LEE'S SUMMIT BOARD OF APPEALS

Minutes of Wednesday, August 29, 2018

Mr. Brown called to order the Wednesday, August 29, 2018 meeting of the Lee's Summit, Missouri Board of Appeals at 6:04 p.m., at the City Hall Council Chambers, 220 SE Green Street, Lee's Summit, Missouri.

OPENING ROLL CALL:

Mr. Robert Crance.		Present	Mr. Steve Patterson	Present
Mr. John G. Brown	Chair	Present	Mr. Rodney Loesch	Present
Ms. Karen Sallee		Present	Ms. Pam Schleiden	Absent
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Ms. Dana Miller Present

Also present were Dan Harper, Assistant Director of Development Services; Ryan Elam, Director of Development Services; Tracy Deister, Codes Administration Manager; Jim Eden, Assistant Fire Chief I, Fire Department; and Jeanne Nixon, Secretary Development Services

Approval of the minutes of September 12, 2017

On the motion of Mr. Crance, seconded by Ms. Sallee, the Board of Appeals voted unanimously by voice vote to approve the minutes of the meeting of September 12, 2017.

Presentation of the 2018 international Property Maintenance Code

Mr. John Brown stated that this would be a presentation and overview session presented by the city. The city will go through line item by line item.

Mr. Dan Harper indicated that he is here to present the 2018 Property Maintenance Code. The background operates under Chapter 16 for property maintenance. The city is reactive and does not look for issues. We investigate complaints as we receive them. There are 4 NHS officers that work throughout the city. Overall goal is abatement. We try to get people to comply. It can end up in court, but we try to get abatement. The current Chapter 16 looks at exterior, very little interior. That will be a new change. The process is an internal review. A citizen group was established to review the 2018 Code. The goal is to implement this in January 2019. We would like to normalize these codes with the Building and Fire Code. The 2018 Building code will be adopted in January as well.

Dan Harper proceeded with presentation of the following:

See the document below with Board of Appeals Comments

	Chapter 3 - General Requirements				
Section	Status	Citizen Input	Staff Recommendation	Board of Appeals Comments	
301: Gene	ral				
301.1	Cur.	No comments	Staff recommends to adopt as written.		
301.2	New	Several citizens expressed confusion if	Staff interprets the code as a whole		
		this code clearly specifies who is the	applies to all properties and does not		
		occupant-owner and if renters are	make exceptions for residential or		
		responsible. There were additional	commercial unless stated. Staff		
		concerns that this wouldn't cover	recommends no change to the wording		
		commercial buildings based on the	as dwelling units should be included.		
		current phrasing. The two proposals	Staff recommends to adopt as written.		
		made were to remove the dwelling units	-		
		from the language and to consider			
		adding wording to cover commercial			
301.3	Cur.	No comments	Staff recommends to adopt as written.		
		perty Areas			
302.1	Cur.	No comments	Staff recommends to adopt as written.		
302.2	New	Citizen's proposed changes to include	Staff does not recommend including		
		detention as an exception since	detention as they should drain to no		
		retention is not the same. The other	standing water if properly designed &		
		concern was that the code doesn't	maintained in accordance to the Design		
		clearly establish what is a pond and what	1		
		is standing water.	recommend defining a pond at this		
			location as the section is defined as		
			grading and drainage therefore standing		
			water should not be created as a result		
			of grading and drainage. A		
			pond/reservoir would be a designed		
			feature and not a nuisance of standing		
			water. Staff recommends to adopt as		
302.3	Cur.	Citizen's provided mixed feedback as to	The city has historically never defined a		
302.3	Cui.	if removal of snow & ice should be an	requirement for the removal of snow &		
		exception or should be required. Some	ice conditions from public or private		
		citizens supported this idea while others	I		
		rejected it.	Therefore to remain consistent with		
		irejected it.	past practices, the staff recommends		
			adopting the code as "Sidewalks,	The city has not historically required	
			walkways, stairs, driveways, parking	citizens to remove snow / ice. The	
			spaces and similar areas shall be kept in	consistency in the KC area varies. Some	
			a proper state of repair." - striking the	subdivisions may have those	
			rest of the sentence.	requirements.	
302.4	New	No comments	Staff recommends to adopt as written	Historically it was 12 and was decreased	
302.4	, 4C W	To commence	with the maximum weed height to	to 10 inches 6-8 years ago. This	
			remain the 10 inches as is currently	requirement does not apply to	
			adopted.	cultivated plants.	
302.5	Cur.	No comments	Staff recommends to adopt as written.	caravated pidits.	
302.6	Cur.	No comments	Staff recommends to adopt as written.		
302.7	Cur.	No comments	Staff recommends to adopt as written.		
302.7	New	One citizen proposed that vehicles	Staff recommends to adopt as written.		
302.0	, 4C W	should be allowed to be stored in the	staying consistent with past practices.	We do have a current ordinance that	
		backyard if it was fenced regardless of	istaying consistent with past practices.	regulates this. It is not allowed at this	
		, ,		time.	
202.0	Cur.	opperability.	Staff recommends to adopt as writter	unic.	
302.9	cuí.	No comments	Staff recommends to adopt as written.		

