



December 14, 2015

MILLER JOSPEH T

46 HILLIS ST

PORTLAND, ME 04103

CBL: 134 H003001

Located at 110 BRENTWOOD 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.

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,

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager Miller Joseph T		Inspector Stephen Nee		Inspection Date 11/9/2015
Location 0110 BRENTWOOD ST		CBL 134 H003001	Status Violations Exist from Naviline	Inspection Type Fire Prevention-FP Routine Inspe

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 2.120	Interior			Stairways	
Violation:	NFPA 101- 8.3.5 HOLE IN WALL NEEDS REPAIR; The provisions of 8.3.5 shall govern the materials and methods of construction used to protect through-penetrations and membrane penetrations in fire walls, fire barrier walls, and fire resistance-rated horizontal assemblies. The provisions of 8.3.5 shall not apply to approved existing materials and methods of construction used to protect existing through-penetrations and existing membrane penetrations in fire walls, fire barrier walls, or fire resistance-rated horizontal assemblies, unless otherwise required by chapters 11 through 43.				
Notes:	THE BACK STAIRWELL AND HALLWAYS NEED REPAIRING. PANELING AND OLD WOODEN WALLS IN DIRE NEED OF REPAIRING. MULTIPLE HOLES AND VOID IN THE CEILINGS AND WALLS. REAR STAIRS ARE ALSO IN NEED OF REPAIR. STAIRWELLS ALSO NEED CONTINUOUS HANDRAILS.				

2) 6.010	Interior			Stairways	
Violation:	NFPA 101- 9.1.2 ELECTRICAL WIRES BREECH WALL; ELECTRICAL WIRING AND EQUIPMENT SHALL BE IN ACCORDANCE WITH NFPA 70, UNLESS SUCH INSTALLATIONS ARE APPROVED EXISTING INSTALLATIONS, WHICH SHALL BE PERMITTED TO BE CONTINUED IN SERVICE.				
Notes:	LIVE WIRES BEING RUN THROUGH THE WALLS AND ON THE OUTSIDE OF THE WALLS IN THE REAR STAIRWELL.				

Comments: Inspections from Naviline Fire Inspections. 1 were listed.
--Combustibles too close to heat source:Basement full of boxes close to heating

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)

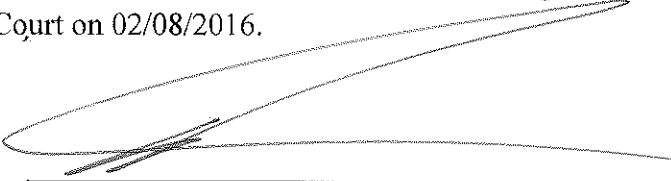
v.

Joseph T Miller
Defendant

SUMMONS NUMBER: 3533662

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 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: 12/15/15



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