

CITY OF PORTLAND  
 FIRE PREVENTION BUREAU  
 380 Congress Street, Portland, Maine 04101  
 fireprevention@portlandmaine.gov  
 (207) 874-8400

**NOTICE OF VIOLATION AND ORDER TO CORRECT**

May 17, 2017

<b>Responsible Party 1:</b> CONGDON F GILBERT III ETALS 141 PROSPECT ST PORTLAND, ME 04103		<b>Responsible Party 2:</b> Schlotterbeck & Foss 52 Canco Rd PORTLAND, ME 04103
<b>Location</b> 52 CANCO RD (Schlotterbeck)	<b>CBL</b> 147 C002001	<b>Inspection Date</b> 5/4/2017
<b>Inspector</b> Brad James	<b>Inspection Type</b> FP Routine Inspection	<b>Status</b> Failed

The City of Portland Fire Department inspected this property, and found the fire and life safety code violations listed below, which you are hereby ordered to correct. You must propose a date of completion to remedy each violation, a final date of completion, and a date of re-inspection.

**You must send this form to the Fire Prevention Bureau no later than 6/15/2017.**

Your failure to submit a plan of action by the date provided, or to correct any violation within the applicable time frame, may result in legal action against you, the imposition of civil penalties, and the pursuit of other legal remedies.

Violation	Proposed Date of Completion
<b>PORTLAND FIRE DEPARTMENT CHAPTER 10 SECTION 12 KNOX BOX REQUIRED;</b> Knox Boxes are required for all buildings with fire alarm or suppression systems. Knox Box needed for the Schlotterbeck and Foss section of the complex. They have their own driveway and access point to the building. There is no way to get between the two businesses on the inside.	
<b>NFPA 10- 7.1.1 FIRE EXTINGUISHERS NEED ANNUAL SERVICE;</b> The owner or designated agent or occupant of a property in which fire extinguishers are located shall be responsible for inspection, maintenance, and recharging. All extinguishers including the fork lifts.	
<b>NFPA 10- 6.1.3.4 FIRE EXTINGUISHER REQUIRES MOUNTING;</b> Portable fire extinguishers other than wheeled extinguishers shall be installed using any of the following means: (1) Securely on a hanger intended for the extinguisher (2) In the bracket supplied by the extinguisher manufacturer (3) In a listed bracket approved for such purpose (4) In cabinets or wall recesses Extinguisher mount damaged. New mounting bracket needed near forklift charging area.	
<b>NFPA 70 MISSING BREAKER IN PANEL;</b> Refer to NFPA 70, National Electrical Code, for information on missing breakers in an electrical panel. In the 5000 section of the building near connection to On Target.	
<b>NFPA 70 MISSING COVER ON PANEL;</b> Refer to NFPA 70, National Electrical Code, on requirements of missing cover on electrical panel. In the 5000 section of the building near connection to On Target.	

Violation	Proposed Date of Completion
<p><b>NFPA 54- 9.6.4 UTILITY DISCONNECTS BLOCKED;</b> Each appliance connected to a piping system shall have an accessible, approved manual shutoff valve with a nondisplaceable valve member, or a listed gas convenience outlet. Appliance shutoff valves and convenience outlets shall serve a single appliance only and shall be installed in accordance with 9.6.4.1.</p> <p>All electrical panels need to be readily accessible. Lines should be painted on the floor to limit blockage.</p>	
<p><b>NFPA 211- 9.5.1 CLEARANCE PROTECTION NOT PROVIDED;</b> Clearances from connectors to combustible material shall be in accordance with the requirements of 9.5.1.1 through 9.5.5.3 for both unprotected and protected installations.</p> <p>All heating devices need to have 4 feet clearance of combustables at all times. Lines should be painted on the floor to establish distances.</p>	
<p><b>NFPA 211- 9.5.1 CLEARANCE PROTECTION NOT PROVIDED;</b> Clearances from connectors to combustible material shall be in accordance with the requirements of 9.5.1.1 through 9.5.5.3 for both unprotected and protected installations.</p> <p>Electric forklift charging area must have proper clearance of all combustibles during charging times.</p>	
<p><b>NFPA 70- ARTICLE 400.9 ELECTRICAL WIRES SUBJECT TO DAMAGE;</b> Flexible cord shall be used only in continuous lengths without splice or tap where initially installed in applications permitted by 400.7 (A). The repair of hard-service cord and junior hard-service cord 14 AWG and larger shall be permitted if conductors are spliced in accordance with 101.14 (B) and the completed splices retains the insulation, outer sheath properties, and usage characteristics of the cord being spliced.</p> <p>In the 5000 rear section of the building there are two boiler switches that need to be secured to the wall or completely removed.</p>	
<p><b>NFPA 70- ARTICLE 410.42 EXPOSED LIVE ELECTRICAL WIRES;</b> Exposed metal parts shall be connected to an equipment grounding conductor or insulated from the equipment grounding conductor and other conducting surfaces or be inaccessible to unqualified personnel. Lamp tie wires, mounting screws, clips, and decorative bands on glass spaced at least 38 mm from lamp terminals shall not be required to be grounded.</p> <p>In the 5000 section over the rear exit door.</p>	
<p><b>FINAL DATE OF COMPLETED VIOLATION(S)</b></p>	<p>___/___/___</p>
<p><b>FIRE PREVENTION BUREAU RE-INSPECTION OF COMPLETED VIOLATION(S)</b></p>	<p>___/___/___</p>

The Bureau reserves the right to reject or modify any proposed plan of action, and may require evidence of sufficient financial and technical capacity to complete the proposed plan. Please contact the Bureau with any questions.

**VIOLATOR CERTIFICATION**

*I agree to remedy the violations listed within the timeframes provided. If I require additional time to comply, I understand that I must contact the Fire Prevention Bureau prior to the deadline to request an extension, which is entirely within the Bureau's discretion to grant or deny.*

*I further understand that it is my responsibility to schedule a reinspection of my property once the violations have been remedied to do so. My failure to schedule a reinspection shall be deemed an admission that the violations have not been remedied.*

*If I fail to comply with this agreement, I understand that I am liable for penalties pursuant to the City of Portland Code of Ordinances §§ 1-15 and 10-25, and 30-A M.R.S. § 4452 and may be subject to further legal action.*

\_\_\_\_\_

Date

\_\_\_\_\_

Responsible Party

\_\_\_\_\_

Date

\_\_\_\_\_

Responsible Party

**SEEN AND AGREED**

\_\_\_\_\_

Date

\_\_\_\_\_

Fire Prevention Bureau