

354947

Portland, Maine



Yes. Life's good here.

August 11, 2015

MR. JAMES MACWILLIAMS

PO BOX 6807

Portland , ME 04101

CBL: 181 D025001

Located at 96-98 COLUMBIA RD

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at the address referenced above 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,

A handwritten signature in cursive script that reads "A/C Mark Jantzen".

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager MR. JAMES MACWILLIAMS		Inspector John Brennan	Inspection Date 8/10/2015
Location 96-98 COLUMBIA RD	CBL 181 D025001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

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

Notes: 4.6.2 THE FIRST NUMERAL OF EACH RESIDENTIAL UNIT SHALL BE THE FLOOR DESIGNATION. LABEL EACH APARTMENT DOOR WITH APPROPRIATE APARTMENT NUMBER (1-4)

2) 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 FIRE DOORS THAT ENTER A HALLWAY OR STAIRWELL MUST HAVE A SELF CLOSING MECHANISM.

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: ENSURE THAT THE ATTIC OPENING IN THE REAR STAIRWELL HAS A PIECE OF SHEETROCK (5/8) ATTACHED TO THE BOTTOM OF THE WOOD THE COVERS THE OPENING.

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: ALL STORAGE NEEDS TO BE REMOVED FROM THE REAR EXIT STAIRWELL.

5) 55.05

Violation: NFPA 720- 5.5.6.1 CO ALARMS REQUIRED; The performance, location, and mounting of notification appliances used to initiate or direct action, evacuation or relocation of the occupants, or for providing information to occupants or staff, shall comply with the requirements of Chapter 6.

Notes: ALL APARTMENTS MUST HAVE CARBON MONOXIDE DETECTORS INSTALLED OUTSIDE SLEEPING ROOMS AND ON EACH LEVEL OF THE DWELLING UNIT.

6) 89.05

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

Notes: ALL COMBUSTABLES MUST BE REMOVED FROM THE FURNACE/CHIMNEY AREA IN THE BASEMENT.

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7) 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: ALL FLAMMABLE AND COMBUSTABLE LIQUIDS MUST BE PLACED IN A LISTED LOCKER OR MOVED OUTSIDE.

8) 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: ALL OLD WIRING IN THE BASEMENT NEEDS TO BE REMOVED OUR PLACED IN AN APPROVED ELECTRICAL BOX WITH A COVER. PLACE THE EXPOSED WIRES ON THE BACK OF THE FURNACE IN AN ELECTRICAL BOX WITH A COVER.

9) 91.20

Violation: NFPA 70- 590.6 EXTENSION CORDS; Ground-fault protection for personnel for all temporary wiring installations shall be provided to comply with 590.6(A) and (B). This section shall apply only to temporary wiring installations used to supply temporary power to equipment used by personnel during construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment, or similar activities.

Notes: EXTENSION CORDS THAT ARE POWERING THE LIGHTING IN THE BASEMENT NEED TO BE REMOVED AND THE APPROPRIATE NUMBER OF ELECTRICAL OUTLETS NEEDS TO BE INSTALLED.

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,

v.

James Macwilliams
Defendant

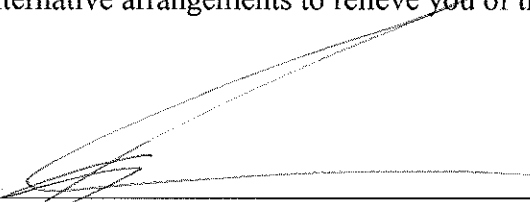
**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

(M.R. CIV. P. 80H AND 80k)

SUMMONS NUMBER: 354947

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 09/14/2015. 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 09/14/2015.

Dated: 8/17/15



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