



April 19, 2016

TIBBALS RICHARD G

95 FRANCES ST

PORTLAND , ME 04102

CBL: 186 B010001

Located at 95 FRANCES ST

#### 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](http://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,

*Capt. D. Petrucci*

Portland Fire Department

Fire Prevention Bureau

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

# 354554

**Inspection Violations**

<b>Owner/Manager</b> TIBBALS RICHARD G		<b>Inspector</b> Stephen Nee	<b>Inspection Date</b> 4/17/2016
<b>Location</b> 95 FRANCES ST	<b>CBL</b> 186 B010001	<b>Status</b>	<b>Inspection Type</b> Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 8.001	Interior			Through Out	
<b>Violation:</b>	NFPA 101- 9.6.10.1.1 SMOKE DETECTOR REQUIRED; Where required by another section of this code, single-station and multiple-station smoke alarms shall be in accordance with NFPA 72, National Fire Alarm Code, shall be provided in all occupiable areas in environments that are suitable for proper smoke detector operation.				
<b>Notes:</b>	HARDWIRE SMOKE DETECTORS NEEDED THROUGHOUT THE APARTMENTS. APARTMENT ONLY HAD ONE SMOKE DETECTOR IN IT, AND THAT ONE WAS NOT WORKING.				
2) 80.56	Interior			Stairways	
<b>Violation:</b>	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).				
<b>Notes:</b>	CONTINUOUS HANDRAILS REQUIRED IN STAIRWELLS				
3) 7.008	Interior			Basement	
<b>Violation:</b>	NFPA 101- 7.1.10.2.1 DEBRIS INSIDE BUILDING; NO FURNISHINGS, DECORATIONS, OR OTHER OBJECTS SHALL OBSTRUCT EXITS OR THEIR ACCESS THERE TO, EGRESS THEREFROM, OR VISIBILITY THEREOF.				
<b>Notes:</b>	BASEMENT FILLED WITH DEBRIS AND TRASH MAKING IT HARD TO GET TO ELECTRICAL PANEL AND BOILERS				
<b>Comments:</b>					

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.

Richard Tibbals  
Defendant

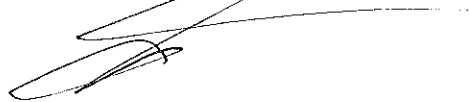
**FIRE PREVENTION AND PROTECTION  
CODE VIOLATION**

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

SUMMONS NUMBER: 354554

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 07/11/2016. Please contact Tori Ross in Fire Prevention at (207)-874-8400 or via e-mail at [meservev@portlandmaine.gov](mailto:meservev@portlandmaine.gov) to set up an in-person meeting to meet with somebody in the Fire Prevention Bureau to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on 07/11/2016.

Dated: 4/28/16



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