		ools, Spas and Hot Tubs No comments	Staff recommends to adopt the following, "Swimming pools shall be	This was rooted by a case that we had
			following, "Swimming pools shall be	•
			= = :	•
			maintained in a clean and sanitary	that once the pool was covered, we
			condition, and all components of the	could do very little about it. There are
			pool maintained in a functioning state.	current provisions in the code that deal
			·	'
			Abandoned or unused swimming pools,	with barricades and self-closing, self-
			spas, and hot tubs that do not meet	latching gates. This is consistent with the
				current code. A cover on a pool is not
			the discretion of the codes official."	considered a barricade and does not
				meet code. Chpt 7 of the ordinance talks
202.2			5. "	about spacing in regards to barricades.
303.2 C	Cur.	No comments	Staff recommends to adopt as written.	
	Cur.	No comments	Staff recommends to adopt as written.	
	Vew	Citizens raised concern that the city	The comment on caulking was in	
304.1.1	vew	· ·	· ·	
		shouldn't be checking caulking on	reference to item #4. Staff interprets	
		houses as it isn't their role. Others	this code as a reference towards a larger	
		stated that non-visible items aren't a life	hole that would be as a result of missing	
		safety issue and should not be included.	trim, flashing, or an actual hole. Staff	Tracy Deister indicated that the city
		Some citizens did support this as it could	·	currently addresses a lot of these issues
		be utilized by a renter to encourage a	non-visible that could require	that are listed. The city might add the
		landlord to make repairs.	enforcement and could be a life safety	international residential code with the
			issue. An example would be a leaning	international building code to this one
			building that may have structural	John Brown indicated that adding those
			damage but it would be non-visible.	would be acceptable.
304.2	Mod.	No comments	Staff recommends to adopt as written.	
304.3	Cur.	Some citizens questioned that this	Staff does not agree with an exception	
		shouldn't be a requirement if the	to not have an identifier on the property	
		structure was so far from the road that it	as it could be related to a fire/police	
		could not be seen from the street and	issue where they could need an	
		proposed an exception for this situation.	identifier that is visible. Staff does not	
		Another suggestion was to place limits	agree that a maximum size limit is	
		on the size of the numbers allowed.	required at this time. Therefore staff	
			recommends to adopt as written.	
304.4	Cur.	No comments	Staff recommends to adopt as written.	
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H + H	Cur.	No comments	Staff recommends to adopt as written.	
H + H	Cur.	No comments	Staff recommends to adopt as written.	
l	Mod.	No comments	Staff recommends to adopt as written.	
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l	New Cur.	No comments	Staff recommends to adopt as written.	
		No comments	Staff recommends to adopt as written.	
	Cur.	No comments	Staff recommends to adopt as written.	
	Cur.	No comments	Staff recommends to adopt as written.	
	Cur.	No comments	Staff recommends to adopt as written.	
304.13.2	Cur.	Some citizens were against the	Staff finds that there may be some	
		requirement to have a window as	safety implications with this section of	
		openable that it shouldn't be of the	code with regards to a falling window	
		city's concern.	landing on a persons fingers/hand or	
			breaking the window if it were to fall.	
			Staff has concerns with the ability to	
			enforce this section of code as it would	
			require an officer to check each window	
			upon inspection. Staff recommends	
			adoption of the following: "Every	How do we enforce this? Particularly
				-
			window, other than a fixed window,	older homes that have been painted
				-
			shall be easily openable." - striking the rest of the sentence.	multiple homes and the seems are painted shut. We would have to be in

