

Agenda
Ad Hoc Committee on Rental Registration
August 29, 2018
6:30 PM
Third Floor Conference Room, Lewiston City Hall

1. Review and discussion of background information requested from August 18th meeting
 - a) Information on leading sources of lead poisoning
 - b) General assistance update:
 - I. Withhold a voucher due to poor tenant behavior.
 - II. Total number of properties receiving vouchers versus Section 8.
 - III. HUD's definition of "substandard rent".
2. Disorderly Property Policy
3. Code Enforcement and Fire Department/Prevention:
 - a) Staffing, Budget, and Responsibilities
 - b) Interaction/cooperation between Code and Fire
 - c) Enforcement Policy
4. Current Data System (Energov) and Potential Upgrade

To: Ad Hoc Committee on Rental Registration
From: David Hediger
Date: 8/24/18
Re: General assistance update

The following information is in response to inquiries at the last meeting:

- Ability to withhold a voucher due to poor tenant behavior: There are not provisions through the city's GA program to withhold a voucher due to behavior. A landlord may contact GA advising that their tenant is becoming an issue at risk of being removed. At that point, GA may work with the tenant in advising of their actions and consequences and the need to improve their behavior. There is an ordinance requiring properties to be in compliance before a voucher is provided.
- Total number of properties receiving vouchers versus Section 8: The attached list was produced in April 2018 and provided to the City from Lewiston Housing Authority (LHA). LHA's utilization rate for the housing Vouchers is down to around 1,100 and the list does not include housing that is subsidized that LHA is not involved with such as Oak Park, Centerville commons, Pierce Place, Place Ste. Marie, Pleasantview acres, etc. Those other developments are included on a listing from Maine Housing's website, which include all of Androscoggin County.
- HUD's definition of "substandard rent": A unit is substandard if it:(1) Is dilapidated;(2) Does not have operable indoor plumbing;(3) Does not have a usable flush toilet inside the unit for the exclusive use of a family;(4) Does not have a usable bathtub or shower inside the unit for the exclusive use of a family;(5) Does not have electricity, or has inadequate or unsafe electrical service;(6) Does not have a safe or adequate source of heat;(7) Should, but does not, have a kitchen; or(8) Has been declared unfit for habitation by an agency or unit of government. A housing unit is dilapidated if:(i) The unit does not provide safe and adequate shelter, and in its present condition endangers the health, safety, or well-being of a family; or(ii) The unit has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect or lack of repair or from serious damage to the structure.
- Number of people who can be in an apartment receiving a voucher: The number of allowable tenants living in one unit is determined by each landlord. GA would look at the number of bedrooms only in order to apply the rental maximum.

Lewiston Housing Authority

April 2017

Project No.	Project Name	Street Address	No. of Bldgs	No. of Units	Type	Bedroom Breakdown						No. of HC Units	HC BR Breakdown			
						0	1	2	3	4	5		1	2	3	4
Public Housing Units Owned and Operated by Lewiston Housing Authority																
ME005000001	Blake Street Towers	70 Blake Street	1	97	Eld/Dis	21	76						5	5		
ME005000002	Meadowview Apartm	23 Spofford Street	15	152	Eld/Dis	92	60						8	8		
ME005000003	Hillview apartments	77 Rideout Street	15	94	Family			8	54	30	2	4			4	
ME005000003	Rosedale Acres	200 Rosedale Street	5	30	Family		10	20				2	2			
ME005000003	Lafayette Park	85 Lafayette Street	5	30	Family		8	16	6			1	1			
ME005000003	198-210-212 Park St	198-210-212 Park Str	3	14	Family		5	9								
ME005000003	110 Ash Street	110 Ash Street	1	7	Family		5	2				2	1	1		
ME005000003	40 Whipple Street	40 Whipple Street	1	4	Family		2	2								
ME005000003	34 Shawmut Street	34 Shawmut Street	1	3	Family				3							
ME005000003	46 Shawmut Street	46 Shawmut Street	1	2	Family				2							
ME005000003	127 Horton Street	127 Horton Street	1	2	Family				2			1			1	
ME005000003	179 Oak Street	179 Oak Street	1	1	Family				1							
ME005000003	91 Sabattus Street	91 Sabattus Street	1	1	Family				1							
Total Public Housing Units Owned by LHA				437		113	166	57	69	30	2	23	17	5	1	0
Units Owned by LHA's 501(c)(3) Affiliate, the Lewiston-Auburn Area Housing Development Corporation																
	292 Bates Street	292 Bates Street	1	8	Family			4	1	3						
	30 & 31 River Street	30 & 31 River Street	2	16	Family		2	12	1	1		4	1	3		
Total Units owned by LHA's Affiliate				24		0	6	13	4	1	0	4	1	3	0	0
Section 8 Moderate Rehab Units which LHA Neither Owns nor Operates, but Acts as Contract Administrator																
ME005MR0002	006	131-133 Horton Stre	131-133 Horton Stree	2	10	Family		4	4	2						
ME005MR0002	007	46-48 Knox Streeet	46-48 Knox Streeet	2	6	Family			4	2						
ME005MR0002	009	29 Walnut Street	29 Walnut Street	1	9	Family			6	3						
ME005MR0004	002	146-148-148-1/2 Pie	146-148-148-1/2 Pierc	3	10	Family		4	6							
ME005MR0005	003	162-164 Bartlett Stre	162-164 Bartlett Stree	2	14	Family		12	2							
ME005MR0005	001	21 Walnut Street	21 Walnut Street	1	8	Family				8						
ME005MR0005	002	St Mary's Residence	100 Campus Ave	1	100	Eld/Dis		100				6	6			
ME005MR0007	002	97 Pierce Street	97 Pierce Street	1	6	SRO	6									
ME005MR000		130 Oxford Street	130 Oxford Street	1	8	Family			1	7						
Total Moderate Rehab Units				171		6	120	23	22	0	0	6	6	0	0	0
Section 8 Housing Choice Voucher Units which LHA Neither Owns nor Operates, but Acts as Contract Administrator																
Tenant Based Vouchers located throughout LHA's area of operation				1063		289	356	280	116	22						
Project Based Vouchers				69		47	19	3								
Total Housing Choice Voucher Program				1132		336	375	283	116	22						
Grand Total of All Units				1764		119	628	468	378	147	24	33	24	8	1	0

**Lewiston Housing Authority
April 2014**

Project No.	Phase	Renewal Date	Project Name	Street Address	No. of Bldgs	No. of Units	Type	Bedroom Breakdown					4	5
								0	1	2	3			
Section 8 Moderate Rehab Units which LHA Neither Owns nor Operates, but Acts as Contract Administrator														
ME005MR0002	006	001	1-Apr	131-133 Horton Stre	131-133 Horton Street	2	2	Family	4	4	2			
		002	1-Apr				8							
ME005MR0002	007	001	15-Mar	46-48 Knox Street	46-48 Knox Street	2	2	Family		4	2			
		002	1-May				4							
ME005MR0002	009	001	16-Jun	29 Walnut Street	29 Walnut Street	1	3	Family		6	3			
		002	13-Aug				6							
Subtotal Mod 2							25		0	4	14	7		
ME005MR0004	002		1-Dec	146-148-148-1/2 Pie	146-148-148-1/2 Pierc	3	10	Family		4	6			
Subtotal Mod 4							10		0	4	6	0		
ME005MR0005	003		9-Dec	162-164 Bartlett Stre	162-164 Bartlett Stree	2	14	Family		12	2			
ME005MR0005	001	000	20-Feb	21 Walnut Street	21 Walnut Street	1	8	Family				8		
ME005MR0005	002		3-Nov	St Mary's Residence	100 Campus Ave	1	100	Eld/Dis	100					
Subtotal Mod 5							122		0	112	2	8		
ME005MR0007	002		12-Dec	97 Pierce Street	97 Pierce Street	1	6	SRO	6					
Subtotal Mod 7							6		6	0	0	0		
ME005MR00				130 Oxford Street	130 Oxford Street	1	8	Family			1	7		
							8		0	0	1	7		
Total Moderate Rehab Units							171		6	120	23	22	0	0

**Lewiston Housing Authority
April 2017**

Project No.	Phase	Anniversary Date	Project Name	Street Address	No. of Bldgs	No. of Units	Type	Bedroom Breakdown					No. of HC Units	HC BR Breakdown					
								0	1	2	3	4		5	1	2	3	4	
Section 8 Project Based Voucher projects; LHA acts as Contract Administrator																			
2009-1		29-Jan	Birch Hill	281 Bates Street	1	10	Elderly	8	2										
2010-2		15-Nov	Bates Street Senior	250 Bates Street	1	5	Elderly	5											
		13-Jun	Blake Street Family	114 Blake	1	6	Family		6										
2011-2		1-Sep	Supportive Housing	195 Sabattus, 138-14	2	4	Family	4											
2011-1		1-Feb	Healy Terrace	81 Ash Street	2	32	Elderly	26	6			17	12	5					
2011-3		20-Nov	The Lofts at Bates Mill		1	12	Family	4	5	3		4	2	2					
Total Project Based Voucher Units						69		0	47	19	3	21	14	7					0

