



Planning &amp; Urban Development Department

July 17, 2015

Isely Lamour  
592 Washington Ave.  
Portland, ME 04103

Hand Delivered and Certified Mail: 70101870000281368169

CBL: 166 C001001  
Located At: 592 Washington Ave.

## Tenant Notification/ Posting Notice

Dear Mr. Lamour:

An evaluation of the above-referenced property with Officials from the City's Inspections Division and Fire Prevention Bureau on 07/17/2015 revealed that the structure fails to comply with several aspects of City Code including, § 6-120 (a), (b), & (c), as well as Maine Uniform Building and Energy Code ("MUBEC") § 105.1, Permits Required, § 111.1 Use and Occupancy, and §10-107 of the City's Building, Life Safety (Fire) and § 14-57 of the Land Use Code.

The residential dwelling units located at 592 Washington Ave. are unfit for human habitation and must be vacated and remain vacated. Amongst the violations present (a list of which is attached hereto) this building contains blocked exits, unsafe wiring, excessive storage (fire load) inside and outside, cockroach infestation, and illegal unit(s). These violations must be repaired or remedied in accordance with the City of Portland Code of Ordinances. Furthermore, our files indicate that the legal use of the building is a two family residence with an office in the front on the first floor, See Permit #002176. Presently it is being used beyond the permitted legal use.

Given the present circumstances of this Property:

1. The building must remain totally vacated and properly secured from vandalism.
2. Prior to commencing repairs, appropriate permit applications must be submitted for: renovation work, repairs made to building, HVAC, electrical, and plumbing systems.



## Planning &amp; Urban Development Department

3. Follow all inspection requirements outlined in each permit issued by the City.

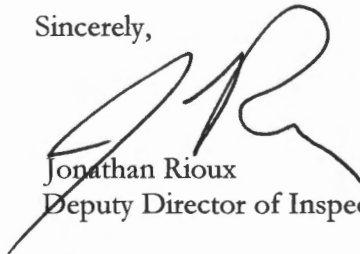
No tenant(s) may return to the property until further notice from the City. A re-evaluation of the property will occur on 07/24/2015 to verify that the building is secure and vacant.

The City's Corporation Counsel's Office has been alerted to the existence of this matter and intends to pursue legal action including injunctive relief and civil penalties, as provided for in § 1-15 of the Portland City Code and in Title 30-A of M.R.S.A § 4452.

This letter constitutes a decision from which you may appeal pursuant to § 6-127 of the Portland City Code and Rule 80B of the Maine Rules of Civil Procedure. If you have any questions, concerns or require emergency repair permits- please contact me at 207-874-8701.

For information on the City's Emergency Shelters please contact the Social Services Division at (207) 482-5229 for assistance.

Sincerely,



Jonathan Rioux  
Deputy Director of Inspections

cc: Tenants of 592 Washington Ave  
Adam R. Lee, Associate Corporation Counsel  
Keith Gautreau, Assistant Chief of Prevention and Community Outreach

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> LAMOUR ISELY &		<b>Inspector</b> Chuck Fagone	<b>Inspection Date</b> 7/17/2015
<b>Location</b> 592 WASHINGTON AVE	<b>CBL</b> 166 C001001	<b>Status</b> Failed	<b>Inspection Type</b> Complaint-Trash on Property/jun

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 6-113.(e) Interior Various locations

**Violation:** MAINTENANCE OF LIGHTING FIXTURES; Maintenance of lighting fixtures. All fixtures required by this article and all fixtures installed in addition thereto shall be maintained in good and safe working conditions and shall be installed in accordance with the electrical code of the city.

**Notes:** Unfinished and loose lighting fixtures and junction boxes as well as exposed wires throughout the property.

2) 6-116.(e) Interior Through Out

**Violation:** FIRE PROTECTION; Every dwelling, dwelling unit, rooming house and rooming unit shall comply with the applicable provisions of the most current edition of the National Fire Protection Association Life Safety Code, and with all other applicable state statutes and regulations.

**Notes:** Smoke detectors not in place or missing batteries throughout the property

3) 6-108.(b) Interior 2 Various locations

**Violation:** INTERIOR FLOORS, WALLS, CEILINGS AND DOORS; EVERY FLOOR, WALL, CEILING, AND DOOR SHALL BE IN A STRUCTURALLY SOUND CONDITION AND IN GOOD REPAIR AND SHALL BE SUBSTANTIALLY VERMIN PROOF.