304.14		use of habitability were raised as not being sufficient to evict a renter in court. Others also had concerns that this	Staff finds that if a window is required for ventilation but it cannot be opened without a screen, it is therefore unusable for the intended purpose. Therefore staff recommends adopting the code as written but with the dates striken. Due to the seasons of the year in this location staff does not find that limiting the season provides any benefit.	Definition of self closing device: One that will close without human intervention. Such as a spring on a screen door. This applies to windows that are required for ventilation. If there is a window and a door in the room the door would not have to have a screen. Mechanical ventilation is acceptable in lieu of a door or window. Are there specific places that have to have a window? Ventilation can occur through natural means or mechanical.
				This code refers to openings for ventilation only. Habitable Space - Definition. Screens are required on openable doors and windows that are used for ventilation. Look at chapter 401.3 alternative devices which refers to mechanical ventilation and artificial light. It is suggested that this paragraph be struck from the code. The Board of
204.15		No	Chaff and a second of the seco	Appeals agrees to strike this paragraph.
304.15	New	No comments	Staff recommends to adopt as written.	
304.16 304.17	Cur. New	No comments Some had concerns that this section of	Staff recommends to adopt as written. Staff finds that this code does not mean	
304.17	IVEW	code would require multiple layers of	multiple layers of protection are	
		protection. Recommendations were to	required. Staff also does not agree with	
		make a list of approved materials rather	making a list as it would constrain the	
		than leaving it up to the codes official.	potential use of a new material that	
		There were also concerns that it would	would be acceptable or the use of a	
		be too strict on home owners. A	material that was inadvertently omitted	
		recommendation was made to strike this	which would require judgement to be	
		whole code.	made by the codes official. Therefore	Is that as easy as a screen on the
			staff recommends to adopt as written.	window? Yes, it could be.
304.18	New	No comments	Staff recommends to adopt as written.	
304.18.1	New	Citizens had concerns that the	Staff recommends to adopt as written	
		termonology is not consistent with	and to add an exception "Locks not	
		earlier chapters. There was some	conforming to the code may be	
			accepted by review of the codes	
		•	official". This would allow for the	New construction has a security code
		acceptable. A recommendation was made to strike the word deadbolt out	flexibility to accept new lock technology	based on principles adopted 10 + years
		and to allow any lock that is a minimum	that could meet the code requirements.	ago. This would apply to older homes that did not have this security code
		of at least 1 inch in size.		when constructed.
304.18.2	New	No comments	Staff recommends to adopt as written.	
		No comments	Staff recommends to adopt as written.	
304.19	New	No comments	Staff recommends to adopt as written.	
305: Interi	or Struc	ture		
305.1	Cur.	No comments	Staff recommends to adopt as written.	
305.1.1	New	No comments	Staff recommends to adopt as written.	
305.2	Cur.	No comments	Staff recommends to adopt as written.	
305.3	New	Citizens had mixed feedback on this	Staff recommends striking this code as	
			the code is potentially too subjective for enforcement.	
		were raised to support it and others	emorcement.	
		thought that the government shouldn't dictate this as it was their paint to look		
		at. Home owners recommended an		
		exception for owner-occupied while		
		landlords heavily opposed this. Some		
		thought that this wasn't required		Board of Appeals agrees with striking
		because existing health laws covered		this.
305.4	Cur.	No comments	Staff recommends to adopt as written.	
305.5	Cur.	No comments	Staff recommends to adopt as written.	
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Some of titlers disagreed with this even being an ordinance to maintain. Others not inclusive enough and needs expanded. Some thought existing code already covered this so doubliation was 307.1 New Jordan Sand Guardials and Gu	: Compo	onent S	Serviceability		
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court and are not a maintenance related issue.			infestation but no suggestion on how to		
issue.			phrase it was given.	through a judicial body such as civil	
				court and are not a maintenance related	
Chapter 4 - Light, Ventilation and Occupancy Limitations			Chapter 4 - Ligh	t, Ventilation and Occupancy Limitations	
401: General	: Genera	al			
401.1 New No comments Staff recommends to adopt as written.	L.1 N	New	No comments	Staff recommends to adopt as written.	
401.2 New No comments Staff recommends to adopt as written.	L.2 N	New	No comments	Staff recommends to adopt as written.	

