

Portland, Maine



Yes. Life's good here.

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Corporation Counsel

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July 14, 2016

**NOTICE OF INTENT TO PROSECUTE**

Justin T. Theberge  
8 Massachusetts Avenue  
Portland, Maine 04102

RE: 8 Massachusetts Avenue  
CBL186 D024001

To Whom it May Concern,

Please see the attached Inspection Violations. The City of Portland Fire Department has referred this matter to me for prosecution. In order to avoid prosecution, you must submit to Fire Prevention Bureau a plan of action to remedy the violations no later than **July 29, 2016**.

**YOUR FAILURE TO SUBMIT A PLAN OF ACTION  
WITHIN THE TIMEFRAME PROVIDED WILL RESULT IN  
LEGAL ACTION AND THE IMPOSITION OF CIVIL PENALTIES.**

Please feel free to contact Tori Ross of the Fire Prevention Bureau at (207)874-8400 with any questions. 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  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> THEBERGE JUSTIN T		<b>Inspector</b> John Brennan	<b>Inspection Date</b> 7/5/2016
<b>Location</b> 8 MASSACHUSETTS AVE	<b>CBL</b> 186 D024001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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.				
	4.6.2 THE FIRST NUMERAL OF EACH RESIDENTIAL UNIT SHALL BE THE FLOOR DESIGNATION.				
Notes:	LABEL ALL APARTMENT DOORS THAT OPEN INTO THE FRONT AND REAR STAIRWELLS WITH THE APPROPRIATE APARTMENT NUMBER.				
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 MUST HAVE SELF-CLOSING MECHANISMS (APARTMENT AND BASEMENT DOORS).				
3) 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:	REMOVE ALL STORAGE FROM THE REAR STAIRWELL. THERE ARE STORAGE ITEMS IN THE REAR SECOND FLOOR HALLWAY AND VARIOUS ITEMS HANGING IN THE FIRST FLOOR REAR HALLWAY. THE STAIRWELLS MUST BE KEPT CLEAR OF THESE ITEMS AT ALL TIMES.				
4) 91.25					
Violation:	NFPA 70 MISSING BOX COVERS; REFER TO NFPA 70, NATIONAL ELECTRICAL CODE, ON STANDARDS FOR MISSING BOX COVERS.				
Notes:	THERE ARE NUMEROUS ELECTRICAL BOXES IN THE BASEMENT MISSING THE BOX COVERS.				
5) 6.005					
Violation:	NFPA 70- 4.10.8 DEFECTIVE LIGHT FIXTURE; Luminaries shall be installed such that the connections between the luminaire conductors and the circuit conductors can be inspected without requiring the disconnection of any part of the wiring unless the luminaries are connected by attachment plugs and receptacles.				
Notes:	ALL LIGHT FIXTURES IN THE BASEMENT MUST HAVE BULBS IN THEM TO PREVENT SOMEONE FROM GETTING SHOCKED BY THE OPENING TO THE WIRES.				
Comments:					