**Notes:**

4) 6-120. Interior Through Out

**Violation:** POSTED AGAINST OCCUPANCY.; Any dwelling, dwelling unit, rooming house, rooming unit, or any structure or portion thereof being used for human habitation which is in violation of the provisions of this article to the extent that it is unfit for human habitation according to the standards contained herein or other applicable standards may be condemned for habitation and posted against occupancy by the building authority. Property unfit for human habitation shall include but not be limited to:

(1) Properties which are either damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested in such a manner as to create a serious hazard to the health, safety, and general welfare of the occupants or the public;

(2) Properties which lack plumbing, ventilating, lighting or heating facilities or equipment adequate to protect the health, safety and general welfare of the occupants or the public,

(3) Properties which, because of their general condition, state of the premises, number of occupants, or location, are so insanitary, unsafe, overcrowded or otherwise dangerous or detrimental that they create a serious menace to the occupants or the public;

(4) Properties which contain lead-based paint substances, as defined herein; or

(5) Properties in or on which the owner, operator or occupant has failed to comply with notices or orders issued under the provisions of this article.

**Notes:**

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5) 6-109.(e)                      Interior                                      Various locations

**Violation:**    RODENT AND VERMIN CONTROL.; Every dwelling, dwelling unit, rooming house, rooming unit, and dwelling premises shall be kept and maintained free from insects, rodents, or other pests in accordance with the following division of responsibility.  
(a.)Every occupant of a dwelling unit shall be responsible for the extermination of such insects, rodents, or other pests where the infestation is confined to such dwelling unit, except as provided in subsection 6- 109(5)b.  
(b.)When infestation of a dwelling unit shall exist because of the failure of the owner or operator of a dwelling or dwelling premises to keep the same in a substantially rodent or vermin-proof condition, extermination shall the responsibility of the owner or operator.  
  
(c.)Every owner or operator of a dwelling shall be responsible for the extermination of such insects, rodents, or other pests whenever infestation exists in any two (2) or more dwelling and/or rooming units, or in shared areas or upon the dwelling premises.  
  
(d.)Every owner or operator of a rooming house shall be responsible for the extermination of any insects, rodents, or other pests in the dwelling or upon the dwelling premises.

**Notes:**            Cockroach infestation throughout the building

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6) 6-109.(b)                      Interior

**Violation:**    MAINTENANCE OF SHARED AREAS.; MAINTENANCE OF SHARED AREAS. EVERY OWNER OR OPERATOR OF A MULTIPLE DWELLING OR ROOMING HOUSE SHALL MAINTAIN IN A CLEAN AND SANITARY CONDITION THE SHARED OR PUBLIC AREAS OF THE DWELLING AND DWELLING PREMISES.

**Notes:**            Excess trash and rubbish storages, bottles, plastic bags, boxes, debris, etc.

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7) 6-109.(d)

**Violation:** DISPOSAL OF RUBBISH, ASHES, GARBAGE AND WASTE; Separate watertight, tightly covered plastic or metal containers shall be provided, one (1) or more for garbage and other food wastes, one (1) or more for rubbish, paper, and other non food wastes, and one (1) or more metal containers for ashes, and all such containers shall be kept covered at all times so as to prevent the ingress and egress of flies, rats or other animals. Plastic or paper bags or boxes are not considered "containers" for purposes of this section. Ashes shall be cold when placed in containers for collection. Such containers shall be cleaned periodically so that they will not become foul or offensive and shall be placed in convenient locations for removal of the contents by persons authorized to collect the same. Every occupant of a dwelling, dwelling unit, rooming house or rooming unit shall place or cause to be placed all garbage, rubbish and other waste material in such containers and shall not permit any accumulation or deposit of such substances in or about the premises except in said containers. The responsibility for the provision of such containers shall be as follows

1. It shall be the duty of every occupant of every dwelling occupied by not more than two (2) families to provide and keep within the dwelling or upon the premises where the dwelling is situated sufficient containers to meet the above requirements.

2. It shall be the duty of the owner or operator of every multiple dwelling to provide and keep within the dwelling or upon the premises where the dwelling is situated sufficient containers to meet the above requirements.

3. It shall be the duty of every owner or operator of a rooming house to provide and keep within the dwelling or upon the premises where the dwelling is situated sufficient containers to meet the above requirements.