ANDROSCOGGIN COUNTY

Affordable Housing Options

Property Name and Address	Housing Type				Units Accessible	Type of Assistance ¹			Contact Information
	Elderly		Family / All	Income Based Rent		Rent Restricted Unit			
	55 and older	62 and older With Disabilities							
Auburn									
Androscoggin Village 9 Northern Avenue			•		3-2 br	•			LaBrecque Property Management (207) 375-8694
Auburn Commons 521 Turner Street			•		2-2 br	•			H&S Reny Property Management, Inc. (207) 783-2199 www.hsreny.com
Auburn HA Family Development Valerie/Aspen/Lodge/Broad Streets			•			•			Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org
Auburn Esplanade 20 Great Falls Plaza		•	•		12-1 br	•			Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org
Barker Mill Arms 143 Mill Street		•	•		6-1 br 5-2 br	•			Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org
Broadview Acres 456 Broad Street			•			•			Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org
Court Street Apts. 108 Court Street		•	•		4-1 br			•	Realty Resources 1-800-338-8538 www.realtyresourcesmanagement.com
Lake Auburn Townhouse 74 Lake Auburn Avenue		•	•			•			Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org
Lincoln School Apartments 56 6 th Street			•			•			Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org
Heritage Court 71 Spring Street		•	•		3-0 br 1-2 br	•			Weston Associates Management Co., Inc. (207) 689-9492 www.waboston.com
Roak Block 156 Main Street		•	•		8-1 br	•			Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org
Webster School Hampshire Street			•		3-1 br 4-2 br 2-3 br			•	Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org
Leeds									
Spring Rock Park 802 Church Hill Road, Office 21		•	•		20-1 br	•			Elderly Hsg. Development & Operations (EHDOC) (207) 946-7123 www.ehdoc.org
Lewiston									
Atkinson Apts. 220-234 Lisbon Street		•	•		4-1 br 2-2 br			•	H&S Reny Property Management, Inc. (207) 783-2199 www.hsreny.com

¹ Income Based Rent means tenants generally pay about 1/3 of their household income on rent.

Rent Restricted means rents are typically based on a specified percentage of the median income for the area. Income limits are restricted.

Property Name and Address	Housing Type				Units Accessible	Type of Assistance ¹			Contact Information
	Elderly					Income Based Rent	Rent Restricted Unit		
	55 and older	62 and older	With Disabilities	Family / All					
Bartlett Court 169 Bartlett Street, 232 Blake Street				•	-	•		NCREMA (207) 786-5667	
Bates Street Senior Housing 250 Bates Street		•	•		3-2 br		•	Community Concepts, Inc. (207) 743-7716 www.community-concepts.org	
Bates Terrace 287 Bates Street				•	1-3 br	•		LaBrecque Property Management (207) 375-8694	
Birch Hill Elderly Housing 281 Bates Street		•	•		3-2 br 2-1 br		•	C&C Realty Management (207) 621-7700 or 1-866-621-7705 www.ccrealtymanagement.com	
Blake Street Towers 70 Blake Street		•	•			•		Lewiston Housing Authority (207) 783-1423	
Centre Ville Commons 1 Knox Street				•	4-2 br 1-4 br	•		LaBrecque Property Management (207) 375-8694	
Chestnut Place 282 Lisbon Street				•	3-1 br 1-2 br	•		Weston Associates Management Co., Inc. (207) 689-9492 www.waboston.com	
Dominican Court 56 Birch Street		•	•		4-0 br		•	Eagle Point Management LLC (207) 523-8926 www.eaglepointco.com	
Frye School 140 Ash Street		•	•		3-1 br			C&C Realty Management (207) 621-7700 or 1-866-621-7705 www.ccrealtymanagement.com	
Healy Terrace 81 Ash Street		•			1-1br 1-2br	•		Preservation Management (207)786-9872 www.presmgmt.com	
Hillview/Rosedale/Lafayette 77 Rideout Ave/Rosedale Acres/Lafayette				•		•		Lewiston Housing Authority (207) 783-1423	
Maple Knoll 78 & 82 Maple Street 251 & 253 Blake Street				•	-	•		Weston Associates Management Co., Inc. (207) 689-9492 www.waboston.com	
Maple Street Apts.				•	2-2 br		•	Community Concepts, Inc. (207) 743-7716 www.community-concepts.org	
Meadowview Park Spawford Street		•	•			•		Lewiston Housing Authority (207) 783-1423	
Oak Park 10 Oak Street		•	•		4-1 br 5-2 br	•		Barkan Management (207) 783-2019 www.barkanco.com	
Park/Whipple/Ash Streets				•		•		Lewiston Housing Authority (207) 783-1423	
Pierce Place/St. Laurent				•	1-1 br 1-2 br 3-3 br 2-4 br	•		NCREMA (207) 786-5667	
Place Ste. Marie 64 Oxford Street				•	4-2 br	•		H&S Reny Property Management, Inc. (207) 783-2199 www.hsreny.com	

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Property Name and Address	Housing Type				Units Accessible	Type of Assistance ¹			Contact Information
	Elderly					Income Based Rent	Rent Restricted	Unit	
	55 and older	62 and older	With Disabilities	Family/All					
Pleasant View Acres 50 Fairmount Street				•	-	•			Weston Associates Management Co., Inc. (207) 795-6871 www.waboston.com
River Valley Village (aka Tall Pines) 84 Strawberry Avenue				•	1-1 br 7-2 br			•	River Valley Village (207) 784-8991 www.harborgmt.com
St. Mary's Residences Campus Avenue		•	•		6-1 br	•			Cecile Mathieu (207) 786-0062
Gateway 11 Lisbon Street		•	•		3-1 br	•			Weston Associates Management Co., Inc. (207) 689-9492 www.waboston.com
The Lofts at Bates Mill 35 Canal Street				•				•	Saco Falls Management, LLC (207) 245-6428 www.sacofallsmanagement.com
Washburn Apts. 308 Bates Street				•	-	•			LaBrecque Property Management (207) 375-8694
Lisbon									
Farwell Mill Route 196					4-1 br			•	Realty Resources 1-800-338-8538 www.realtyresourcesmanagement.com
Heritage Knoll Apts. 16 Upland Road				•	2-2 br	•			LaBrecque Property Management (207) 375-8694
Lisbon Senior Village 9 Gartley Street		•	•		2-2 br	•			Eagle Point Management LLC (207) 523-8926 www.eaglepointco.com
Woodside Apts. 385 Lisbon Road		•	•		2-1 br	•			Stanford Management LLC (207) 772-3399 www.stanfordmanagement.com
Lisbon Falls									
Campus Commons 4 Campus Street	•					•			Brunswick Housing Authority (207) 725-8711 www.brunswickhousing.org
Lisbon Falls Terrace 610 Lisbon Street				•	1-1 br	•			C.B. Mattson (207) 582-1888 www.cbmattson.com
Woodgate Apts. 49 Wing Street				•	1-1 br	•			LaBrecque Property Management (207) 375-8694
Livermore Falls									
Livermore Falls Elderly 166 Park Street		•	•			•			Madison Avenue Associates (207) 743-7961
Livermore Terrace Depot Street		•	•			•			Avesta Housing 553-7777 or 1-800-339-6516 www.avestahousing.org
Meadowbrook Apts. Meadowbrook Road				•	1-2 br	•			Eagle Point Management LLC (207) 523-8926 www.eaglepointco.com
Mechanic Falls									
Bucknam Oaks 11 Bucknam Street		•	•		2-1 br 2-2 br	•			Ronald Kugell (207) 539-2264

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Property Name and Address	Housing Type				Units Accessible	Type of Assistance ¹			Contact Information
	Elderly					Income Based Rent	Rent Restricted Unit		
	55 and older	62 and older	With Disabilities	Family/All					
Merrill Estates 870 Spring Street		•	•			•		Auburn Housing Authority (207) 784-7351 or TTY 784-5545 www.auburnhousing.org	
Sabattus									
Garden Heights 27 Garden Heights Circle				•	-	•		C&C Realty Management (207) 621-7700 or 1-866-621-7705 www.ccrealtymanagement.com	
Pinecrest Apts. 39-45 Pinecrest Avenue		•	•		1-2 br	•		Weston Associates Management Co., Inc. (207) 795-6871 www.waboston.com	
Turner									
Turner Square Apts. 41 Weston Road		•	•		2-1 br	•		Stanford Management LLC (207) 772-3399 www.stanfordmanagement.com	

¹ Income Based Rent means tenants generally pay about 1/3 of their household income on rent.

Rent Restricted means rents are typically based on a specified percentage of the median income for the area. Income limits are restricted.

