

Portland, Maine



Yes. Life's good here.

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Corporation Counsel

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August 18, 2016

NOTICE OF INTENT TO PROSECUTE

Spurwink School
901A Washington Avenue
Portland, Maine 04103

RE: 17 Bishop Street
CBL 293 A016001

To Whom it May Concern,

Please see the attached Notice of Violation and Order to Correct. The City of Portland Fire Department has referred this matter to me for prosecution in the event that you do not complete and return the required plan of action by **September 15, 2016**. 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 DEPARTMENT
 FIRE PREVENTION BUREAU
 380 Congress Street, Portland, Maine 04101
 fireprevention@portlandmaine.gov
 (207)874-8400

**NOTICE OF VIOLATION
 AND ORDER TO CORRECT**

August 15, 2016

Responsible Party 1: Spurwink School 901A Washington Avenue Portland, Maine 04103		
Location: 17 Bishop Street	CBL: 293 A016001	Inspection Date: 8/11/2016
Inspector: John Hardy, III	Inspection Type: Fire Company – FP Routine	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 **September 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	Date of Completion
1. 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. <i>All fire extinguishers on property need annual maintenance.</i>	<u>9 / 16 / 2016</u> Maine Fire Equipment has been scheduled to inspect and retag extinguishers week of 9/12/2016
2. NFPA 101-7.10.9 TESTING AND MAINTENANCE EXIT SIGNS REQUIRE MAINTENANCE. 7.10.9.1 Inspections. Exit signs shall be visually inspected for operation of the illumination sources at intervals not to exceed 30 days. 7.10.9.2 Testing. Exit signs connected to, or powered with, a battery-operated emergency illumination source	<u>8 / 31 / 16</u>

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<p>shall be tested and maintained in accordance with 7.9.3. 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. <i>Repair illuminated exit sign on second floor.</i></p>	<p>Spurwink School conducted inspection and testing of the Emergency Signs set by the requirements of 7.10.9.1 and 7.10.9.2 and testing of the Emergency Lighting set by the requirements stated in Section 7.9.3.1.1 completed on 8/31/2016 and written evidence of completion is attached</p>
<p>3. 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. <i>Install smoke detector in basement.</i></p>	<p>IMMEDIATELY install temporary alarm, as required. Your signature below indicates that temporary alarms have already been installed. Date of completion for full permanent installation: <u>9 / 1 / 2016</u> Temporary Installation completed</p>

VIOLATOR CERTIFICATION

by Spurwink School 8/31/2016

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

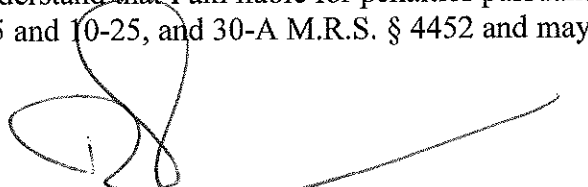
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the deadline to request an extension, which is entirely within the Bureau's discretion to grant or deny.

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.

8/31/16
Date


Responsible Party 1

SEEN AND AGREED

9/2/2016
Date

Capt. Petrucci
Fire Prevention Bureau

FACILITY PREVENTIVE MAINTENANCE INSPECTION FORM



SPURWINK

Location: 7 Bishop St, Portland, ME 04103 Inspected by: Josh Gattland Date: 8/3/16

All areas are considered satisfactory unless indicated. If marked unsatisfactory see comments below.

AREA OF INSPECTION	Unsat.	AREA OF INSPECTION	Unsat.
1. Appliances (condition)		24. Inside garbage container (condition)	
2. Bath/Shower mats & curtains (pres.)		25. Interior/Exterior lighting (condition)	
3. Chemicals/Flammables (locked up)		26. Keys (inaccessible)	
4. Electrical Service/GFI's (condition)		27. Medications (locked & inaccessible)	
5. Emergency Evacuation Kit-Go Bag (present/stocked)		28. Menus (up to date & posted)	
6. Emergency Lockdown Kit (present/stocked)		29. Microwave (tested)	
7. Emergency Directions (posted)		30. Microwave in use signs (posted)	
8. Emergency exit signs (condition) Exit signs tested monthly to 7.10.9.1 and 7.10.9.2		31. Odors/mildew (present)	
9. Emergency Exits/Fire Escape (condition)		32. Playgrounds (in good condition)	
10. Emergency lighting (condition) Emergency lighting tested to 7.9.3.1.1		33. Personal Protective Equipment (present)	
11. Emergency Mgmt Manual (present & current)		34. Swimming Pool & Safety equipment	
12. Evacuation routes (posted)		35. Screens (present, condition)	
13. Extension cords/ Surge protectors		36. Sharps (locked & inaccessible)	
14. Extraction Fan(s) (condition)		37. Smoke detectors (condition)	
15. Fences and railings (condition)		38. Snow removal/sanding (condition)	
16. Fire Drills (up to date)		39. Stairways (condition)	

17. Fire Extinguishers (condition)		40. Toilet (condition)	
18. First Aid kit		41. Tools (hand and power-condition)	
19. Fridge/Freezer(s) (temp. & condition)		42. Vehicle (documents & condition)	
20. Furnace (condition & date serviced)		43. Wall socket inserts (present)	
21. Furniture (condition)		44. Washer/Dryer(s) (filter & condition)	
22. Garbage disposal(s) (condition)		45. Water Temp. (120 degrees F. or below)	
23. Hallway night lights (present)		46. Window Alarms (present, working)	
24. Hand Sanitizer and Soap (present)			

OVERALL PRESENTATION OF THE SITE:

Health & Safety	#	Item Noted	Work Order?
Exit signs		Two units are in need of repair or replacement to be replaced by 9/16	
Emergency light		One unit in need of repair. To be replaced by 9/16.	