

Portland, Maine



Yes. Life's good here.

Danielle P. West-Chuhta
Corporation Counsel

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Associate Counsel

December 29, 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 29, 2016

| | | |
|---|---|-------------------------------------|
| Responsible Party 1: G6 HOSPITALITY PROPERTY LLC PO BOX 117508 CARROLLTON, TX 75011 | | |
| Location 1 RIVERSIDE ST | CBL 266 A001001 | Inspection Date 12/2/2016 |
| 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 1/15/2017. 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. Please label all maintenance rooms and the laundry room. The exterior doors that lead to these rooms should also be labeled accordingly. | ___/___/___ |
| 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. The stairwell fire door opposite room 132 needs repair. The self-closing mechanism is no longer effective and does not close the door. The self-closing mechanism for the 2nd floor door that accesses the center stairwell is also not functioning. | ___/___/___ |
| NFPA 101-7.9.3 EMERGENCY LIGHTS REQUIRE MAINTENANCE; 7.9.3 Periodic Testing of Emergency Equipment 7.9.3.1 Required emergency lighting systems shall be tested in accordance with one of the three options offered by 7.9.3.1.1, 7.9.3.1.2, or 7.9.3.1.3. 7.9.3.1.1 Testing of required emergency lighting systems shall be permitted to be conducted as follows: (1) Functional testing shall be conducted monthly with a minimum of 3 weeks and a maximum of 5 weeks between tests, for not less than 30 seconds, except as otherwise permitted by 7.9.3.1.1(2). (2) The test interval shall be permitted to be extended beyond 30 days with the approval of the authority having jurisdiction. (3) Functional testing shall be conducted annually for a minimum 1-1/2 hours if the emergency lighting system is battery powered. (4) The emergency lighting equipment shall be fully operational for the duration of the test required by 7.9.3.1.1(1) and (3). (5) Written records of visual inspections and tests shall be kept by the owner for inspection by the authority having jurisdiction. The emergency light box opposite the 3rd floor elevator is not functioning. | ___/___/___ |

| Violation | Proposed Date of Completion |
|--|---|
| <p>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. The rear exit door in the laundry room is partially obstructed by a commercial dryer.</p> | <p>IMMEDIATELY remove all obstructions from the exits. Your signature below indicates that all obstructions have been removed and will not be replaced.</p> |
| <p>PORTLAND FIRE DEPARTMENT CHAPTER 10 FIRE ALARM INSPECTION STICKER REQUIRED; Provide annual fire alarm inspection sticker at the annunciator. This sticker must be provided by a licensed master fire alarm company. A list of licensed master fire alarm companies can be found at: www.portlandmaine.gov/fireprevention. Last Inspection dated: 06/18/2013.</p> | <p>___/___/___</p> |
| <p>NFPA 101- 9.7.4.1 FIRE EXTINGUISHERS REQ- OTHER; Where required by the provisions of another section of this code, portable fire extinguishers shall be installed, inspected, and maintained in accordance with NFPA 10, Standard for Portable Fire Extinguishers. The fire extinguishers in the 1st floor maintenance room must be mounted.</p> | <p>___/___/___</p> |
| <p>NFPA 13 SPRINKLER SYSTEM INSPECTION TAG; NFPA 13 covers the annual maintenance, inspection, and record keeping requirements for sprinkler system inspection tags. Standpipe system inspection tag date: 06/08/2011</p> | <p>___/___/___</p> |
| <p>NFPA 101- 7.2.1.8.1 FIRE DOOR BLOCKED OPEN; 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. The first floor maintenance room door is blocked open. The wifi and phone system will overheat if the door is closed according to staff. Relocate those utilities so that the fire door leading into the maintenance room (fire alarm, standpipe system, water heaters) is not accessible to hotel guests.</p> | <p>IMMEDIATELY remove all blocks or chocks from fire doors, ensuring that they close fully. Your signature below indicates that all fire doors are fully closed and will not be blocked open in the future.</p> |
| <p>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. An extension cord in the 3rd floor maintenance room (Rm 416) is mounted on the wall and being used permanently.</p> | <p>___/___/___</p> |
| <p>NFPA 70 MISSING BOX COVERS; Refer to NFPA 70, National Electrical Code, on standards for missing box covers. Above the water heaters in the 1st floor maintenance room.</p> | <p>___/___/___</p> |
| <p>NFPA 70 MISSING BREAKER IN PANEL; Refer to NFPA 70, National Electrical Code, for information on missing breakers in an electrical panel. Inside electrical panel B, the breaker space labeled # 29 is open. A blank or breaker is needed to close up this opening.</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