



Planning & Urban Development Department

April 24, 2015

KRIGMAN HARRY M
24 WILDWOOD DR
CAPE ELIZABETH, ME 04107

CERTIFIED MAIL: 70101870000281367209

CBL: 048 E017001
Located At: 563 CUMBERLAND AVE
RE: FIRE INCIDENT # 2015-004854

Notice of Violation/ Tenant Notification

Dear Mr. Krigman:

An evaluation of the above-referenced property with Officials from the City's Inspections and Fire Prevention Office on 04/23/2015 revealed that the structure fails to comply with § 6-108 (b), (c), (d) and (f) and § 6-116 (b), and (e) of the Housing Code of the City of Portland. Specifically, the damaged and decayed portions of the building and rear three (3) level exterior porches must be demolished, and or repaired in accordance with the City of Portland Building Code (MUBEC). Furthermore, the 1st through 3rd Floor rear (non-egress) porches must remain vacated and secured from tenant use.

The City is putting you on notice of existing Building and Life Safety (Fire) Code Violations observed at 563 Cumberland Ave. These violations require immediate correction. They are as follows:

The following conditions must be met:

1. The building's three exterior porches must remain totally vacated and properly secured from tenant use.
2. Submit a building permit electronically, for the demolition, or repair of the exterior porches and interior rear stairwell to the Building Inspections Office by 05/01/2015.
 - a. Note: The City is requiring the building Owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. The design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.



Planning & Urban Development Department

3. Follow all inspection requirements outlined in each permit issued by the City.
4. Immediately address the Life Safety (Fire) and Housing Code Violations identified on the attached Violation Notice.

No tenant(s) may occupy the exterior rear porches until further notice from the City. A re-evaluation of the property will occur on 05/08/2015.

The City's Corporation Counsel's Office has been alerted to the existence of this matter and if you do not remedy these issues as required by this Notice of Violation they will pursue legal action including civil penalties, as provided for in § 1-15 of the Portland City Code and in Title 30-A of M.R.S.A § 4452.

This letter constitutes a decision from which you may appeal pursuant to § 6-127 of the Portland City Code and Rule 80B of the Maine Rules of Civil Procedure.

If you have any questions, concerns or require emergency repair permits- please contact me at 207-874-8701.

Sincerely,

Jonathan Rioux
Deputy Director of Inspections

cc: Tenants of 563 Cumberland Avenue
Tammy Munson, Inspections Division Director
Adam Lee, Associate Corporation Counsel
Keith Gautreau, Acting Assistant Chief of Prevention and Community Outreach

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

Inspection Violations

Owner/Manager KRIGMAN HARRY M		Inspector Jonathan Rioux	Inspection Date 4/23/2015
Location 563 CUMBERLAND AVE	CBL 048 E017001	Status Violations Exist	Inspection Type Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 6-108.(b)	Interior			Stairways	
Violation:	INTERIOR FLOORS, WALLS, CEILINGS AND DOORS; EVERY FLOOR, WALL, CEILING, AND DOOR SHALL BE IN A STRUCTURALLY SOUND CONDITION AND IN GOOD REPAIR AND SHALL BE SUBSTANTIALLY VERMIN PROOF.				
Notes:	Repair the decayed/ water damaged portions of the rear interior stairwell, and seal all through penetrations (with approved materials); a building permit is required.				
2) 6-108.(c)				Various locations	
Violation:	EXTERIOR WINDOWS, DOORS AND SKYLIGHTS; Every window or door, including basement or cellar door and hatchway, and skylight shall be substantially weathertight, watertight, and vermin proof and shall be kept in sound working condition and good repair.				
Notes:	Every exterior window shall include storm sash with screens or an alternative equally effective for heat retention and ventilation purposes, all in operable condition. Install and or replace all window screens.				
3) 6-108.(d)	Exterior			Porch	
Violation:	STAIRWAYS, STAIRWELLS, STAIRS AND PORCHES.; EVERY INSIDE AND OUTSIDE STAIRWAY, STAIRWELL, STAIRS, AND PORCH AND ANY APPURTENANCES THERETO SHALL BE STRUCTURALLY SOUND, IN GOOD REPAIR, AND SAFE TO USE.				
Notes:	Submit a building permit application for the repair, and or demolition of the rear exterior porches.				
4) 6-108.(f)	Interior			Basement	
Violation:	REQUIRED EQUIPMENT AND UTILITIES; Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed and installed that it will function safely and effectively and shall be maintained in good working condition.				
Notes:	Secure the electrical wiring and service entrance cable in the basement level, in compliance with the City's Electrical Code.				
5) 6-116.(b)	Interior			Hallway	
Violation:	EGRESS; EVERY DWELLING UNIT AND EVERY ROOMING UNIT SHALL HAVE SAFE, UNOBSTRUCTED MEANS OF EGRESS LEADING TO SAFE AND OPEN SPACES AT GROUND LEVEL IN ACCORDANCE WITH APPLICABLE STATUTES, REGULATIONS AND ORDINANCES.				
Notes:	Remove all refrigerators and small appliances stored in the common hallway(s).				

**CITY OF PORTLAND
PORTLAND FIRE DEPARTMENT**

380 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager Krigman Harry M	Inspector Keith Gautreau	Inspection Date 4/23/2015
Location 0563 CUMBERLAND A	CBL 048 E017001	Status Failed
		Inspection Type Fire Prevention-FP Routine Inspe

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 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: FIRE DOOR REQUIRED FOR MECHANICAL ROOM IN BASEMENT.

2) 71.25

Violation: NFPA 101- 31.3.4.5.1 SMOKE ALARMS REQUIRED; In buildings other than those equipped through out with an existing, complete automatic smoke detection system, smoke alarms shall be installed in accordance with 9.6.2.10, as modified by 31.3.4.5.2, outside every sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit, including basements.

Notes: ONE SMOKE ALARM MISSING 1ST FLOOR APARTMENT.

3) 89.05

Violation: NFPA 1- EXCESSIVE/DISORDERLY STORAGE; REFERENCE NFPA 1 FOR EXCESSIVE FUEL-LOAD.

Notes: REMOVE REFRIGERATORS ON 1ST AND 2ND FLOOR HALLWAYS.

4) 3.011

Violation: NFPA 101- 31.3.2.1.1 BOILER PROTECTION REQUIRED; THE AREAS DESCRIBED IN TABLE 31.3.2.1.1 SHALL BE PROTECTED AS INDICATED:
BOILER AND FUEL-FIRED HEATER ROOMS SERVING MORE THAN A SINGLE DWELLING UNIT (MINIMUM SEPARATION/PROTECTION IS 1 HOUR OR SPRINKLERS)

Notes: SPRINKLER PROTECTION NEEDED OVER HOT WATER HEATERS IN BASEMENT.

Comments: Conducted an inspection with Inspection Division Deputy Director of the building after a fatal accident off the rear second floor deck.