Other Housing Programs	Type of Assistance ²		Contact Information
	Portable Voucher	Income Based Rent	
<p>Section 8 Housing Choice Voucher Program - Provides rental assistance in an apartment of your choice. Income limits apply and rent is based on 30-40% of household income.</p> <p>MaineHousing serves those areas of Androscoggin County not served by Auburn Housing Authority or Lewiston Housing Authority.</p> <p><i>Auburn Housing Authority serves Auburn, Mechanic Falls, Minot, New Gloucester, Poland, and Turner.</i></p> <p><i>Lewiston Housing Authority serves Greene, Lewiston, Lisbon/Lisbon Falls, and Sabattus.</i></p>	•		<p>MaineHousing 353 Water Street Augusta, ME 04330-4633 (207) 624-5789 or 1-866-357-4853 (Voice) www.mainehousing.org</p> <p>Auburn Housing Authority 20 Great Falls Plaza P.O. Box 3037 Auburn, ME 04212-3037 (207) 784-7351 or (207) 626-2357 www.auburnhousing.org</p> <p>Lewiston Housing Authority One College Street Lewiston, ME 04240 (207) 783-1423 or (207) 783-8648</p>
<p>Bridging Rental Assistance Program (BRAP) – Provides two years of rental assistance to assist people with mental illness until a participant receives a Section 8 Voucher. BRAP participants pay 51% of their income towards their rent.</p> <p>Shelter Plus Care (S+C) Program – Provides a permanent housing voucher to assist homeless persons with severe and long term disability on a long term basis. Participants pay 30% of their income for rent.</p>	•		<p>Common Ties 140 Canal Street, P.O. Box 1319 Lewiston, ME 04243 (207) 795-6051</p>
<p>Moderate Rehabilitation Program – Rental units that were rehabilitated under this program are privately owned, and eligible tenants generally pay 30% of their income for rent.</p>		•	<p>MaineHousing 353 Water Street Augusta, ME 04330-4633 (207) 624-5789 or 1-866-357-4853 (Voice) www.mainehousing.org</p> <p>Lewiston Housing Authority One College Street Lewiston, ME 04240 (207) 783-1423 or (207) 783-8648</p>
<p>Public Housing Authorities – You also may contact local housing authorities for a list of affordable housing properties they oversee.</p>	•	•	<p>Auburn Housing Authority 20 Great Falls Plaza P.O. Box 3037 Auburn, ME 04212-3037 (207) 784-7351 or (207) 626-2357 www.auburnhousing.org</p> <p>Lewiston Housing Authority One College Street Lewiston, ME 04240 (207) 783-1423 or (207) 783-8648</p>

² Portable Voucher means tenants who are income-eligible pay a percentage of their incomes toward rent in the apartment of their choice, including the rent restricted units listed on previous pages.

Income Based Rent means tenants generally pay about 1/3 of their household income on rent.

Also see

 **MaineHousingSearch.org** is a free, online rental listing service that includes both affordable and market rate rentals. The website is easy to use, and includes detailed listings, often with photos. If you do not have internet access or if you prefer, you can contact the bilingual call center toll free at 1-877-428-8844, Monday-Friday, 9 am to 8 pm EST.

 U.S. Department of Housing and Urban Development
Margaret Chase Smith Federal Building
202 Harlow Street, Suite 101
Bangor, ME 04401-4919
(207) 945-0467
<http://www.hud.gov/local/index.cfm?state=me&topic=renting>

 USDA Rural Development
967 Illinois Ave. Suite 4, P.O. Box 405
Bangor, ME 04402-0405
(207) 990-9160
http://rdmfhrentals.sc.egov.usda.gov/RDMFHRentals/select_county.jsp?st=me&state_name=Maine@st+cd=23

Consumer Checklist:

Have you:

- contacted your local housing authority for a Section 8 Voucher Application and listings of their public housing properties.
- contacted affordable housing properties on the list that you are interested in.

MaineHousing does not discriminate on the basis of race, color, religion, sex, sexual orientation, national origin, ancestry, age, physical or mental disability, or familial status in the admission or access to, or treatment or employment in, its programs, and activities. MaineHousing will provide appropriate communication auxiliary aids and services upon sufficient notice. MaineHousing will also provide this document in alternative formats upon sufficient notice. MaineHousing has designated the following person responsible for coordinating compliance with applicable federal and state nondiscrimination requirements and addressing grievances: Louise Patenaude, Equal Access Coordinator, Maine State Housing Authority, 353 Water Street, Augusta, Maine 04330-4633, Telephone Number (207) 626-4600 or 1-800-452-4668 (voice), or 1-800-452-4603 (TTY).



CITY OF LEWISTON

Edward A. Barrett
City Administrator

August 24, 2018

To: Rental Registration Committee
Fr: Ed Barrett
Su: Disorderly Property Process

In 2014, the City Council considered adopting a disorderly property ordinance that was similar to ones adopted in a number of other communities. The intent of the proposal was to address recurring disorderly conduct in a dwelling that disturbs the peace and tranquility of others and detracts from the quality of life of the area.

After discussion and in light of opposition from building owners, the Council instead supported the Police Department adopting a Standard Operating Procedure (attached) addressed at the same issues but excluding penalties that building owners would be subject to for failure to take effective measures to address the problems. A copy of the most recent version of the proposed ordinance is also attached.

Officer Weaver will be available at the meeting to discuss the policy and how it is working.

A TALE OF ONE PROPERTY

Earlier this year, a local landlord who has made a significant investment in an adjacent property contacted the City Council to complain about the negative impacts his tenants and property were experiencing due to behavioral and building issues at an adjacent property and the frequency with which police were responding both to that property and to the immediate area for incidents involving residents of that property. Note that the attached documentation redacts the address and ownership of this property since it is not my intent to point at any individual property or owner but rather to use this property as one example.

Over a roughly two year period, police responded to this property 85 times. Not all of these calls were crime related, although about half of them involved some form of criminal activity or disturbance. In spite of the frequency of police calls, the property apparently did not reach the threshold for a disorderly property during this period. See the attached memo from Officer Weaver outlining why the property did not meet this threshold.

The property had met the threshold once in early 2016. Please also see the attached information from Officer Weaver regarding that event and its outcome.

Due to the complaint received, Code Enforcement also visited the property and found numerous violations. Note that based on the complaint, the Code Officer contacted the Police Department to determine whether it was safe to inspect the property without a police presence. The Notice of Violation is attached along with a series of subsequent emails between the property owner

and Code. While the property owner has been cooperative, I find it worth noting that the owner, upon going through the property, expresses concern over the extent of the tenant caused damage that the owner was not aware of prior to being contacted by the City.

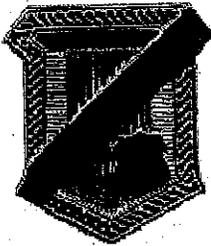
ISSUES FOR COMMITTEE CONSIDERATION

While the situation described above may not be totally representative of the problems we face, it is certainly not the only property of its nature in our community. The behavior associated with such properties contributes to the negative perception of areas within our downtown residential neighborhood, impacts the desirability of renting there, and affects property values and rental rates. It raises the following questions/issues that the Committee may wish to consider.

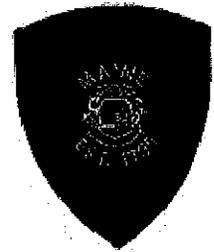
Is the current disorderly property policy adequate to identify properties that should be addressed? Should the policy be adopted as an ordinance including fines and penalties for failure to address problems? Why, in this instance, did a responsive owner not know about what was happening at and around the property and are there ways to address such situations through landlord education/information programs? And, finally, how much responsibility should the City be required to take on in addressing such situations as opposed to the landlord?

It is seriously worth considering the amount of time and effort the Police Department and Code Enforcement have devoted to this one property. This is far out of proportion to the level of effort required for most properties in the city; however, it is not unique or unusual given what we see daily.

RESPONSE TO “DISORDERLY” PROPERTIES



*Lewiston Police Department
Lewiston, Maine*



**STANDARD OPERATING
PROCEDURES**



RESPONSE TO “DISORDERLY” PROPERTIES

I. PURPOSE II. POLICY III. DEFINITIONS IV. PROCEDURE V. ENFORCEMENT

I. PURPOSE

The purpose of this Standard Operating Procedure is to protect the health, safety, and welfare of the residents of the City of Lewiston by reducing the recurrence of disorderly conduct in dwellings that disturbs the peace and tranquility of others.

II. POLICY

The mission of the Lewiston Police Department is to promote an atmosphere of partnership with the community toward the common goal of protecting life and property while enhancing the overall quality of life through mutual trust, respect, and the fair, equitable enforcement of laws while carefully safeguarding the dignity of all. The City has a substantial and compelling interest in protecting neighborhoods affected by conduct that unlawfully disturbs the peace and/or constitutes a nuisance because such conduct adversely affects the health, safety, and welfare of citizens and diminishes the quality of life in neighborhoods where it occurs. Such disorderly conduct and its impact should be abated. This written policy outlining a response to “Disorderly” Property is required because other prohibitions and penalties under state law and the City’s code of ordinances have not adequately eliminated or controlled chronic, disorderly or nuisance activity in the City. The enactment of this policy as a standard operating procedure is intended to alleviate the deleterious impact of chronic, unlawful or nuisance activity in dwelling places and neighborhoods by authorizing early and constructive intervention by the Lewiston Police Department.

