

Minutes of Code Construction Review Board
May 26, 2015
7:00 PM, Executive Conference Room, Marion City Hall

The meeting was brought to order by Board Chair Jim Angerer at 7:00 PM. Roll Call was taken.

Board members present were :

Jim Angerer	Terry Sauer	Larry Nessel
Dave Martin	Roger Cousins	Richard Sundermeyer
Kirk Skilling	Jim Berm	JR Block
Maria Murphy		

John Bender was unable to attend.

Also present were:

Wade Markley and Shawn Fluharty, Marion Fire Department
Gary Hansen and Jennifer Canaday, Marion Building Department
Devon Kelly, Legal Counsel
Todd Chambers, Appellant

1. Minutes of the previous meeting were approved as written. Motion to approve made by JR Block, seconded by Richard Sundermeyer. Motion carried.
2. Mr. Todd Chambers, owner of the Henderson House, located at 1501 1st Avenue, Marion, presented an appeal to the Board requesting the waiving of a requirement by Fire Inspector Wade Markley that the Henderson House have a manual fire alarm system installed. The International Fire Codes sections 1103.7.6 Group R-2 and 907.5 state that a rental property with more than 16 tenants, and internal stairs, requires a manual system.

Mr. Chambers appealed on two points. His first point was that this is an existing building and should be grandfathered against being targeted by this type of complete and comprehensive sweeping code change. His second point was that this is not a small financial burden for a building housing low-income tenants; the only way to recover the costs would be to increase rent beyond tenant capability.

Mr. Chambers made an offer to put in hard-wired smoke alarms in the hallways.

Fire Inspector Markley stated that the 100 decibels of sound created with a manual alarm system would not be matched by hard-wired smoke alarms in the hallways. His concern is that the current battery-operated alarm system would only alert small groups of residents and that there is a life-safety issue especially when taking into account the open stairwells and the transom windows.

After much discussion by the Board members, Kirk Skilling made a motion to approve the recommendation of Fire Inspector Wade Markley requiring the installation of a manual fire alarm system, but allowing Mr. Chambers two years to install, and have inspected this system. A legal document is to be written which clearly lists the expected date of completion and penalties for failure to comply. Dave Martin seconded the motion, and the motion was unanimously approved.

3. Wade Markley then spoke of his concern regarding commercial properties which are not currently being inspected by the fire department. There was a near-fatal fire this past winter when a tenant built a small, almost air-tight 6x8' sleeping area in a commercial building, with a mattress 15 inches from the ceiling, and a table with TV under the bed, and a space heater with paper files touching it which created the fire. He stated that there are many structures in town with questionable and possibly hazardous stored items, in close proximity to legitimate businesses which are being inspected, and that some of these commercial properties also are housing tenants.

He proposed licensing of commercial properties. The Board discussed licensing versus registering properties, and in general was in favor for life-safety reasons of inspecting all commercial properties, however strongly recommended that a personal presentation be given to improve the receptiveness of the property owners. One suggestion to be considered was whether the licensing or registration could be offered at no charge, but with penalties for those found not in compliance.

Richard Sundermeyer made a motion to adjourn the meeting, and JR Blok seconded the motion.
Meeting adjourned at 7:54 PM.

Respectfully submitted,
Jennifer Canaday, Building Department Clerk