS OTHERWISE PERMITTED IN 7.2.2.4.1.5 OR 7.2.2.4.1.6.				
<b>Notes:</b>	NO HANDRAIL ON REAR STAIRS				
5) 55.05					
<b>Violation:</b>	NFPA 720- 5.5.6.1 CO ALARMS REQUIRED; 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.				
<b>Notes:</b>	ONE CO ALARM REPORTED IN 3RD FLOOR APT. NONE IN SECOND OR FIRST FLOOR				

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**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

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**Inspection Violations**

<b>Owner/Manager</b> BELANGER GLENN A &		<b>Inspector</b> Christopher Goodall	<b>Inspection Date</b> 7/31/2015
<b>Location</b> 71 LAWN AVE	<b>CBL</b> 131 F012001	<b>Status</b>	<b>Inspection Type</b> Fire Company-FP Routine Inspec

6) 55.229

**Violation:** NFPA 101- 31.3.3.2 INTERIOR FINISH FOR EXITS AND ENCLOSURES; INTERIOR WALL AND CEILING FINISH MATERIALS COMPLYING WITH 10.2 SHALL BE PERMITTED AS FOLLOWS:  
EXIT ENCLOSURES- CLASS A OR CLASS B

**Notes:** WOOD PANELLING IN REAR STAIRWELL

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7) 3.011

**Violation:** 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)

**Notes:** GAS FIRED BOILER IN BASEMENT AND GAS FIRED HOT WATER HEATER IN THIRD FLOOR STAIRWELL LANDING

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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,

v.

Glenn Belanger & Tamatha Belanger  
Defendant

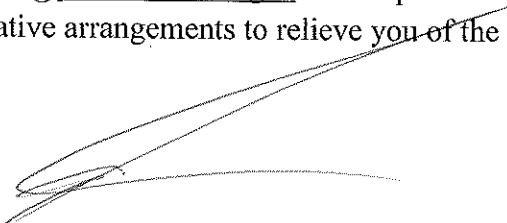
**FIRE PREVENTION AND PROTECTION  
CODE VIOLATION**

**(M.R. CIV. P. 80H AND 80k)**

SUMMONS NUMBER: 353822

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 09/14/2015. I strongly urge you to contact Victoria Meserve at 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 resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 09/14/2015.

Dated: 8/7/15



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