RESPONSE TO “DISORDERLY” PROPERTIES

III. DEFINITIONS

A. “Disorderly Conduct”

“Disorderly Conduct” is any conduct that would have a tendency to unreasonably disturb the health, safety, or peaceful enjoyment of the community, the neighborhood or an ordinary individual in the vicinity, including but not limited to: loud music; boisterous parties; sounds emanating from within a structure which are annoying outside the building; loud noise or fights within a building or in its vicinity involving owners or tenants of a building or their invitees (excluding incidents involving domestic violence); owners, tenants or invitees being intoxicated in shared areas within the building such as hallways, stairways, or on public ways in the vicinity of the building; the arrest and conviction of owners, tenants or invitees for activities which constitute either a crime or civil infraction under either state or local law; other *similar activities* in a building or in areas outside of but in the vicinity of a building; or other conduct proscribed pursuant to 17-A M.R.S. § 501-A.

Similar Activities include, but are not limited to:

- Drug related criminal activity;
- Prostitution;
- Violations of conditions of bail, parole, or probation;
- Alcohol abuse which threatens the health, safety, or right to peaceful enjoyment of the premise by other residents/tenants; and
- Tenant(s) fleeing to avoid prosecution, custody, or confinement after conviction of a crime.

B. “Disorderly Property”

A "disorderly property" is any property on which there is located a building that houses one or more dwelling units or any bed and breakfast establishment, hotel, motel, lodging or rooming house or other structure that provides residential accommodations at which property the police have found, on five (5) or more occasions in any thirty (30) day period or fifteen (15) or more occasions in the preceding year, that the owner, a tenant, or a tenants' co-habitees, guests or invitees, or other occupants have engaged in disorderly conduct.

- For the purpose of this policy, disorderly behavior violations as defined will be documented by a specific address such as apartment number, single family home address, or boarding house room number within a given building. Penalties and documentation will be associated with the specific address of buildings outlined/defined in the “disorderly property” definition in this ordinance.

LEWISTON, MAINE, POLICE DEPARTMENT – STANDARD OPERATING PROCEDURES

RESPONSE TO “DISORDERLY” PROPERTIES

The Police Chief or his/her designee shall have the sole discretion in determining whether conduct is disorderly and whether a building constitutes a “disorderly property”.

IV. PROCEDURE

A. Administration

1. The Police Department shall document and monitor the recurrence of disorderly conduct at residential buildings or structures in the City as defined under the “disorderly property” definition of this policy.
2. Whenever there have been five (5) or more occurrences of disorderly conduct at a residential property in any thirty (30) day period or fifteen (15) or more occurrences of disorderly conduct in the preceding year, the police department may notify an owner of such property of the circumstances of the disorderly conduct and the identity(ies) of its perpetrators, if known.

B. Official Notice

1. Whenever the Police Chief or designee has declared a building to be a disorderly property, this shall cause an owner of the property to be notified of such declaration and of the events which form the basis for that designation. The notice shall request the owner or the owner’s representative to meet with the Police Chief or his designee(s) within five (5) business days from the date of the notification to identify ways in which the problems which have been identified will be eliminated.

C. Meeting

1. At the time of the disorderly property meeting, the owner shall be requested to provide to the city the following documentation:
 - a. A copy of the names of all tenants or other persons authorized to reside or presently residing in the building(s) on the property and the units they occupy;
 - b. Contracts with any property manager or other person responsible for the orderly operation of the property;

In addition, the owner will be asked to take effective measures to address the disorderly property to be implemented within one (1) week of said meeting unless another date is agreed upon by the City and the owner.

Draft Not Adopted

August 12, 2013

Lewiston Disorderly Property Ordinance.

Purpose; Findings.

The purpose of this Disorderly Property Ordinance is to protect the health, safety, and welfare of the residents of the City of Lewiston by reducing the recurrence of disorderly conduct in dwellings that disturbs the peace and tranquility of others. The City has a substantial and compelling interest in protecting neighborhoods affected by conduct that unlawfully disturbs the peace and/or constitutes a nuisance, because such conduct adversely affects the health, safety, and welfare of citizens, and diminishes the quality of life in neighborhoods where it occurs. Such disorderly conduct, and its impact, should be abated. This Disorderly Property Ordinance is required because other prohibitions and penalties under state law and the City's code of ordinances have not adequately eliminated or controlled chronic, disorderly or nuisance activity in the City. The enactment of this ordinance and its occasional amendment is intended to alleviate the deleterious impact of chronic, unlawful or nuisance activity in dwelling places and neighborhoods by authorizing early and constructive intervention by the Lewiston Police Department.

Definitions.

"Disorderly conduct" is any conduct that would have a tendency to unreasonably disturb the health, safety, or peaceful enjoyment of the community, the neighborhood or an ordinary individual in the vicinity of said building, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are annoying outside the building; loud noise or fights within the building or in its vicinity involving tenants of the building or their invitees (excluding incidents involving domestic violence); tenants or invitees of tenants being intoxicated in shared areas within the building such as hallways, stairways, or on public ways in the vicinity of the building; the arrest and conviction of tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law; other *similar activities* in the building or in areas outside of but in the vicinity of the building itself; or other conduct proscribed pursuant to 17-A M.R.S. § 501-A.

Similar Activities include but are not limited to:

- Drug related criminal activity.
- Prostitution.
- Violations of conditions of bail, parole, or probation.
- Alcohol abuse which threatens the health, safety, or right to peaceful enjoyment of the premise by other residents/tenants.
- Tenant(s) fleeing to avoid prosecution, custody, or confinement after conviction of a crime.

A "disorderly property" is any property on which there is located a building that houses one or more dwelling units, or any bed and breakfast establishment, hotel, motel, lodging or rooming house or other structure that provides residential accommodations, at which property the police have found to have occurred, on five (5) or more occasions in any thirty (30) day period, or fifteen (15) or more occasions in the preceding year, that the owner, a tenant, or a tenants' co-habitees, guests or invitees, or other

occupants have engaged in disorderly conduct.

- For the purpose of this ordinance; violations of the disorderly behavior defined will be documented by specific address such as apartment number, single family home address, or boarding house room number within a given building. Penalties and documentation will be associated with the specific address of buildings outlined/defined in the "disorderly property" definition in this ordinance.

For the purpose of this ordinance the Police Chief, or his/her designee, shall have sole discretion in determining whether conduct is disorderly, and whether a building constitutes a disorderly property.

Administration; Notice.

1. The Police Department shall document and monitor the recurrence of disorderly conduct at residential buildings, or structures as defined under the "disorderly property" definition of this ordinance, in the City.

2. Whenever there have been five (5) or more occurrences of disorderly conduct at a residential property in any thirty (30) day period, or fifteen (15) or more occurrences of disorderly conduct in the preceding year, the police department may notify an owner of such property of the circumstances of the said disorderly conduct, and the identity(ies) of its perpetrators, if known.

3. Whenever the Police Chief or designee has declared a building to be a disorderly property, the City shall cause an owner of the property to be notified, of such declaration and of the events which form the basis for that designation. The notice shall require the owner to meet with representatives of the Police, the Police Chief, or his designee(s) within five (5) business days from the date of the notification to identify ways in which the problems which have been identified will be eliminated.

4. At the time of the disorderly property meeting, the owner shall be obligated to provide to the city the following documentation:

1. A copy of the names of all tenants or other persons authorized to reside or presently residing in the building(s) on the property and the units they occupy;

2. Contracts with any property manager or other person responsible for the orderly operation of the property;

In addition, the owner will agree to take effective measures to address the disorderly property, which measures shall be memorialized in a written agreement with the City at the conclusion of the meeting with the City and shall be implemented within one (1) week of said meeting unless another date is agreed upon by the City. Failure to enter into such an agreement at the conclusion of the meeting will be deemed a violation of this code and the City may file a complaint in district court seeking all compensatory and equitable relief permitted by law, to include the fine amounts outlined in the "Enforcement" section of this ordinance.

If the same property should be classified as a disorderly property on a subsequent occasion, then the city is under no obligation to meet with the owner but may proceed directly with a complaint to the district court seeking all compensatory and equitable relief permitted by law, to include the fine amounts outlined in the "Enforcement" section of this ordinance.

Enforcement

If the owner (a) refuses to enter into an agreement with the City to address the disorderly property, (b) takes ineffective measures to address the disorderly property as determined by the City, or (c) fails to implement the agreement reached with the City to address the disorderly property the City may file a legal action against the owner seeking any and all damages and remedies to which it is entitled pursuant to state and local laws. The first violation of this ordinance will result in a \$100 fine being imposed against the owner. The second and all subsequent violations will result in a maximum fine of \$500. The imposition of a penalty for violation of any ordinance shall not excuse the violation or permit to continue; such violation shall be remedied within a reasonable time, and for each ten days that the violation is permitted to continue a separate offense will accrue.