401.3	New	Citizens made a recommendation that	Staff recommends to adopt as, "In lieu	
		this code should also include the	of the means for natural light and	
		residential and building code.	ventilation herein prescribed, artificial	
			light or mechanical ventilation	Would there be any benefit in
			complying with the International	referencing to the adopted codes rather
			Building Code or International	than the standard codes? The reference
			Residential Code shall be permitted."	can be made.
402: Light	t			
402.1	New	Citizens recommendation is to hit the	Staff recommends to adopt as written.	This section and the next section
		8% as based on the code at the time of	The comments from the citizens group	(ventilation) indicate where it's possible
		construction. There was a lot of	we are not in agreement with as	to have natural lighting and ventilation.
		concerns about this not being necessary	compliance of this code can easily be	Where it's not possible use mechanical
		and that it isn't a safety issue and served	made compliant with the methods	means. A variance could be requested
		no purpose.	described in 401.3 and would not	where this code is not possible.
			require significant modifications to a	(Modification request) A door could
			structure as was the fear described.	meet the requirement if it is a glass door
				rather than a solid door.
402.2	New	There was concern that this would not	Staff recommends to adopt as written.	
		interact well with existing structures as	The comments from the citizens group	
		making changes could be near	we are not in agreement with as	
		impossible.	compliance of this code can easily be	
			made compliant with the methods	Allowances for a different type of bulb?
			described in 401.3.	Yes, with equivalent illumination.
402.3	New	No comments	Staff recommends to adopt as written.	
403: Vent	tilation			
403.1	New	One citizen/landlord had issues with the	Staff recommends to adopt as written.	
		use of habitability with regards to	The argument about habitability is a	
		eviction proceedings being constrained	localized argument that needs to be	This is a contract between landlord and
		by this word usage.	addressed in civil court and leasing	tenant.
403.2	New	No comments	Staff recommends to adopt the	
			following, "Every bathroom and toilet	
			room shall comply with the ventilation	
			requirements for habitable spaces as	Intent is that we currenlty allow
			required by Section 403.1, except that a	ventilation into the attic and it is not
			window shall not be required in such	required to be taken completely
			spaces equipped with a mechanical	outside. This goes along with the
			ventilation system. Air exhausted by a	current code. This saves roof
			mechanical ventilation system for a	penetration. Is there a conflict with this
			bathroom or tiolet room shall be	language and the existing building code?
			discharged either to the attic or to the	They will match with the 2018
			outdoors and shall not be recirculated.	residential and building code.
403.3	New	Citizens made a recommendation to	Staff recommends to adopt as written.	
		define what the local certificate is and	The certificate of occupancy is defined	
		what it should say.	in the adopted building code by the City	
			and does not need to be defined in the	This is a standard certificate that the city
			PMC.	uses for any occupancy.
403.4	New	No comments	Staff recommends to adopt as written.	
403.5	New	No comments	Staff recommends to adopt as written.	
404: Occu	ipancy L	imitations		
404.1	New	No comments	Staff recommends to adopt as written.	
404.2	New	There were concerns that this code	Staff recommends to adopt as written.	
		might lead to a house being boarded up	With the concerns for over occupancy	
		due to over occupancy. The difficulty of	staff finds that the intent of this code is	
		achieving corrections were met with	to ensure that rooms that are non-	
		resistance as widening a room may be	conforming are not used as a bedroom	
		impossible.	for safety concerns related to	
			overcrowding, inhospitable conditions.	
404.3	New	No comments	Staff recommends to adopt as written.	

