



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

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

**Inspection Services, Director  
Tammy Munson**

July 14, 2009

**REGULAR AND CERTIFIED MAIL # 7008 0500 0001 4587 8492**

Fracena Roberts  
318 Campbells Pond Road  
West Bath, Maine 04530

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

Dear Mrs. Roberts:

On May 28, 2009, I met your husband Gary, your lawyer Jessica Maher and representatives from Gorham Sand and Gravel at your property at 46 Bay Street (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 me on or before July 21, 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.

I received a phone message on July 13, 2009 from Donna at the law firm of Moncure and Barnicle on July 10, 2009. She stated that the property was under contract with a closing date scheduled for July 29, 2009. Regardless of this pending sale, the city of Portland requires action in the process to demolish this structure to commence immediately.

This is your final opportunity to correct this violation. 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  
Jessica Maher, Esq  
Gorham Sand & Gravel



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