Police Calls - One Property, Two Years.

Call Num	Reason/Text	Call Time	Call Date	Month
16-52142	POL - DOMESTIC SAFETY CHECK	1923	6/14/2016	June
16-53155	POL-Request to Locate/Notify	1216	6/17/2016	June
16-54838	POL-Burglary MV	1027	6/22/2016	June
16-59884	POL-NOISE-DISTURBANCE	0002	7/6/2016	July
16-62613	POL-DISTURBANCE - DISORDERLY	2235	7/13/2016	July
16-63390	Psychiatric Problem - Alpha Ov	2220	7/15/2016	July
16-73362	Traffic Accident	1156	8/13/2016	August
16-81086	POL-Other Non Criminal	1043	9/3/2016	September
16-81638	POL-Criminal Trespass	0050	9/5/2016	September
16-83241	POL-Accident	1414	9/9/2016	September
16-89572	POL-Admin Paperwork	0927	9/27/2016	September
16-91908	POL-Suspicious Person/Veh	1935	10/3/2016	October
16-101779	POL-Request to Locate/Notify	0159	11/3/2016	November
16-104908	POL-DISTURBANCE - DISORDERLY	2348	11/12/2016	November
17-5736	POL-Narcotic/Drug VIO	1958	1/19/2017	January
17-11013	POL-PCF Medical/Mental	1609	2/6/2017	February
17-17252	POL-Vehicle Stop	0336	2/26/2017	February
17-18041	POL-Other Non Criminal	1330	2/28/2017	February
17-18143	POL-Threatening	1934	2/28/2017	February
17-19190	POL-Criminal Trespass	0324	3/4/2017	March
17-23690	POL-Assault	0150	3/19/2017	March
17-24429	POL-DISTURBANCE - DISORDERLY	1614	3/21/2017	March
17-30646	POL-DISTURBANCE - DISORDERLY	1917	4/10/2017	April
17-30653	POL-DISTURBANCE - DISORDERLY	1935	4/10/2017	April
17-33580	POL-Criminal Trespass	1608	4/18/2017	April
17-34245	POL-Criminal Trespass	1416	4/20/2017	April
17-36589	POL-Narcotic/Drug VIO	0011	4/28/2017	April
17-37249	POL-PCF Medical/Mental	2240	4/29/2017	April

17-40065	POL-Police Information	1551	5/8/2017	May
17-40139	POL-Other Non Criminal	2011	5/8/2017	May
17-40143	POL-Criminal Trespass	2016	5/8/2017	May
17-40409	POL-Wellbeing Check	1433	5/9/2017	May
17-59822	POL-Hazardous Conditions	1650	6/30/2017	June
17-61314	POL-Fireworks Violations	2303	7/4/2017	July
17-65067	POL-DISTURBANCE - DISORDERLY	2349	7/14/2017	July
17-67167	POL-DISTURBANCE - DISORDERLY	2049	7/20/2017	July
17-67936	POL-Vehicle Stop	0224	7/23/2017	July
17-72956	POL-DISTURBANCE - DISORDERLY	2011	8/6/2017	August
17-75766	POL-Field Interview	0044	8/15/2017	August
17-77594	POL-DISTURBANCE - DISORDERLY	0938	8/20/2017	August
17-77605	POL-DISTURBANCE - DISORDERLY	1019	8/20/2017	August
17-77622	POL-Threatening	1114	8/20/2017	August
17-77729	POL-DISTURBANCE - DISORDERLY	1849	8/20/2017	August
17-77738	POL-DISTURBANCE - DISORDERLY	1913	8/20/2017	August
17-80126	POL-Domestic	1812	8/27/2017	August
17-81482	POL-Warrant	0708	8/31/2017	August
17-81986	POL-NOISE- DISTURBANCE	1518	9/1/2017	September
17-89462	POL-Abandoned N G 911 Call	1758	9/21/2017	September
17-90795	POL-Missing Person	1500	9/25/2017	September
17-96163	POL-Children Troubles	2216	10/11/2017	October
17-101672	POL-Children Troubles	1742	10/29/2017	October
17-107500	POL-Domestic IP	1207	11/15/2017	November
17-110793	POL-Police Information	0839	11/27/2017	November
17-110904	POL-Retrieve Property	1510	11/27/2017	November
17-118958	POL-DISTURBANCE - DISORDERLY	0210	12/24/2017	December
17-118971	Falls	0351	12/24/2017	December
17-120604	ingestion/poisoning - Omega Ov	1512	12/29/2017	December
18-5111	POL-Police Information	0714	1/17/2018	January

18-6026	POL-Suspicious Condition	2049	1/19/2018	January
18-6563	falls - Alpha Override	1703	1/21/2018	January
18-8088	POL-Assist Other Dept	1132	1/26/2018	January
18-9810	POL-Warrant	2347	1/31/2018	January
18-11180	POL-DISTURBANCE - DISORDERLY	1612	2/5/2018	February
18-11820	POL-Domestic	1529	2/7/2018	February
18-12233	Psychiatric Problem	2318	2/8/2018	February
18-14041	POL-Other Non Criminal	1713	2/14/2018	February
18-19419	POL-Narcotic/Drug VIO	0842	3/3/2018	March
18-21787	POL-Abandoned N G 911 Call	1838	3/10/2018	March
18-22142	POL-DISTURBANCE - DISORDERLY	0035	3/12/2018	March
18-23083	POL-Abandoned N G 911 Call	2234	3/14/2018	March
18-27843	POL-Criminal Trespass	1232	3/29/2018	March
18-29466	POL-Other Non Criminal	0843	4/3/2018	April
18-29530	POL-DISTURBANCE - DISORDERLY	1110	4/3/2018	April
18-29541	POL-DISTURBANCE - DISORDERLY	1148	4/3/2018	April
18-34107	Unconscious/fainting	1540	4/16/2018	April
18-34112	POL-Field Interview	1601	4/16/2018	April
18-37550	POL-Criminal Trespass	1949	4/25/2018	April
18-38581	POL-Warrant	1902	4/28/2018	April
18-38590	POL-Warrant	1931	4/28/2018	April
18-43757	POL-Wellbeing Check	1342	5/12/2018	May
18-44082	POL-Wellbeing Check	1527	5/13/2018	May
18-45401	POL-Landlord Tenant Troubles	1146	5/17/2018	May
18-45492	POL-DISTURBANCE - DISORDERLY	1626	5/17/2018	May
18-45910	POL-Abandoned N G 911 Call	1721	5/18/2018	May
18-46296	MOTOR VEHICLE COLLISION DELTA	1906	5/19/2018	May

From: Charles Weaver
Sent: Tuesday, June 12, 2018 11:51 AM
To: Brian O'Malley
Cc: Randy St.Laurent
Subject: RE: [REDACTED]

Hi Chief,

I took a look at the Calls for Service to [REDACTED] in order to address the concerns from the city/citizens. While I understand the concern when I am looking at designating a property as "Disorderly" there are a number of factors that I have to consider. Fortunately, I access the numbers through IMC and am able to see everything about each and every Police response/call disposition. When I look at these calls and am considering the 5 call threshold for designation there have been a number of considerations that have kept [REDACTED] from being designated:

1. Our Disorderly SOP is broken down to dwelling units – therefore a property may have been responded to multiple times, however it must be an individual dwelling unit.
2. There are several instances where the address is used, however the disorderly issue has nothing to do with the building or dwelling unit.
3. Calls have been started for the address due to outside individuals causing an issue i/e. criminal trespass, squatters.
4. Another reason the property wasn't designated is because I also have to look at the call disposition and Officer's call notes – I saw numerous occasions that Officers responded for a disturbance which was deemed "unfounded" or the Officer found behavior not to be disturbing in nature.
5. One of the biggest reasons [REDACTED] did not meet the threshold is because many of the disturbance calls were due to a domestic related issue, which are not taken into account for disorderly purposes. While the initial call to the Officer states "disturbance" Officers investigated the calls and found that the disturbance came from a souring domestic relationship – which I do not count toward the 5 call threshold.
6. The final consideration which I saw was that many of our responses over the last year have been medical in nature and would therefore not contribute the CFS numbers.

Despite it's lack of "designation" I have kept up with [REDACTED] and much the same as in 2016, have found the property owner's to be very proactive in their management of the property. Despite the above listed criteria, there were some calls for service that would be counted as disorderly. [REDACTED]

[REDACTED] have followed up with me to address these issues and to stay informed about their property. Furthermore, they have evicted the previous tenants of apt. #3 that were associated with many of the medical and Police responses (whether the response qualified or not). Thus far in the month of June there has been only 1 CFS to the property for an individual not associated with the address. I have urged [REDACTED] to contact me directly should he require any further assistance.

Charlie Weaver
Lewiston Police Department
Office: 207-513-3010

[REDACTED]

Throughout the month of March 2016 it became apparent that [REDACTED] would be designated a disorderly property as there were five calls for service to the property that were disorderly in nature. The problems were primarily created by the raucous nature of two tenants who were consistently fighting, playing loud music and disturbing the peace.

