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**Director of Planning and Urban Development
Penny St. Louis Littell**

**Inspection Services, Director
Tammy Munson**

August 4, 2009

REGULAR AND CERTIFIED MAIL # 7008 0500 0001 4587 8645

MGW Consulting and Development, LLC
46 Irving Street
Portland, Maine 04102

RE: 46 Bay Street
CBL: 155-E-007-001

Dear Mr. Wilson:

This letter is a follow up to our telephone conversation today regarding the filing of the application for demolition of the single family home at 46 Bay Street (the "Property"). The City had sent similar correspondence to the previous owner Fracena Roberts after a meeting on May 28, 2009 at the Property. The inspection revealed that the single family home on the Property is severely dilapidated and structurally unsound. The left rear corner is completely caved in and the roof has collapsed.

Pursuant to the International Existing Building Code 2003 ("IEBC") Section 202, any building with any of the following characteristics shall be deemed a "dangerous building":

2. *Any portion, member, or appurtenance thereof likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons.*
4. *The building, or any portion thereof, is likely to collapse partially or completely because of dilapidation, deterioration or decay.*
5. *The exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.*

The building falls within the above IEBC definition and is a "dangerous building". It is hereby ordered that the building be demolished. See City Code § 6-16; IEBC at § 117.1. Please contact this office on or before August 14, 2009 in order to obtain the necessary permit(s), including, but not limited to, a demolition permit. I am enclosing an application packet for Demolition of a Structure to be filed at our office with all of the required documents and fees.

The city of Portland requires immediate action in the application process to demolish this structure. You stated that it is your intention to attend to this matter quickly; however you were hoping that it could be handled in conjunction with the building permit application for a new single family home relocated on this lot. As I explained, due to the potential review time of the building permit process, the demolition should be applied for separately in order to expedite the removal of this seriously dangerous structure.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel's office for immediate action and pursuit of all available legal remedies under the City Code and 17 M.R.S.A. §§ 2851-2859 including, but not limited to, attorney's fees and civil penalties as provided for in 30-A M.R.S.A. § 4452 and §§ 1-15 and 6-1 of the City Code.

This constitutes an appealable decision pursuant to section 121 of the Building Code. Please be advised that the Portland City Council has amended the City Code to include a \$75.00 re-inspection fee. If there are any subsequent inspections, the \$75.00 fee will be assessed for each inspection.

Thank you in advance for your immediate attention to this matter.

Sincerely,

Jeanie Bourke
Code Enforcement Officer/Plan Reviewer

cc: Tammy Munson, Inspection Services, Director
Danielle West-Chuhta, Associate Corporation Counsel
Penny Littell, Director of Planning & Urban Development