**NOTICE OF VIOLATION**

**AND ORDER TO CORRECT**

August 2, 2016

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| **Violator 1:**  Millenia Nail and Spa  67 Tide Mill Road  Portland, Maine 04102 | |  | | |
| **Location:**  321 Allen Avenue | **CBL:**  344 C011001 | | **Inspection Date:**  7/18/2016 |
| **Inspector:**  Mark Stewart | **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 plan of action column by proposing a reasonable timeframe to remedy each violation. This form must be received by the Fire Prevention Bureau no later than **August 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.**

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| **Violation** | **Proposed Plan of Action** |
| 1. 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).  *Test and repair emergency lighting system.* |  |
| 1. NFPA 1 EXCESSIVE/DISORDERLY STORAGE. Reference NFPA 1 for excessive fuel load.   *Remove storage and clutter from around water heater.* |  |
| 1. NFPA 70 – ARTICLE 110B CERTIFY ELECTRICAL SYSTEM.   Listed or labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling.  *Entire electrical system must be inspected; electrical panel access is obstructed.* |  |

*You may appeal this Notice of Violation and Order to Correct to the City of Portland Zoning Board of Appeals within ten business days of this decision, pursuant to the City of Portland Code of Ordinances § 10-23. Your failure to appeal may result in you being barred in the future from challenging the determinations of City of Portland Fire Prevention Bureau contained in this notice.*

**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. 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.

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Date Violator 1

**SEEN AND AGREED**

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Date Fire Prevention Bureau