

353 812

Portland, Maine



Yes. Life's good here.

Jerome F. LaMoria
Fire Chief, Fire Department

Portland Fire Department
Fire Prevention Bureau
380 Congress St
Portland, ME 04101

July 6, 2015

PVA Limited Partnership
1115 Westford St
Lowell, MA 01851

NOTICE OF INTENT TO PROSECUTE

Dear Owner/Manager/Occupant,

An inspection of the property located at 1349 Forest Ave Bldg F on July 3, 2015 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.

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,

Portland Fire Department
Fire Prevention Bureau

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager PVA LIMITED PARTNERSHIP		Inspector Gary Devoe, Jr.	Inspection Date 7/3/2015
Location 1349 FOREST AVE-Bldg F	CBL 341 A001001	Status Failed	Inspection Type Fire Company-FP Routine Inspec

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 1.131	Interior			Hallway	
Violation:	NFPA 101- 7.9.1.1 EMERGENCY LIGHTING REQUIRED; Emergency lighting facilities for means of egress shall be provided in accordance with Section 7.9 for the following: (1) Buildings or structures where required in Chapters 11 through 43 (2) Underground and limited access structures as addressed in Section 11.7 (3) High-rise buildings as required by other sections of this code (4) Doors equipped with delayed-egress locks (5) Stair shaft and vestibule of smokeproof enclosures, for which of the following also apply: (a) The stair shaft and vestibule shall be permitted to include a standby generator that is installed for the smokeproof enclosure mechanical ventilation equipment (b) The standby generator shall be permitted to be used for the stair shaft and vestibule emergency lighting power supply (6) New access-controlled egress doors in accordance with 7.2.1.6.2				
Notes:	EMERGENCY LIGHTS DO NOT OPERATE--2ND FLOOR REAR AND MIDDLE, FIRST FLOOR FRONT (ONE LIGHT) AND MIDDLE.				

Comments:

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.

PVA Limited Partnership
Defendant


**FIRE PREVENTION AND PROTECTION
CODE VIOLATION**

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

SUMMONS NUMBER: 353812

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 August 10, 2015. I strongly urge you to contact Victoria Meserve at Fire Prevention at (207)-874-8400 or via e-mail at meservev@portlandmaine.gov to set up an in-person meeting to resolve these issues or make alternative arrangements to relieve you of the requirement to appear in Court on August 10, 2015.

Dated: 7/9/15



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