

353 810

Portland, Maine



Yes. Life's good here.

Jerome F. LaMoria
Fire Chief, Fire Department

Portland Fire Department
Fire Prevention Bureau
380 Congress St
Portland, ME 04101

July 6, 2015

Peter W. Richmond
Gladys M. Richmond
490 Harpswell Rd
Harpswell, ME 04079

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 576 Washington Ave on July 3, 2015 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 RICHMOND PETER W &		Inspector Christopher Champagne	Inspection Date 7/3/2015
Location 576 WASHINGTON AVE	CBL 166 C013001	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:	576 FALLING OFF, 578 MISSING COMPLETELY				
2) 69.25					
Violation:	PORTLAND FIRE DEPARTMENT CHAPTER 10 4.6.1, 4.6.2 UNIT/SUITE NUMBERS NOT MARKED; 4.6.1 RESIDENTIAL UNITS SHALL BE DESIGNATED USING NUMERALS.				
	4.6.2 THE FIRST NUMERAL OF EACH RESIDENTIAL UNIT SHALL BE THE FLOOR DESIGNATION.				
Notes:	NEED UNIT NUMBERS MARKED ON DOORS ALL UNITS				
3) 73.05					
Violation:	NFPA 101- 7.2.1.15.8 FIRE DOOR ASSEMBLY REQ REPAIR; DOOR OPENINGS NOT IN PROPER OPERATING CONDITION SHALL BE REPAIRED OR REPLACED WITHOUT DELAY.				
Notes:	ALL WOOD DOORS MUST BE UPGRADED TO METAL FIRE DOORS IF BEING USED AS ENTRANCES TO APARTMENTS, WOOD DOORS THAT ARE NOT BEING USED MUST STILL BE UPGRADED TO A FIRE PROTECTED BARRIER				
4) 73.10					
Violation:	NFPA 101-7.2.4.3.1 FIRE BARRIER REQUIRES MAINTENANCE; Fire barriers separating buildings or areas between which there are horizontal exits shall have a minimum 2-hour fire resistance rating, unless otherwise provided in 7.2.4.4.1, and shall provide a separation that is continuous to the finished grounded level.				
Notes:	IN PLACE OF OLD NON FUNCTIONAL WOOD DOORS NOT IN USE TO HALLWAYS				
5) 80.56					
Violation:	NFPA 101- 7.2.8.5.1 HANDRAILS REQUIRED ON STAIRS; ALL FIRE ESCAPE STAIRS SHALL HAVE WALLS OR GUARDS AND HANDRAILS ON BOTH SIDES IN ACCORDANCE WITH 7.2.8.4.1 (B).				
Notes:	OUTSIDE FRONT STAIRS				

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)

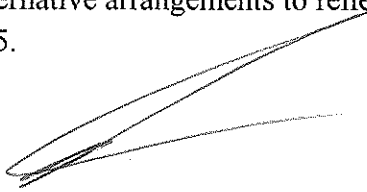
v.

Peter W. Richmond & Gladys M. Richmond
Defendant

SUMMONS NUMBER: 353810

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 August 10, 2015. I strongly urge you to 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 resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on August 10, 2015.

Dated: 7/9/15



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