



May 9, 2016

LALUMIERE SCOTT

84 MIDDLE ST

PORTLAND, ME 04101

CBL: 131 G006001

Located at 174 GLENWOOD AVE

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 "A. K. Plunig".

Portland Fire Department

Fire Prevention Bureau

353015

**CITY OF PORTLAND  
 PORTLAND FIRE DEPARTMENT  
 380 Congress Street  
 Portland, Maine 04101**

**Inspection Violations**

|   |                           |   |  |
|---|---------------------------|---|--|
| <b>Owner/Manager</b><br>LALUMIERE SCOTT |                           | <b>Inspector</b><br>Christopher Goodall | <b>Inspection Date</b><br>5/6/2016                       |
| <b>Location</b><br>174 GLENWOOD AVE     | <b>CBL</b><br>131 G006001 | <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) 73.20          |  |  |  |  |  |
| <b>Violation:</b> | NFPA 101- 31.3.7 FLOOR/ CEILINGS ASSEMBLY NOT SMOKE-TIGHT; IN BUILDINGS OTHER THAN THOSE MEETING THE REQUIREMENTS OF 31.3.7.1, 31.3.7.2, 31.3.7.3, 31.3.7.4, OR 31.3.7.5, IN ADDITION TO THE FOLLOWING CRITERIA TO BE MET.   |  |  |  |  |
| <b>Notes:</b>     | HATCH COVER THIRD FLOOR REAR STAIRWELL TO COCKLOFT NOT SEATED SECURELY   |  |  |  |  |
| 2) 80.40          |  |  |  |  |  |
| <b>Violation:</b> | NFPA 101- 31.2.2.1.2 EXIT STAIR REQ 60-MIN FIRE DOORS - NON-HIGH-RISE; IN BUILDINGS USING OPTION 4, EXIT ENCLOSURES SHALL HAVE A MINIMUM 1-HOUR FIRE RESISTANCE RATING, AND DOORS SHALL HAVE A MINIMUM 1-HOUR FIRE PROTECTION RATING.  |  |  |  |  |
| <b>Notes:</b>     | FRONT AND REAR STAIRWELLS TO UNITS AND BASEMENT  |  |  |  |  |
| 3) 55.20          |  |  |  |  |  |
| <b>Violation:</b> | NFPA 101- 31.3.3.2 INTERIOR FINISH; INTERIOR WALL AND CEILING FINISH MATERIALS COMPLYING WITH 10.2 SHALL BE PERMITTED AS FOLLOWS:<br>(1) EXIT ENCLOSURES- CLASS A OR B<br>(2) LOBBIES AND CORRIDORS- CLASS A OR B<br>(3) OTHER SPACES- CLASS A, B, OR C.   |  |  |  |  |
| <b>Notes:</b>     | PANELING ON WALLS THROUGHOUT REAR STAIRWELL, AND FRONT STAIRWELL BETWEEN 2ND AND 3RD FLOORS  |  |  |  |  |
| 4) 55.25          |  |  |  |  |  |
| <b>Violation:</b> | NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED; In buildings other than those equipped through out with an existing, complete automatic smoke detection system, smoke alarms shall be installed in accordance with 9.6.2.10, as modified by 31.3.4.5.2, outside every sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit, including basements. |  |  |  |  |
| <b>Notes:</b>     | MISSING SMOKE DETECTOR THIRD FLOOR REAR STAIRWELL  |  |  |  |  |
| 5) 89.05          |  |  |  |  |  |
| <b>Violation:</b> | NFPA 1 EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.   |  |  |  |  |
| <b>Notes:</b>     | TRASH AND RECYCLABLES ON SECOND FLOOR REAR LANDING AND STAIRS  |  |  |  |  |
| 6) 91.25          |  |  |  |  |  |
| <b>Violation:</b> | NFPA 70 MISSING BOX COVERS; REFER TO NFPA 70, NATIONAL ELECTRICAL CODE, ON STANDARDS FOR MISSING BOX COVERS.   |  |  |  |  |
| <b>Notes:</b>     | OPEN JUNCTION BOXES IN BASEMENT  |  |  |  |  |

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**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

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Portland, Maine 04101

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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:** NEEDED OVER TWO BOILERS AND GAS FIRED HOT WATER HEATERS

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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.

Scott Lalumiere  
Defendant

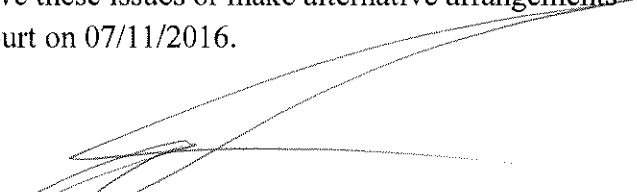
**FIRE PREVENTION AND PROTECTION  
CODE VIOLATION**

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

SUMMONS NUMBER: 353865

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 07/11/2016. 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 07/11/2016.

Dated: 5/12/16



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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

STATE OF MAINE

DISTRICT COURT  
Location: Portland  
Docket No.

CITY OF PORTLAND and body politic and  
Corporate, located in the County of  
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Plaintiff,

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Scott Lalumiere  
Defendant

**FIRE PREVENTION AND PROTECTION  
CODE VIOLATION**

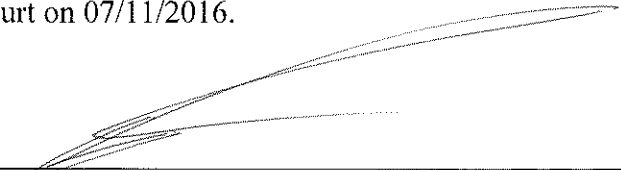
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