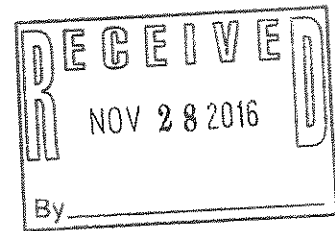


CITY OF PORTLAND
 FIRE PREVENTION BUREAU
 380 Congress Street, Portland, Maine 04101
 fireprevention@portlandmaine.gov
 (207) 874-8400



NOTICE OF VIOLATION AND ORDER TO CORRECT

November 15, 2016

Responsible Party 1: WEARE RICHARD E TRUSTEE PO BOX 741 PORTLAND , ME 04104		
Location 644 WASHINGTON AVE	CBL 167 D004001	Inspection Date 11/5/2016
Inspector Mark Stewart	Inspection Type FP Routine Inspection	Status 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 complete the proposed date of completion column by proposing a reasonable timeframe to remedy each violation. This form must be received by the Fire Prevention Bureau no later than 11/30/2016. 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.

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
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. No unit numbers displayed.	12 / 31 / 16
NFPA 101- 7.1.3.2.1 60-MIN FIRE DOOR ASSEMBLIES REQ; The separation shall have a minimum 1-hour fire resistance rating where the exit connects three or fewer stories. Need Fire Door to basement in rear stairwell.	6 / 30 / 17
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. Front stairway first floor ceiling needs repair. Third floor front apartment wall needs to be taped and mudded.	6 / 30 / 17
NFPA 101- 31.3.1.1.1 VERTICAL OPENINGS NOT FIRE RATED; Vertical openings shall be enclosed or protected in accordance with Section 8.6. Front stairway missing sheetrock in multiple area/floors.	6 / 30 / 17
NFPA 101- 31.3.7 FLOOR/ CEILINGS ASSEMBLY NOT SMOKE-TIGHT; In buildings other than those meeting the requirements of 31.3.7.1, 31.3.7.2, 31.3.7.3, 31.3.7.4, or 31.3.7.5, in addition to the following criteria to be met. Ceiling of third floor front stairway needs sheetrock (open to roof)	6 / 30 / 17

Violation	Proposed Date of Completion
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). Handrail on stairs to third floor needs repair.	<u>1/30/17</u>
NFPA 101- 7.5.1.1.1 SECOND EXIT REQUIRED; 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 no less than two exits by separate ways of travel, unless otherwise provided in 7.5.1.1.3 and 7.5.1.1.4. Unit 4 requires 2nd exit.	<u>N/A</u> Already exists
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. Stairs to third floor unsafe.	<u>1/30/17</u> Items stored in stairway removed 11/30/16
NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED; In buildings other than those equipped through out with an existing, complete automatic smoke detection system, smoke alarms shall be installed in accordance with 9.6.2.10, as modified by 31.3.4.5.2, outside every sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit, including basements. No smoke detectors in hallways/stairways and (basement) already installed	IMMEDIATELY install temporary alarms where required. Your signature below indicates that temporary alarms have already been installed.
NFPA 1 EXCESSIVE/DISORDERLY STORAGE; Reference NFPA 1 for excessive fuel-load. Storage/debris in halls and stairways.	<u>11/30/16</u>

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.

11/20/16
 Date

Michael E. Neave
 Responsible Party

 Date

 Responsible Party

SEEN AND AGREED

12/2/16
 Date

A/C Kirk Johnson
 Fire Prevention Bureau

Richard E. Weare
P.O. Box 741
Portland, Maine 04104

October 20, 2016

City of Portland
Fire Prevention Bureau
380 Congress Street
Portland, Maine 04101

Subject: Notice of Violation and Order to Correct

Dear FPB:

Attached is subject document completed with Proposed Date of Completions

I was quite surprised to see the amount of items on the list, as the inspecting team only stated that there were only two items that needed correction; a fire rated door to the cellar and to sheetrock the ceiling joists in the front hallway.

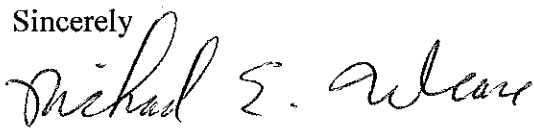
The items stored in the front "emergency exit" is presently being removed by the tenants and is nearly complete on this date.

The item indicating that "Unit 4 requires a 2nd exit is not a correct statement. The second and the third floor units have a main entrance in the back of the house and an emergency exit in the front of the house. Both stairways were inspected by the inspection team.

Although I have listed proposed dates of completion for each item, I hope to have them completed earlier. The schedule for the fire rated door to the cellar installation and the sheetrock installation in the front emergency exist will depend on hiring someone to do that work and their work schedule.

As requested, once completed I will notify your office.

Sincerely



Richard E. Weare