404.4.1	New	Code 404.4 through 404.4.5 were discussed as one section. Citizens had concerns about the government's role and shouldn't be involved in the location of bathrooms. Others countered that this was known when the place was purchased or moved into and was residence decision was made by the resident. Others agreed with the first sentence but disagreed with the second.	Staff recommends to adopt as written.	
		Other concerns were also raised about the selling of older houses may become impossible due to so many changes over time.	The size of rooms is intended to provide safety for occupants and rooms smaller than these sizes would lead to difficulty moving around in a situation such as a fire.	
404.4.2	New		Staff recommends to adopt as written.	
404.4.3	New		Staff recommends to adopt as written. Few instances would occur where bathrooms are not on the same floor or adjacent floors which would require a building to have at least three stories or a situation with a single bathroom off of a master bedroom. Failure to meet these requirements would lead to a	
404.4.4	New		Staff recommends to adopt as written.	
404.4.5	New	Some citizens raised concerns about the areas being too large. Others also were concerned that the definition of dining & living room was not clear enough. One recommendation that was well received by the group was to add an exception if the house was maintained in it's original configuration. One citizen had concerns that without this regulation there would be no occupancy limits.	Staff recommends to adopt as written. Staff recommends to adopt as written as the intent of these codes is to ensure livability and quality of life in the community. Staff finds that dining & living rooms are commonly understood terms and do not need to be defined seperately. With regards to the exception the intent of this code is to avoid overcrowding which results in a life/safety issue. These limits would restrict how many people are permitted to live on a property and older properties that are small would likely mean that fewer people would be able to live at that property or would need to comply with the efficiency unit standards.	
404.5.1	New	No comments	Staff recommends to adopt as written.	
404.5.2	New	No comments	Staff recommends to adopt as written.	
404.6	New	One citizen's recommendation was that this should be struck as the residential code doesn't permit efficiency units. Questions were raised as to if this would cover hotel/motel units but no suggestion. In general there was confusion about what this code applied to.	doesn't bar the placement of efficiency units, it does not define what they are therefore this code may still be enforced on an existing structure.	
404.7	New	No comments	Staff recommends to adopt as written.	
		Chapter 5 - Plum	bing Facilities and Fixture Requirements	
501: Gene		No comments	Staff recommends to adopt as weither	
501.1	Cur.	No comments	Staff recommends to adopt as written.	
501.2	Cur.	No comments	Staff recommends to adopt as written.	
502: Requ			Caeff an annual and a state of the state of	
502.1	Mod.	No comments	Staff recommends to adopt as written.	
502.2	New	No comments	Staff recommends to adopt as written.	
502.3	New	No comments	Staff recommends to adopt as written.	
502.4	New	No comments	Staff recommends to adopt as written.	
502.4.1	New	No comments	Staff recommends to adopt as written.	

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these items and that it may not belong in the property maintenance code. There were other concerns about people having to walk through a kitchen to reach a bathroom in the back. Several had concerns about the second sentence and that it should either be removed or left as a decision to the business. Other concerns were raised that this may require an office that doesn't normally open to the public to supply public bathrooms. There were some concerns about the phrasing throughout that may lead to poor enforcement. The last recommendation was to pass a seperate ordinance requiring public access rather than as part of this code. 503.1 New Some ditiens raised concerns that this could be applied to a residential property. 503.3 New Some comments 503.4 New No comments 504.2 New Concerns were sided that "adequate" was under and should either be removed or clearly defined. Others suggested that had numbers needed to be applied. 504.1 Cur. No comments 505.3 Cur. No comments 506.3 Cur. No comments 506.3 Cur. No comments 506.3 Cur. No comments 506.3 Cur. No comments 506.4 New Comments 506.5 New No comments 506.5 New No comments 506.5 New No comments 506.5 New No comments 506.6 Cur. No comments 506.6 Cur. No comments 506.7 New Comments 506.8 New No comments 506.9 New Comments 506.9 New Comments 506.9 New No comments 506.9 Cur. No comments 506.9 Cur. No comments 507.0 New No comments 508.1 New No comments 508.2 New Comments 508.3 Cur. No comments 508.4 New No comments 508.6 Cur. No comments 508.6 Cur. No comments 508.7 New No comments 508.6 Cur. No comments 508.7 New No comments 508.8 New No comments 508.9 New No comments 508.9 New No comments 508.1 Cur. No comments 508.1 Cur. No comments 508.6 New No comments 508.7 New No comments 508.6 New No comments 508.6 New No comments 508.6 New No comments 508.7 New No comments 508.6 New No comments 50	502.5	New	There were concerns raised if the health	Staff's response to citizen's concerns:	
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		T .		Ctaff an annual delication of the	
5Ub.2 Cur. No comments Staff recommends to adopt as written.				1	
	506.2	cur.	INO comments	Starr recommends to adopt as written.	