**Notes:**

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8) 22.3.3(a)

**Violation:** PREMISES TO BE KEPT FREE FROM RODENT HARBORAGE; The owner of a two (2) or more family residential building and the owner or occupant of a single family residential building shall maintain the building and the lot on which the building is located free from any accumulation of any putrid substance, garbage, rubbish, old lumber, debris or rubble, except in watertight covered containers.

**Notes:**

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**Comments:** Violations entered under Lt. Champagne's inspection.

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**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

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<b>Owner/Manager</b> LAMOUR ISELY &		<b>Inspector</b> Christopher Champagne	<b>Inspection Date</b> 7/17/2015
<b>Location</b> 592 WASHINGTON AVE	<b>CBL</b> 166 C001001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Company-FP Routine Inspec

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Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 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:**

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2) 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:**

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3) 73.15

**Violation:** NFPA 31.3.1.1.1 VERTICAL OPENINGS NOT FIRE RATED; VERTICAL OPENINGS SHALL BE ENCLOSED OR PROTECTED IN ACCORDANCE WITH SECTION 8.6.

**Notes:**

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4) 80.28

**Violation:** NFPA 101- 7.5.1.1 EXIT OBSTRUCTED; Where exits are not immediately accessible from an open floor area, continuous passageways, aisles, or corridors leading directly to every exit shall be maintained and shall be arranged to provide access for each occupant to not less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4.

**Notes:**

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5) 80.88

**Violation:** NFPA 101- 7.2.2.1.1 STAIRS REQUIRE REPAIR; Stairs shall meet the following criteria:  
(1) New stairs shall be in accordance with Table 7.2.2.2.1.1(a)  
(2) Existing stairs shall be permitted to remain in use, provided that they meet the requirements for existing stairs shown in Table 7.2.2.2.1.1(b)  
(3) Approved existing stairs shall be permitted to be rebuilt in accordance with the following: (a) dimensional criteria of table 7.2.2.2.1.1(b) and Other stair requirements of 7.2.2  
(4) The requirements for new and existing stairs shall not apply to stairs located in industrial equipment access areas where otherwise provided in 40.2.5.2.

**Notes:**

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6) 71.05

**Violation:** CO ALARMS REQUIRED

**Notes:** THROUGHOUT

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7) 71.25

**Violation:** SMOKE ALARMS REQUIRED

**Notes:** MUST BE INTERCONNECTED

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8) 89.05

**Violation:** NFPA 1- EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.

**Notes:**

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9) 89.15

**Violation:** NFPA 30- TABLE 9.6.2.1 FLAMMABLE/COMBUSTIBLE LIQUIDS STORAGE EXCEED LIMIT; SEE NFPA 30 TABLE 9.6.2.1 FOR SPECIAL OCCUPANCY LIMITS FOR FLAMMABLE AND COMBUSTIBLE LIQUID STORAGE.

**Notes:**

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10) 91.10

**Violation:** NFPA 70- ARTICLE 110 B CERTIFY ELECTRICAL SYSTEM; LISTED OR LABELED EQUIPMENT SHALL BE INSTALLED AND USED IN ACCORDANCE WITH ANY INSTRUCTIONS INCLUDED IN THE LISTING OR LABELING.  
ENTIRE ELECTRICAL SYSTEM NEEDS TO BE LOOKED AT.

**Notes:**

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11) 91.15

**Violation:** NFPA 70- ARTICLE 110.12 B EXPOSED WIRING CONNECTIONS; Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, or corrosive residues. There shall be no damaged parts that may adversely affect safe operation or mechanical strength of the equipment such as parts that are broken; bent; cut; or deteriorated by corrosion, chemical reaction, or overheating.

**Notes:**

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12) 6.005

**Violation:** NFPA 70- 4.10.8 DEFECTIVE LIGHT FIXTURE; Luminaries shall be installed such that the connections between the luminaire conductors and the circuit conductors can be inspected without requiring the disconnection of any part of the wiring unless the luminaries are connected by attachment plugs and receptacles.

**Notes:**

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13) 3.011

**Violation:** NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED; THE AREAS DESCRIBED IN TABLE 31.3.2.1.1 SHALL BE PROTECTED AS INDICATED:  
BOILER AND FUEL-FIRED HEATER ROOMS SERVING MORE THAN A SINGLE DWELLING UNIT  
(MINIMUM SEPARATION/PROTECTION IS 1 HOUR OR SPRINKLERS)

**Notes:**

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**Comments:** Possible use of 2nd floor as rooming house and 3rd floor non-approved apartment