

Portland, Maine



Yes. Life's good here.

Danielle P. West-Chuhta
Corporation Counsel

Michael I. Goldman
Associate Counsel

Anne M. Torregrossa
Associate Counsel

Victoria E. Morales
Associate Counsel

September 30, 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,

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

September 30, 2016

Responsible Party 1: BIPED DEVELOPMENT LLC 65 BERKELEY ST PORTLAND, ME 04103		
Location 572 BRIGHTON AVE	CBL 185 C013001	Inspection Date 8/31/2016
Inspector David Petruccelli	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 10/15/2016. 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
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. Gasoline containers in 3rd floor apartment	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.
NFPA 70- ARTICLE 590.6 EXT. CORD USED FOR PERMENANT WIRING; 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. Mulitple locations	
NFPA 70 LABEL ALL ELECTRICAL PANELS; Refer to NFPA 70 for requirements regarding labeling of all electrical panels.	

Violation	Proposed Date of Completion
-----------	-----------------------------

CITY OF PORTLAND RULES AND REGS- CHAPTER 4.6 LABEL UNIT DOORS; 4.6 Commercial suites shall be designated as approved by the FD. In single floor buildings letter designations shall be acceptable. 4.6.1 Residential units shall be designated using numericals. 4.6.2 The first numerical of each residential unit shall be the floor designation. 4.6.3 In single floor buildings the floor designation shall be omitted.

NFPA 101- 31.3.3.2 INTERIOR FINISH FOR EXITS AND ENCLOSURES; Interior wall and ceiling finish materials complying with 10.2 shall be permitted as follows: Exit Enclosures- Class A or Class B
Common stair to 2nd floor units, linoleum not approved wall covering.

NFPA 10- 7.1.1 FIRE EXTINGUISHERS NEED ANNUAL SERVICE; The owner or designated agent or occupant of a property in which fire extinguishers are located shall be responsible for inspection, maintenance, and recharging.
In business spaces

NFPA 101- 7.2.1.8.1 FIRE DOOR(S) MUST SELF-CLOSE; 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.
Basement, East side, owner should confirm that West side self-closes as well.

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