



October 14, 2015

SARGENT JOHN P VN VET &

103 READ ST

PORTLAND, ME 04103

CBL: 141 J014001

Located at 103 READ 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,

A handwritten signature in cursive script, appearing to read "David P. Bell".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager SARGENT JOHN P VN VET &		Inspector Christopher Champagne	Inspection Date 10/13/2015
Location 103 READ ST	CBL 141 J014001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 69.05					
Violation:	PORTLAND FIRE DEPARTMENT CHAPTER 10 4.3.1, 4.3.2 BUILDING ADDRESS NOT MARKED ON BUILDING; 4.3.1 Signs shall be located in a position readily visible as approaching from the main access and approved by the Fire Department. Signs shall be illuminated or retro reflective on a contrasting background and the letter(s) size shall be approved by the Fire Department.				
	4.3.2 Street Address shall be clearly marked on the front of the building and building sign as approved by the Fire Department.				
Notes:	NOT VISABLE FROM STREET AND BROKEN				
2) 80.28					
Violation:	NFPA 101- 7.5.1.1 EXIT OBSTRUCTED; 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.				
Notes:	REAR EXIT FROM 2ND FLOOR BLOCKED BY DEBRIS AND FLAMIBLES				
3) 80.52					
Violation:	NFPA 101- 7.2.8.6.2 FIRE ESCAPE REQUIRES REPAIR; THE AUTHORITY HAVING JURISDICTION SHALL BE PERMITTED TO APPROVE ANY EXISTING FIRE ESCAPE STAIR THAT HAS BEEN SHOWN BY LOAD TEST OR OTHER SATISFACTORY EVIDENCE TO HAVE ADEQUATE STRENGTH.				
Notes:	REAR FIRE ESCAPE IN NEED OF REPAIR				
4) 80.88					
Violation:	NPFA 101- 7.2.2.1.1 STAIRS REQUIRE REPAIR; Stairs shall meet the following criteria: (1) New stairs shall be in accordance with Table 7.2.2.2.1.1(a) (2) Existing stairs shall be permitted to remain in use, provided that they meet the requirements for existing stairs shown in Table 7.2.2.2.1.1(b) (3) Approved existing stairs shall be permitted to be rebuilt in accordance with the following: (a) dimensional criteria of table 7.2.2.2.1.1(b) and other stair requirements of 7.2.2 (4) The requirements for new and existing stairs shall not apply to stairs located in industrial equipment access areas where otherwise provided in 40.2.5.2.				
Notes:	STAIRS FROM 1ST FLOOR LEVEL TO DRIVEWAY SIDE OF HOUSE, NEED REPAIR DUE SAGGING STAIRS				
5) 89.05					
Violation:	NFPA 1 EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.				
Notes:	REAR STAIRWAYS, GENERAL CONDITION OR EXTERIOR				

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6) 89.15

Violation: NFPA 30- TABLE 9.6.2.1 FLAMMABLE/COMBUSTIBLE LIQUIDS STORAGE EXCEED LIMIT; SEE NFPA 30 TABLE 9.6.2.1 FOR SPECIAL OCCUPANCY LIMITS FOR FLAMMABLE AND COMBUSTIBLE LIQUID STORAGE.

Notes: GAS LINE THROUGH REAR WALL, STOVE PIPE THOUGH SAME WALL WITH NO FIRE BARRIOR

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)

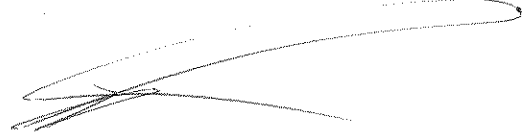
v.

John Sargent
Defendant

SUMMONS NUMBER: 353619

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 12/14/2015. Please contact Victoria Meserve at 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 12/14/2015.

Dated: 10/10/15



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