I noted the calls for service and took initial steps to correct the problems at [REDACTED]. I first made contact with the property owner who was advised of the continued Police response and nature of complaints. He responded with a notice to the tenants to cease such behavior which was not well received. After multiple follow-ups with the property owner, he informed me that he had moved forward with the eviction process and was in fact evicting both problem tenants.

As of April 1st, both tenants had vacated the property. Since that time, as of May 4th, 2016, there have been three calls for service to the property; two of which were medical in nature and did not require Police action. The reduction in calls for service to the property is a direct reflection of the landlord's proactive response to the disorderly behavior occurring in the building. At this time, [REDACTED] is no longer designated a "Disorderly Property" and is a great example of results that have been achieved with Police and property owner collaboration and proactive response.

It was later brought to my attention that another local property owner (owning adjacent properties to [REDACTED]) was voicing concerns about the continued disturbances that were on going at [REDACTED]. I immediately looked into this by referencing LPD call logs and recalled that since April, Police had responded to the property on only three different occasions. I attempted to relay this information and explain the successes achieved at [REDACTED] to the irate property owner but was met with a profanity ridden tirade that ended with him hanging up the telephone. Furthermore, I looked into the number of calls to the Police placed by the concerned property owner and noted that he had not contacted the Police a single time throughout 2016; for any reason including voicing concerns about the property in question. At this point I continue to look at [REDACTED] as a great example of success achieved through the disorderly property initiative and will continue to monitor future progress.

Benjamin Westman

From: Derrick St. Laurent
Sent: Wednesday, April 4, 2018 8:41 AM
To: Benjamin Westman
Subject: RE: [REDACTED] Known Issues

You should be all set. We are commonly there at night due to the drunks hanging out there causing problems. You should be fine during the day, if something comes up just give us a call.

From: Benjamin Westman
Sent: Wednesday, April 04, 2018 8:39 AM
To: Derrick St. Laurent
Subject: RE: [REDACTED] Known Issues

Great ☺. Should I request a police presence if I go?

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3126 ext. 3227
TDD/TTY 207.513.3007
www.lewistonmaine.gov

From: Derrick St. Laurent
Sent: Wednesday, April 4, 2018 8:38 AM
To: Benjamin Westman
Subject: RE: [REDACTED] Known Issues

[REDACTED] is one of the worse (if not the worse) buildings downtown. It has been like that since I started.

From: Benjamin Westman
Sent: Wednesday, April 04, 2018 8:36 AM
To: Derrick St. Laurent
Subject: [REDACTED] Known Issues

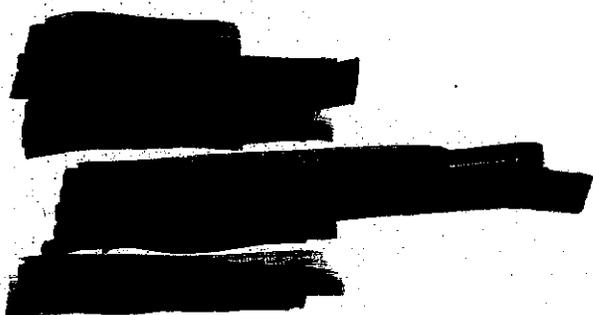
Derrick,
Can you tell me if this address has any known problems. The abutting landlord states all sorts of issues go on there.

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street

CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
NOTICE OF VIOLATION
Code Case: 3575-2018
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

April 23, 2018



On April 4, 2018, the property located at [REDACTED] came to the attention of the Planning and Code Enforcement Department. Upon inspection, the building and property was found to be in violation of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, and Chapter 38, Article II, Section 38-26 as per the Code of Ordinances of the City of Lewiston, hereafter referred to as the Code. In accordance with the Code, the violations requiring abatement include but are not limited to the following:

International Property Maintenance Code

302.3 Sidewalks and driveways

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

Corrective Action: The rear portion of the driveway has section of concrete sticking out of the ground. Remove the concrete to a point so the asphalt and concrete are level with each other.

Compliance Date: May 23, 2018

304.1 General

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. In addition,

304.2 Protective treatment, states that, "All exterior surfaces, including but not limited

to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement. Furthermore, **304.6 Exterior walls**, states that, "All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration."

Corrective Action: The exterior of the property has several areas that have chipping and peeling paint. Remove all defective paint and repaint all surfaces.
Compliance Date: June 1, 2018

304.10 Stairways, decks, porches and balconies

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads. In addition, **304.12 Handrails and guards**, states that, "Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition."

Corrective Action: The front steps and rear porches are missing proper handrails. Install a graspable hand rail to the existing guards.
Compliance Date: May 23, 2018

304.13 Window, skylight and door frames

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. In addition, **304.13.1 Glazing**, states that, "All glazing materials shall be maintained free from cracks and holes." Furthermore, **304.13.2 Openable windows**, states that, "Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware." Lastly, **304.14 Insect screens**, states that, "Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition."

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed."

Corrective Action: Several windows throughout the property are broken, missing screens, have broken locks and broken sash pins. Repair or replace all windows and components as needed.

Compliance Date: May 23, 2018

304.15 Doors

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

Corrective Action: The front building entrance door has large gaps around the edges and a broken closure arm. Eliminate the gaps to prevent the elements from entering the building and repair or replace the closure arm.

Compliance Date: May 23, 2018

304.16 Basement hatchways

Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

Corrective Action: The basement access hatch is deteriorated. Repair or place the hatch.

Compliance Date: May 23, 2018

304.18.1 Doors

Doors providing access to a dwelling unit, rooming unit or housekeeping units that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock through of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. In addition, **305.6 Interior doors**, states that, "Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware."

Corrective Action: Multiple entrance doors throughout the property do not have door knobs and/or deadbolts, also a number of interior doors within the units are broken. Install new hardware and replace any broken doors.

Compliance Date: May 23, 2018

305.1 General

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units

or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. In addition, **305.3 Interior surfaces**, states that, "All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected."

Corrective Action: The walls throughout individual units at the property have holes, deteriorated flooring, and some bathrooms missing shower paneling. Repair all damaged walls, replace all deteriorated flooring and replace all damaged/missing shower paneling.

Compliance Date: May 23, 2018

305.4 Stairs and walking surfaces

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair. In addition, **305.5 Handrails and guards**, states that, "Every handrail and guard shall be firmly fastened and capable of supporting normal imposed loads and shall be maintained in good condition." In addition, **307.1 General**, states that, "Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (106 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, or ramp or other walking surface. Exception: Guards shall not be required where exempted by the adopted building code."

Corrective Action: The interior common stairs are missing proper handrails. The front common stairs have deteriorated sheet metal on the riser boards. Install graspable hand rails on the interior common stairs and remove the sheet metal from the front common stairs.

Compliance Date: May 23, 2018

308.1 Accumulation of rubbish or garbage

All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. In addition, **308.2 Disposal of rubbish**, states that, "Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers." Furthermore, **308.2.1 Rubbish storage facilities**, states that, "The owner of every occupied premise shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish." I should also note, **308.3 Disposal of garbage**, states that, "Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers." Lastly, **308.3.1 Garbage facilities**, states that, "The owner of every dwelling shall supply to the occupants in each dwelling unit an approved

leak proof, covered, outside garbage container.”

Corrective Action: The property has a pile of garbage and debris on the rear of the property. Remove all garbage and debris from the property and ensure each tenant is supplied with a trash container that has a lid that is able to be secured.
Compliance Date: May 23, 2018

309.1 Infestation

All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation. In addition, **309.4 Multiple occupancy**, states that, “The owner of a structure containing two or more dwelling units including rooming houses shall be responsible for pest elimination in the public or shared areas of the structure, the exterior property as well as the individual dwelling units, or rooming units.” Furthermore, **309.5 Occupant**, states that, “The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.
Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.”

Corrective Action: The property has cockroaches throughout multiple units. Have the property treated by a third party pest company and submit the service invoice to this office.
Compliance Date: May 23, 2018

403.5 Clothes dryer exhaust

Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.
Exception: Listed and labeled condensing (ductless) clothes dryers.

Corrective Action: The dryer vents for the units are improperly vented. Reroute the vents to ensure they exhaust to the exterior of the building.
Compliance Date: May 18, 2018

504.1 General

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. In addition, **506.1 General**, states that, “All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.”

Corrective Action: The basement has an open trap from a previous washer hookup. The drain line must be capped off to prevent sewer gas from entering the building. The bathroom faucet in apartment five (5) has significant corrosion. Replace the faucet.

Compliance Date: May 23, 2018

603.1 Mechanical appliances

All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

Corrective Action: The furnace does not have the proper protective casing over the fuel supply line. Install the correct protective cover.

Compliance Date: May 23, 2018

604.1 Facilities required

Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605. In addition, **604.3 Electrical system hazards**, states that, "Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard."

