

**Notes from second Fire/Code Task Force Meeting
December 10, 2014**

Phase I Task Force Members:

Rich Bianculli, City of Portland, Corporation Counsel/Police Dept
Jay Fleming, Boston Fire Dept (not present)
Keith Gautreau, City of Portland, Fire Dept
Sheila Hill-Christian, City of Portland, City Manager
Tammy Munson, City of Portland, Building Inspections
Tuck O'Brien, Portland Planning Board
Jon Rioux, City of Portland, Building Inspections
Julie Sullivan, City of Portland, City Manager's Office

Julie- Thanked the group for the very beneficial one-on-one meetings. There was uniform consensus that the Task Force does not need to focus on codes; we have the right codes in place; there are conflicts, but are low-level and can be worked through by staff.

- a. Today's Agenda/ Primary area of focus
 - i. roles and staffing,
 - ii. overlapping,
 - iii. cross-training
 - iv. increased staffing,
 - v. how do we share the burden
 - vi. other-ways,
 - vii. intercity agencies
- b. Review of Census Data
 - i. Existing housing,
 - ii. rentals
 - iii. 17,000 rental etc.,
 - iv. 1306 owner occupied
- c. Inspection process
 - i. Inspections approach going forward
 - ii. Tenants
 - iii. Landlords
 - iv. Schools
 - v. education
 - vi. prevention
- d. Defining Proactive Enforcement- will come later
 - I. Tammy and Jon- Inspections Division
 - a. Complaint Based- 1 Staff Person
 - i. We inspect existing rental units,

- ii. document what the complaint were about
- iii. follow-up with the landlord, tenants, and all other agencies
- b. Jurisdictional Responsibility
 - i. A priority-based complaint system includes
 1. Land use,
 2. trash on private property,
 3. housing complaints,
 4. infestation,
 5. outdoor dining,
 6. applications,
 7. stop work,
 8. street artist,
 9. cruise ships,
 10. hoarding,
 11. Referrals from State agencies, PD, social services, fire, public services, business licensing
 - ii. Rich - Ordinance enforcement Officer-
 1. Position was put on hold after initial interviews, department was in the process of hiring, this would person would have taken-over- street artist outdoor dining issues, nuisance matter
 - iii. Jon- Public Services handles- side walk/ ice matters, public property (right away) trash, and heavy item pickup

II. Keith- Fire Department Inspections

- a. Companies (Staffed Fire Engines/ Ladders) were doing proactive housing inspections of apartments (3 or more units) and businesses.
- b. Unannounced (stop and knock)
- c. 240 calls per 3 units or larger,
- d. walking down the streets vs pre-scheduled
- e. "Legally" they could only inspect common spaces (areas),
- f. knock and stop for basic items only,
- g. all matters (from each company) are then referred to the Fire Inspector in the bureau
 - i. this is because they are at a high level of training
- h. Fire Prevention Bureaus primary focus
 - i. Permit reviews
 - ii. C of O's
 - iii. Complaints that come in through our office

III. Julie- Let's discuss any overlaps (Fire and Inspections)

- a. Tuck- What is a Life Safety Inspection

- b. Jon- Clarification that when Keith speaks of "Life Safety" he is referring to NFPA 101 and NFPA 1® Codes. Certainly, there are other matters that could relate to life safety in building codes, etc.
- c. Examples of Life Safety (Fire Codes) and overlap of both Fire and Inspections and which almost always result in joint inspections
 - i.Egress,
 - ii.Real severe life safety issues,
 - iii.Weather related disasters,
 - iv.Building fires
 - v.major code violations,
 - vi.GA social service issues
 - vii.Fire Doors,
 - viii.holes in hallways- violation notify the landlord
- d. Rich - Ladder companies doing the roaming inspections who is writing the violation letters, legal needs access to these letter for prosecution
 - i.Keith - Fire Prevention Bureau
- e. Keith - vacant properties list
 - i.Maintained by Inspections Division, shared with Fire Prevention
 - ii.Fire Prevention places physical plaques on the building for their own safety
 - 1. Red, Yellow, Green system
 - iii.NFPA Life Safety Code overlap taken further
 - iv.Julie - Smoke Detectors, means of egress?
 - v.Complaint- Code Entire
 - vi.Major issues
 - vii.Social Services, Public Services, Legal Issues
 - viii.Jon- Goal to only use Legal when our resources are exhausted
 - 1. Noticing
 - a. Letters, 1,2, and 3
 - 2. Posting

