



October 6, 2015

WOJCIK JOSEPH B JR

211 FALMOUTH RD

FALMOUTH , ME 04105

CBL: 142 B015005

Located at 985 FOREST 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.

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 WOJCIK JOSEPH B JR		Inspector Michael Scherb	Inspection Date 10/5/2015
Location 985 FOREST AVE	CBL 142 B015005	Status Failed	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 8.038 Interior Through Out

Violation: NFPA 1- 1.12.5.13 FIRE ALARM INSPECTION STICKER REQUIRED; Permits shall be issued by the AHJ and shall bear the name and signature of the AHJ or that of the AHJ's designated representative. In addition, the permit shall indicate the following:
(1) Operation or activities for which the permit is issued
(2) Address or location where the operation or activity is to be conducted
(3) Name and address of the permittee
(4) Permit number and date of issuance
(5) Period of validity of the permit
(6) Inspection requirements and other permit conditions

Notes:

2) 1.132 Interior

Violation: 1-14-3.2 EMERGENCY LIGHTING AND EXIT SIGNS SHALL BE TESTED; EMERGENCY LIGHTING FACILITIES AND EXIT SIGNS SHALL BE TESTED MONTHLY FOR 30 SECONDS AND ANNUALLY FOR 90 MINUTES, AND WRITTEN RECORDS SHALL BE MAINTAINED.

Notes: EMERGENCY LIGHTS IN SUITE 3,4,5 DID NOT WORK. ALSO EXIT SIGNS IN SUITE 1,2,3

3) 2.125 Interior

Violation: N.F.P.A. 101 CHP. 31.3.3.2 HOLE IN CEILING NEEDS REPAIR; InteriorWall and Ceiling Finish

Interior walls and ceiling finish materials complying with 10.2 shall be permitted as follows:

1) Exit enclosures -- Class A or class B

2) Lobbies and corridors--Class A or Class B

3) Other spaces Class A, orClass B, or Class C

Notes: VARIOUS CELING TILES THROUGHOUT.

4) 8.025 Interior Hallway

Violation: NFPA 72- 10.2.1.2.2 SMOKE DETECTOR NEEDS REPAIR; SYSTEM DEFECTS AND MALFUNCTIONS SHALL BE CORRECTED.

Notes: SMOKES IN SUIET 1,2 DID NOT WORK

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.

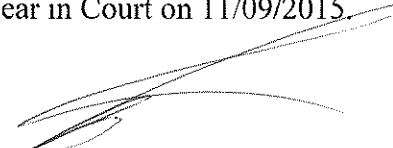
Joseph Wojcik
Defendant

SUMMONS NUMBER: 353605

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 11/09/2015. 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 11/09/2015.

Dated:

10/16/15



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