506.3	New	There were concerns of a lack of a	There was a misunderstanding of the	
		backflow preventer for a commercial	group of the placement of a backflow	
		property. Also code official was not	preventer that doesn't apply to this type	
			l	
		italicied was identified as a formatting	of code. The intalicied issue was a	
		error.	difference between the hard copy book	
			and the electronic version, the hard	
			copy is correctly marked. Staff	
			recommends to adopt as written.	
F07 C1				
	rm Draina	ř .	la. es	T
507.1	Cur.	No comments	Staff recommends to adopt as written.	
		Chapter 6 - M	echanical and Electrical Requirements	
601: Gen	neral	_	_	
601.1	Cur.	No comments	Staff recommends to adopt as written.	
601.2	Cur.	No comments	Staff recommends to adopt as written.	
602: Hea	ting Faci	lities		
602.1	Cur.	No comments	Staff recommends to adopt as written.	
602.2	Cur.	A recommendation was made to add the	Staff finds that not determining a	
		phrase "to furnish a means to provide	minimum level of heat provided does	
		heat" or "heating equipment".	not address the situation of a lack of	
		licat of meaning equipment :	heating equipment (ie. A candle heats	
			but not sufficiently). Staff recommends	
			**	
			to adopt as written.	
602.3	Cur.	Concerns were voiced about what the	Staff recommends to strike this section.	
		dates would be but no suggestions were	The requirements for heat listed on	
		given. Some concerns were also given	602.2 would provide enough means to	
		on if the requirement to provide heating		
		equipment and the lease requirements	provided and the additional details in	
		and who would is responsible for	•	
		·	section 602.3 would contribute to staff	
		payment (renter/landlord). Finally	potentially mediating a tenant/landlord	Board of Appeals agrees with striking
		another suggestion was to simply	dispute.	this.
CO2 4		require something to heat that is	Ct- ff	tills.
602.4	Cur.	One suggestion was to remove the	Staff agrees and recommends to strike	
		dates.	the dates out of this code.	Board of Appeals agrees with this.
602.5	Cur.	No comments	Staff recommends to adopt as written.	
		Equipment		
603.1	Cur.	No comments	Staff recommends to adopt as written.	
603.2	Cur.	No comments	Staff recommends to adopt as written.	
603.3	Cur.	No comments	Staff recommends to adopt as written.	
603.4	Cur.	No comments	Staff recommends to adopt as written.	
603.5	New	No comments	Staff recommends to adopt as written.	
603.6	Cur.	No comments	Staff recommends to adopt as written.	
	trical Fac			
604.1	Cur.	No comments	Staff recommends to adopt as written.	
604.2	Mod.	No comments		
	_		Staff recommends to adopt as written.	
604.3	Cur.	No comments	Staff recommends to adopt as written.	
604.3.1	_	No comments	Staff recommends to adopt as written.	
604.3.1.1		No comments	Staff recommends to adopt as written.	
604.3.2	New	No comments	Staff recommends to adopt as written.	
604.3.2.1	New	No comments	Staff recommends to adopt as written.	
605: Elec	trical Eq	uipment		
605.1	Cur.	No comments	Staff recommends to adopt as written.	
605.2	New	No comments	Staff recommends to adopt as written.	
605.3	Cur.	No comments	Staff recommends to adopt as written.	
605.4	New	No comments	Staff recommends to adopt as written.	
		scalators and Dumbwaiters	The state of the s	
606.1		No comments	Staff recommends to adopt as written.	
606.2	Cur.	No comments	Staff recommends to adopt as written.	
			Starr recommends to adopt as written.	
	t System		Class and the second	
607.1	New	No comments	Staff recommends to adopt as written.	
		·	er 7 - Fire Safety Requirements	
Note: Th	ie majori	ty of this section of code comes from the a	adopted international fire code which is	
in the pr	ocess of	being adopted.		
701: Gen	neral			
			CL-CC	
701.1	Cur.	No comments	Staff recommends to adopt as written.	

