

353 809

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

Nathan D Babb
Christine M Babb
53A Durham Rd
New Gloucester, ME 04260

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 93 Illsley St 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 BABB NATHAN D &		Inspector Christopher Champagne	Inspection Date 7/3/2015
Location 93 ILLSLEY ST	CBL 167 F019001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

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: FIRE DOORS REQUIRED

2) 80.40

Violation: NFPA 101- 31.2.2.1.2 EXIT STAIR REQ 60-MIN FIRE DOORS - NON-HIGH-RISE; IN BUILDINGS USING OPTION 4, EXIT ENCLOSURES SHALL HAVE A MINIMUM 1-HOUR FIRE RESISTANCE RATING, AND DOORS SHALL HAVE A MINIMUM 1-HOUR FIRE PROTECTION RATING.

Notes: FIRE DOORS REQUIRED

3) 80.46

Violation: NFPA 101- 7.2.1.8.1 FIRE DOORS MUST BE SELF- OR AUTO-CLOSING; A door leaf normally required to be kept closed shall not be secured in the open position at any time and shall be self-closing or automatic-closing in accordance with 7.2.1.8.2, unless otherwise permitted by 7.2.1.8.3.

Notes: FIRE DOORS WITH CLOSERS REQUIRED

4) 71.05

Violation: CO ALARMS REQUIRED

Notes: CO/SMOKE REQUIRED IN EACH BEDROOM, INTERCONNECTED

5) 71.25

Violation: SMOKE ALARMS REQUIRED

Notes: SNOKE ALARMS MUST BE IN SERVICE AND NOT DISABLED

Comments:

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)

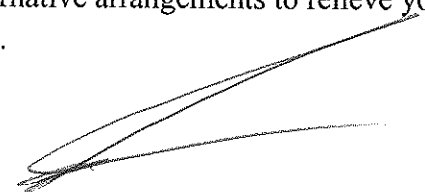
v.

Nathan D. Babb & Christine M. Babb
Defendant

SUMMONS NUMBER: 353809

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