Corrective Action: The building has several lights and outlets that are broken, missing protective covers or hanging by wires. Repair or replace all electrical components that are defective.

Compliance Date: May 23, 2018

704.1 General

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the applicable National Fire Protection Association Codes as per Chapter 38, Article II, Section 38-26(a) of the Code Ordinances of the City of Lewiston. In addition, 704.2 Smoke alarms and carbon monoxide detectors, states that, "Single- or multiple-station smoke alarms shall be installed and maintained in accordance with Chapter 38, Section 38-26 (c) of the Code of Ordinances of the City of Lewiston. Carbon monoxide detectors shall be installed and maintained in accordance with Title 25 M.R.S.A. § 2468."

Corrective Action: Multiple units are missing smoke and carbon monoxide detectors. Replace all missing units and ensure all units throughout the entire building are working.

Compliance Date: Immediately and on-going

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordereed to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and fifteen dollars (\$215.00), the third is four hundred and twenty-five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

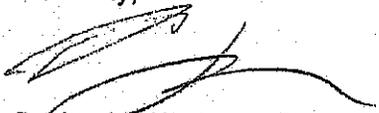
In Lieu of or in addition to the issuance of citations this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. 4452 et seq. as amended. A judgment from such a lawsuit in the City's favor can result in a court order that any violations be abated, the imposition of a fine of up to two-thousand five-hundred dollars (\$2,500.00), per violation per day, and the payment of court costs and the City's legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning/Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and fifty dollars (\$150.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the content or terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section IPMC-107.6 of the International Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Please contact this office or me should you have any questions or concerns.

Sincerely,



Benjamin Westman, Code Enforcement Officer
C: Gildace J. Arsenault, Director of Planning & Code Enforcement

Code Case: [REDACTED]

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy

Be advised: The EPA's Lead Renovation, Repair and Painting Rule (RRP) requires that the firms performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities and preschools built before 1978 have their firm certified by EPA (or an EPA authorized state), use certified renovators who are trained by EPA Approved training providers and follow specific lead-safe work practices to prevent lead contamination. This included in-house staff and many types of outside contractors.

Benjamin Westman

From: Benjamin Westman
Sent: Friday, June 1, 2018 8:03 AM
To: [REDACTED]
Subject: [REDACTED]

[REDACTED]
I have nothing in the code to prohibit them.

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3126 ext. 3227
TDD/TTY 207.513.3007
www.lewistonmaine.gov

From: [REDACTED]
Sent: Thursday, May 31, 2018 7:55 PM
To: Benjamin Westman
Subject: [REDACTED]

Hello Benjamin. We are progressing nicely at [REDACTED]. We appreciate the additional time as there was definitely a lot of items on the list. I do have a question. In regard to window screens. We have some that are missing and cannot find replacements that fit. Is an adjustable screen acceptable??? Thank you [REDACTED].

[REDACTED]
Sent from my iPhone

On May 11, 2018, at 8:18 AM, Benjamin Westman <BWestman@lewistonmaine.gov> wrote:

[REDACTED]
I can find nothing in the code that requires a door on a closet.

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3126 ext. 3227
TDD/TTY 207.513.3007
www.lewistonmaine.gov

From: [REDACTED]
Sent: Thursday, May 10, 2018 8:22 AM
To: Benjamin Westman
Subject: Re: [REDACTED]

Good morning Ben,

[REDACTED] has a question re: [REDACTED]....do closets require doors?

Thank you!!

From: Benjamin Westman <BWestman@lewistonmaine.gov>
Sent: Monday, May 7, 2018 3:23 PM
To: [REDACTED]
Subject: RE: [REDACTED]

[REDACTED] can grant you an extension until June 23, 2018. I will re-inspect on June 25, 2018. If all items are not complete the NOV will be sent over to our attorney to initiate an 80K lawsuit. As for the tenants causing damage to the unit I cannot advise you on what to do with them. You would want to consult your own attorney.

I have attached the photo of the damaged shower paneling. As best I can tell of the photos I took it is from apartment 2 on the first floor on the left hand side.

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3126 ext. 3227
TDD/TTY 207.513.3007
www.lewistonmaine.gov

From: [REDACTED]
Sent: Monday, May 7, 2018 1:23 PM
To: Benjamin Westman
Subject: [REDACTED]

Good afternoon Ben,

Oh my goodness. We went to property yesterday and went through apartment by apartment. It is unbelievable the damage tenants cause. Most of the units need a lot of minor repairs but Apartment 4 is a total wreck. Her dogs and kids have destroyed that unit. What do you do when tenants don't keep their apartments clean/habitable? It is in their leases to keep home clean, but how do you enforce??

Anyway, we did manage to get a few things completed:

Concrete sticking out of the ground in back yard has been knocked down and filled in
Front steps have graspable hand rail...we are working on the back porches right now
Front entrance door closure arm has been fixed and door repaired...we will be adding weather stripping as well

Common stairway to third floor apartment, we added a handrail

Common stairway to second floor, have removed sheet metal and fixed some risers

We have brought 2 truck loads of trash to dump

Washer drain has been capped

We have contacted our plumber/heating tech to address the furnace oil line and plumbing issues i.e. Apartment 5 bathroom faucet and broken drain in Apartment 3 bathroom.

We would like to request an extension until June 23rd. There are so many repairs to be done, it is very overwhelming mentally and financially. Looking at everything yesterday was very disheartening. We want to get it done right and we will, it will just take time. We appreciate your patience and understanding.

Oh one question....in re: to shower walls/panels missing. We checked all showers yesterday and not seeing any missing panels. Some showers were filthy, but panels were there. Was there a particular unit you are referring to? Third floor units maybe with the eaves?? Please let us know.

Thank you for working with us. We appreciate it. Please feel free to contact us anytime.

[REDACTED]

207-240-5478

207-312-4373

[REDACTED]

From: Benjamin Westman <BWestman@lewistonmaine.gov>

Sent: Monday, April 9, 2018 8:05 AM

To: [REDACTED]

Subject: RE: [REDACTED]

[REDACTED]

The property has a number of maintenance issues such as broken windows, deteriorated flooring, missing door knob, etc. I have not had a chance to work up the notice but hope to get it out today. I will email you a copy as well now that I have your email. On a side note per LPD this property is one of the worst buildings in town for calls for disturbances. I'm not sure what the root cause of the issues are but I wanted to let you know.



LEWISTON FIRE DEPARTMENT
Fire Prevention Bureau
Central Fire Station
2 College Street
Lewiston, ME 04240
(207) 513-3002 ext. 3605
Fax # (207) 784-6138
pouellette@lewistonmaine.gov

In comparison of Fire Prevention and Code Enforcement with our job duties and responsibilities; Code Enforcement is more “reactive”, with receiving and acting on citizen complaints, whereas Fire Prevention is more “pro-active” with conducting fire safety inspections on an annual basis. Code Enforcement is more responsive to the structure in itself, where Fire Prevention is more responsive to the people inside the structure and the life safety features.

Lewiston Fire engine companies conduct 28 tenement / various fire safety inspections a week from early Spring till late Fall, with an average 8 inspections on Mondays and 20 on Fridays. They refer code violations, during their inspections, either directly to Code Enforcement or through our office which in turn gets directed to the proper correspondent in Code Enforcement.

Total number of fire inspections conducted in 2018 by engine companies:
(April -2018 through August – 2018)

	2018	TOTALS
1	Tenement Inspection	182
2	Sprinkler Inspection	31
3	Tenement Re-Inspection	65
4	Sprinkler Re-Inspection	5
5	Vacant Building Inspection	43
6	Common Areas Inspection	0
7	Placarding	0
8	2 Unit	0
9	Rescheduled inspection or re-inspection for Tenement Building	0
10	Rescheduled inspection or re-inspection for Sprinkled Building	0
11	CO Detector reschedule	0
12	No Show	2
13	Canceled	4
	Totals: 1 thru 13	348
	Totals 1 thru 8 (actual inspects)	326
	Knox Box Checks	1

Total number of fire inspections conducted in 2017 by engine companies:
(April -2017 through November – 2017)

	2017	TOTALS
1	Tenement Inspection	196
2	Sprinkler Inspection	174
3	Tenement Re-Inspection	122
4	Sprinkler Re-Inspection	16
5	Vacant Building Inspection	51
6	Common Areas Inspection	0
7	Placarding	0
8	2 Unit	0
9	Rescheduled inspection or re-inspection for Tenement Building	45
10	Rescheduled inspection or re-inspection for Sprinkled Building	1
11	CO Detector reschedule	0
12	No Show	5
13	Canceled	8
	Totals: 1 thru 13	618
	Totals 1 thru 8 (actual inspects)	559
	Knox Box Checks	16

Fire Prevention and Code Enforcement routinely conduct joint inspections of various businesses and tenement buildings throughout the year, each having specific areas they are trained and are specialized to inspect. I average approximately 140 inspections a year and approximately 60 joint inspections a year with Code Enforcement.

