

Portland, Maine



Yes. Life's good here.

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Corporation Counsel

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Associate Counsel

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Associate Counsel

December 2, 2016

NOTICE OF INTENT TO PROSECUTE

To Whom it May Concern,

Please see the attached Notice of Violation and Order to Correct from the City of Portland Fire Prevention Bureau. The Fire Prevention Bureau has referred this matter to me for prosecution in the event that you do not complete and return the required plan of action by the date contained in the Notice of Violation. Your failure to comply will result in the issuance of a summons for you to appear in court, and the imposition of civil penalties in the minimum amount of \$100 per violation per day.

Please contact the Fire Prevention Bureau at (207)874-8400 to resolve these outstanding violations. I look forward to your anticipated cooperation and appreciate your efforts to help keep the citizens of Portland safe.

Sincerely,

A handwritten signature in blue ink that reads 'Anne M. Torregrossa'. The signature is written in a cursive style.

Anne M. Torregrossa
Associate Corporation Counsel
City of Portland

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

December 2, 2016

Responsible Party 1:
 Lohmeyer Randa
 107 CRESTVIEW DR
 PORTLAND, ME 04103

Responsible Party 2:
 Estate of RANDALL STEARNS
 102 Woodfield Rd
 PORTLAND, ME 04102

Location 486 WOODFORD ST	CBL 184 D019001	Inspection Date 11/18/2016
Inspector John Brennan	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 12/30/2016. 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. All apartment doors must be labeled with the correct apartment number.	___/___/___
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. Attic hatch above the second floor landing in the front stairwell is not fire rated and found not to be in place to cover attic opening.	___/___/___
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. There is storage in the front stairwell on the second floor landing as well as the rear exterior fire escape.	IMMEDIATELY remove all obstructions from the exits. Your signature below indicates that all obstructions have been removed and will not be replaced.
NFPA 101- 7.2.1.5.2 ILLEGAL LOCKS ON EXIT DOOR; Locks, if provided, shall not require the use of a key, a tool, or special knowledge or effort for operation from the egress side. The only entrance into the basement is an exterior door at the rear fire escape and that has a padlock on it. An occupant could unknowingly be locked in the basement from the outside.	IMMEDIATELY remove or disable all illegal locks on exit doors. Your signature below indicates that the illegal locks have been removed or disabled and will not be replaced.

Violation	Proposed Date of Completion
<p>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. The chimney clean out door is missing in the basement.</p>	<p>IMMEDIATELY remove all excess flammable/combustible material from the interior of the structure. Your signature below indicates that all excess material has been removed, will not be replaced, and will be properly disposed of or stored elsewhere.</p>
<p>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. Exposed wires found on top of the water heater. There are wires that do not terminate in an electrical box in various locates in the basement. The outlet closest to the basement sink is not a GFI outlet.</p>	<p>___ / ___ / ___</p>
<p>NFPA 70 MISSING BOX COVERS; Refer to NFPA 70, National Electrical Code, on standards for missing box covers. There are exposed wires do to the missing box covers near the storage area as well as in front of the elctrical panels.</p>	<p>___ / ___ / ___</p>

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.

_____ Date

_____ Responsible Party

_____ Date

_____ Responsible Party

SEEN AND AGREED

_____ Date

_____ Fire Prevention Bureau