

Memorandum from Department of Building Inspection, Portland, Maine

3 Avon Place—Construction of chimney for and by Walter E. Leavitt—10/14/47

Permit is issued subject to the following:

That the building is two stories rather than one story high indicated on the application, that the carpenter shop where the stove is to be located is in second story, that the stove which the chimney is to serve is one or replacement of one which has existed in the carpenter shop for many years.

As explained in my letter of September 27, the Building Code considers it hazardous to heat a carpenter shop except by steam or hot water. However, this part of the Code is not retroactive, and the permit for the chimney to serve this stove is given because it is my belief that there has been a stove in the carpenter shop for many years—before the Building Code began to regulate heat in carpenter shops. The fact that the stove has existed and therefore has a right to continue—the construction of the chimney representing a substantial improvement in fire hazard against the existing metal pipe—does not decrease the hazard of having a ordinary stove in a carpenter shop for inflammable or even explosive conditions may occur.

If at any time it is desired to establish heat in the garage, my letter of September 27 should be referred to, a permit secured and the type of heat and heater made to comply with the Building Code.

The application makes it appear that you are to construct the new chimney with your own hands. If that is the case, I presume you are experienced in such matters, that you are familiar with the requirements of the Building Code for a chimney and that the person competent to see that State and City Laws are complied with, which you have indicated on the application will have charge of the job, is yourself.

WMcD/S

(Signed) Warren McDonald
Inspector of Buildings

AP 3 Avon Place-I

September 27, 1917

Mr. Walter E. Leavitt
45 Avon Street
Portland, Maine

Subject: Application for building permit to authorize construction of a brick chimney in the garage and carpenter shop at 3 Avon Place

Dear Mr. Leavitt:

Because the proposed chimney is evidently to serve a stove for heating purposes in either garage or carpenter shop or both, and because the Building Code contains special requirements as to heating appliances for a garage and for a carpenter shop, it is necessary that we have more information as to the existing condition and your proposal as to heat than is shown on the application. The Building Code requires that I shall have assurance of compliance with the Code before a building permit is issued.

Is there any heating appliance in either garage or carpenter shop at present or has there habitually been any during the seasons when heat is needed? If so, what kind of appliance? What kind of fuel? Is any such appliance located in garage or in carpenter shop? How have these appliances been vented before? Will there be any new appliances installed? If so, will such appliances be installed in the same location as the appliance it replaces as to functioning?

If any new appliances that are to be installed are merely replacements and the new chimney an improved way of venting such appliance, then special rights exist because probably the appliances were in use before the Building Code began to control heating appliances in garages or in carpenter shops.

If, however, there has not been heat in either garage or carpenter shop and you now propose a heating appliance in either part where it has not been heated before, the requirements of the Building Code do apply, and I do not want to issue the permit carelessly to construct a chimney and then find out that your plans for using it will be interfered with.

Section 204f4 of the Building Code provides in such minor garages that a heating appliance shall either be separated from the garage in a fire resistive room (this would of course defeat all purpose of a stove), or the heater may be a type specially approved by the Chief of the Fire Department for use in a garage or such place where explosive conditions may set up. Installation of such an appliance, even though a stove, requires a permit from this department which is issuable only to the actual installer and the application for such a permit has to show that the heater is of such a type as approved by the Chief of the Fire Department in a garage.

The Building Code identifies the carpenter shop, if woodworking takes place there, as a hazardous room and Section 205h of the Code provides that heating of such hazardous rooms shall be by steam or hot water only and that all generating equipment for such purposes, including smokepipes and fuel storage spaces, shall be cut off from the hazardous room by fire resistive partitions and ceilings.

You will see that if you have established rights to heating appliances in these two spaces, the latter indications as to requirements of the Building Code will not apply. In order that we may know just where the proposition stands, will you answer the above questions, preferably in writing or by coming to the office and authorizing answers to be typed on the application for the permit over your signature. We are hardly able to handle such a matter by phone because of the very large amount of detailed matter that is coming into this office all of the time.

Very truly yours,

Inspector of Buildings