IV.Julie- Let's discuss what works well

- a. Unified Command at Emergency Incidents
 - i.Phone Conferences, i.e. Fore Street Fire
- b. Agency assist, i.e. 193 Congress Street Building
- c. Staff works well together
- d. Tuck- information sharing?
 - i.Yes through Urban Insight (if used)

V.Julie- Let's discuss what doesn't work well

- a. Jon- when demands exceeds our resources
 - i.We work well at fixing complexity during an emergency

- ii. During normal business hour (inspections), a inspector has the authority to post a 20 unit building, but cannot priority the (12+ departments) involvement of other city staff with the matter
 - 1. Inspectors may need aid/ immediate resources from fire, public services, legal, social services
 - 2. Staff does not have the authority to make it "that" departments priority
 - 3. Often we need to involve the executive department for prioritizing
- iii. Julie- Anything Else?
 - 1. Tammy- See-Click-Fix (Vickie), Engine Companies already have Urban Insight
 - a. Vickie could build an inspections program- tracking and follow-up on building hazards, i.e. FDNY tracking system
 - 2. Keith- The system has tracking for 17 agencies + so many different groups could respond (IT department already has the technology)
 - 3. Danielle- Follow-up, noticing with all dates, and it's hard to get the "you did nothing to notify Landlord complaints" to court (one data base would be useful for legal to access).
 - 4. Rich- Access to the violation notice is imperative for court
 - a. 1st 2nd 3rd – Date Certified,
 - b. Tammy- the G-drive is another shared network
 - 5. Types of enforcement actions
 - a. 80-K
 - b. 80-H
 - c. Insurance companies
 - d. Banks
 - 6. Jon- Foreclosures, we do not have a handle on who to serve
 - a. Often the "Owners" think they are not responsible
 - b. We have to involve legal and notice multiple out of state parties
 - c. Takes a lot of staff hours and yields low results
 - 7. Danielle- Training- Chapter 10. I wrote parts of this. Fire department is unaware of tools for enforcement.
 - 8. Jon- State Requires CEH's minimum training, and Certifies Code Enforcement Officers for each area(s) they enforce
 - a. The state language is vague and does not require state certification for Fire Inspectors
 - i. There is internationally recognized program from NFPA, CFI certification

- ii. We could provide an in-house cross-training for our local ordinances
 - 1. This could carry over to all stakeholders
- 9. Shelia- Complaint See-Click Fix- Tenant could use the system
- 10. Julia- fire risk score
- 11. Jon- Invite Public In, Educational Piece
 - a. Training for all levels involved
 - i. Internal
 - ii. Tenants
 - iii. Utility companies, etc
- 12. Tuck- what about the educational piece for fire safety
 - a. Keith- Yes we need to do more to get into the schools
- 13. Jon- Fire and Safety Education has been around for 50+ years, we are in the schools at all levels (Except College)
 - a. The message of escape plans, blocked exits and smoke detectors is taught an early age
 - b. We need to do more enforcement of spot checking to get at the target concerns or re-think how we do Fire and Safety Education with real world examples, without scaring the public
 - c. Tuck- Education the College Students would be benefit, with real college housing issues
 - i. Provide Fact sheet,
- 14. Rich- landlord tenant handbook, like VT would be great
 - a. Pine Tree Legal- offers this

VI. Statement of Purpose

- a. Shelia- The group should establish a basic statement of purpose
- b. Jon- Defining- Pro-active code enforcement should be the basis, and thinking about the number of inspections based on type and frequency that we would like to accomplish
 - i. Shelia- I would like the group to think of a more of a statement for a general purpose for these proactive inspections
 - ii. Jon- 5 year and ten years?
 - 1. Shelia- yes that could be part of it
 - 2. Study 17,000
 - 3. Look into fire marshal's office NIFIRS report for prioritizing
 - 4. Voluntary compliance options

VII. Julie- recap of upcoming sessions. Next meeting: Weds 12/17, 10:30-12, rm 208, City Manager's conference room. We will consider a statement of purpose for inspections; draft roles, requirements, staffing.