What are Fire Prevention's Duties and Responsibilities:

- Tenement inspections
- City license inspections
- Complaint inspections
- New construction / rehab inspections
- Permitted inspections, ie. blasting, fireworks, burning, underground storage tanks, oil burners
- Conduct fire investigations / follow-ups / enforcement
- Plan / Code Reviews
- Juvenile Fire Setters
- Educational / training classes
- Write reports, letters, memos, and maintain appropriate records.

NEW INSPECTION

RE-INSPECTION

NOTICE OF VIOLATION AND ORDER TO CORRECT AND COMPLY
CITY OF LEWISTON FIRE PREVENTION BUREAU · (207)513-3002x3607

Building Address: _____

Second Address: _____

No. of Units: _____ No. of Stories: _____

Owner: _____

Manager: _____

Address: _____

Address: _____

City: _____ State: _____ Zip: _____

City: _____ State: _____ Zip: _____

Tel.: _____ Cell: _____

Tel.: _____ Cell: _____

EXTERIOR:

	Fail		CITATION from Lewiston Ordinance § 38-26	COMMENTS
1.	<input type="checkbox"/>	Building is numbered	City Ord. § 66-03	
2.	<input type="checkbox"/>	General condition of building	NFPA 1 § 10.1.1	
3.	<input type="checkbox"/>	No trash/debris/storage on porches, fire escapes	NFPA 101 § 4.5.3.2, 7.1.10.1, NFPA 1 § 19.1.2	
4.	<input type="checkbox"/>	No trash/debris in yard, under porches	NFPA 1 § 19.1.2	
5.	<input type="checkbox"/>	Condition of porches	NFPA 1 § 10.1.1	
6.	<input type="checkbox"/>	Condition of fire escapes	NFPA 1 § 10.1.1	

INTERIOR:

	Fail			
7.	<input type="checkbox"/>	General condition of interior	NFPA 1 § 10.1.1	
8.	<input type="checkbox"/>	Smoke detectors	NFPA 101 § 31.3.4.5.1	
9.	<input type="checkbox"/>	Carbon Monoxide detectors	25 M.R.S. § 2468	
10.	<input type="checkbox"/>	No trash/debris/storage in hallways	NFPA 1 § 19.1.2; NFPA 101 § 4.5.3.2, 7.1.10.1,	
11.	<input type="checkbox"/>	Exits clear	NFPA 101 §§ 4.5.3.2, 7.1.10.1	
12.	<input type="checkbox"/>	Exit opens without the use of a key	NFPA 101 § 7.2.1.5.2	
13.	<input type="checkbox"/>	Sufficient exits	NFPA 101 § 31.2.4.1	
14.	<input type="checkbox"/>	Self-closing doors to halls and stairwells	NFPA 101 § 31.3.6.2.3	
15.	<input type="checkbox"/>	Fire rated doors to halls and stairwells	NFPA 101 § 31.3.6.2.1	

BASEMENT:

	Fail			
16.	<input type="checkbox"/>	General condition of basement	NFPA 1 § 10.1.1	
17.	<input type="checkbox"/>	No trash/debris/excess storage in basement	NFPA 1 § 19.1.2, 19.1.3	
18.	<input type="checkbox"/>	Condition of furnace / flue pipe	NFPA 1 § 11.5.1.7 NFPA 1 § 11.5.4	
19.	<input type="checkbox"/>	Protected oil line	02-658 C.M.R. § 8.8.2 (ME Fuel Brd)	
20.	<input type="checkbox"/>	Condition of oil tank	02-658 C.M.R. § 8.9 (ME Fuel Brd)	
21.	<input type="checkbox"/>	Condition of chimney	NFPA 1 § 11.5.4	
22.	<input type="checkbox"/>	Covered sewer clean out	NFPA 1 § 10.1.1	
23.	<input type="checkbox"/>	Condition of electrical	NFPA 1 § 11.1.2	

ORDER TO COMPLY

You are hereby notified that, if any of the boxes above are checked fail, you are in violation of the City of Lewiston Code of Ordinances. You must remedy those violations within **30 DAYS** unless otherwise noted.

Officer in Charge: _____ Eng. Co.: _____ Platoon: _____ Date: _____

Need for Re-Inspection: YES: NO: Date of Re-Inspection: _____ Time: _____ Referred to: FP

Signature of Owner/Representative: _____

In the event you do not abate the violation(s) by the specified date this office may issue a citation pursuant to Chapter 50, Article II, Sections 50-36 through 50-51 of the City of Lewiston Code of Ordinances. Such citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and will order you to abate the violation(s) at issue. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and twenty five dollars (\$225.00), the third citation imposes a civil penalty of four hundred and twenty five dollars (\$425.00), the fourth and subsequent citations each impose a civil penalty of eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the specific violations as shown on the attached sheet(s) are repeated, you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. §4452 *et seq.* as amended. A judgment from such a lawsuit in the City's favor can result in a court order that any violations be abated, the imposition of a fine of up to two-thousand five-hundred dollars (\$2,500.00), per violation, per day, and the payment of court costs and the City's legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with a one hundred and fifty dollar (\$150.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

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CITY OF LEWISTON

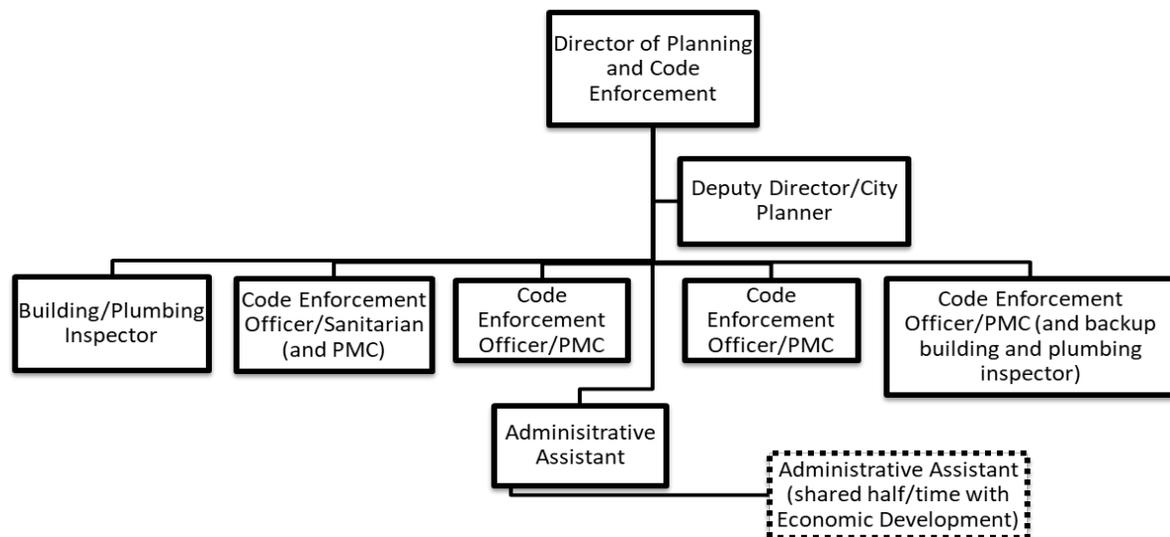
Department of Planning & Code Enforcement

RE: Department organization and activity

FR: David Hediger, Director of Planning and Code Enforcement

Date: August 13, 2018

The City of Lewiston Department of Planning and Code Enforcement provides the following services: zoning and land use planning; zoning and land use enforcement; building permitting, inspection and enforcement; plumbing permitting, inspection and enforcement; electrical permitting, inspection and enforcement; property maintenance inspection and enforcement (PMC); and sanitarian inspections, enforcement and licensing inspections. Staff also provides technical and administrative support for the Board of Appeals, Planning Board, Historic Preservation Review Board and the Staff Review Committee.



Pursuant to Article III, Section 18-51 of the Code of Ordinances of the City of Lewiston, in 2011 the city adopted the 2009 edition of the *International Property Maintenance Code (PMC)*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human

occupancy and use, and the demolition of such existing structures in the City of Lewiston. Prior to the adoption of the 2009 addition, the city administered a very similar 1990 BOCA National Property Maintenance Code adopted in 1992.

From April 2017 to August 1, 2018 PMC related activity resulted in the following:

- Notice of Violations (NOV)
 - 93 deemed compliant
 - 178 remaining in violation
 - 11 in partial compliance
- At least 22 condemnations
- At least 11 Rule 80k court filings
- Requests related to (which may have result in any of the above referenced PMC related activities):
 - 223 for all other PMC issues
 - 26 building inspections (PMC and non PMC issues)
 - 230 citizen requests (PMC and non PMC issues)
 - 73 citizen inquires (PMC and non PMC issues)
 - 137 city staff inquires (PMC and non PMC issues)
 - 340 food/licensing
 - 28 heat/hot water (PMC and non PMC issues)
 - 16 land use
 - 261 solid waste curbside
 - 153 trash/debris
 - 76 vacant building
 - 158 zoning and land use