701.2	Cur.	No comments	Staff recommends to adopt as written.	
702: Mear			The state of the s	
702.1	Cur.	No comments	Staff recommends to adopt as written.	
702.2	Cur.	No comments	Staff recommends to adopt as written.	
702.3	Cur.	No comments	Staff recommends to adopt as written.	
702.4	Cur.	No comments	Staff recommends to adopt as written.	
		nce Ratings	otali recommendo to adopt do mittem	
703.1116	Cur.	No comments	Staff recommends to adopt as written.	
703.2	Cur.	Recommendation that "unsafe	Staff recommends to adopt as written.	
703.2	cui.	conditions" should be defined. Another	·	
		questioned if we had section 111.1.1	the fire code it should remain in place	
		adopted elsewhere in ordinance than	for quick reference. The administrative	
		this wouldn't be required. Suggestion to	I	
		move language in section 111.1.1 from	would include this section of code	
		IFC and move it to section 2 of the PMC.	where it is defined.	
703.3	Cur.	Recommendation that if access to a wall		
/03.3	cur.		This section of code is adopted by the	
		is possible the label should be readily	Fire Department which is adopting it as	
		accessible. Concerns that the code isn't	written. To remain consistent, staff	
		clear on which walls are to be inspected.	recommends adopting as written.	
		Suggestion to add a restriction that this		
		is only enforced 6 years after code		
		adoption. Another recommendation		
		was to require this at the time of		
702.2.4	6 .	occupancy for a business.	Coeff	
703.3.1	Cur.	No comments	Staff recommends to adopt as written.	
703.3.2	Cur.	No comments	Staff recommends to adopt as written.	
703.4	Cur.	No comments	Staff recommends to adopt as written.	
703.4.1	Cur.	One citizen commented that the	The current fire code requires these and	
		building code doesn't require these	the building code references the fire	
		signs.	code when they are required.	
			Therefore to remain consistent staff	
702.4.2	6 .	N	recommends to adopt as written.	
703.4.2	Cur.	No comments	Staff recommends to adopt as written.	
703.4.3	Cur.	No comments	Staff recommends to adopt as written.	
703.5	Cur.	No comments	Staff recommends to adopt as written.	
703.6	Cur.	Question if we should reference NFPA	Staff's answer to the citizens question	
		80 for testing proceedures or not.	was yes we should reference it as the	
			ICC standard practice is to reference	
			existing standards rather than creating	
			their own which would remain	
			consistent with past practices.	
	_	T 100 L 11 C 11	Therefore staff recommends to adopt as	
703.7	Cur.	The IBC doesn't reference atriums with	Under the fire code a vertical shaft is not	
		mechanical smoke exhaust as	an atrium and references elevator	
		acceptable. This code implies it would	shafts, laundry shutes etc. Therefore	
1		now need to be covered. The	the practice of the city is not to include	
		recommendation was to allow an	atriums in this section of code. Staff	There is a section on atriums in the
		exception for atriums or provide specific	recommends to adopt as written.	building code. This was specifically in
		rules on what should be installed &		regards to an atrium with a mechanical
		maintained.		smoke exhaust.
703.8	Cur.	No comments	Staff recommends to adopt as written.	
		on Systems	lover and the second	
704.1	Cur.	No comments	Staff recommends to adopt as written.	
704.1.1	Cur.	Question if there is anywhere in the	There is not a specific location that sets	
		codes that specify what percent of a	a hard limit but rather it is left to the	
		building if modified is allowed before an	_	
		entire structure is required to be	official to decide when it is appropriate	
		brought up to current code.	to bring the building up to current code	
1			standards. This is in chapter 11 of the	
			fire code and chapter 34 of the building	
1			code. Therefore staff recommends to	
			adopt as written.	This is looked at on a case by case basis.
704.1.2	Cur.	No comments	Staff recommends to adopt as written.	
704.1.3	Cur.	No comments	Staff recommends to adopt as written. Staff recommends to adopt as written.	
704.2	Cur.	No comments		

704.2.1	Cur.	No comments	Staff recommends to adopt as written.	
704.2.2	Cur.	No comments	Staff recommends to adopt as written.	
704.3	Cur.	Question if it should be required to have	The fire code requires notification of	
		the fire watchers notify occupants of the	the responsible person for an occupancy	
		watch.	and it is left up to that individual to	
			diffuse that information as they see fit.	
			This has been consistent with past	
			practices of the fire department. Staff	
			recommends to adopt as written.	
704.3.1	Cur.	No comments	Staff recommends to adopt as written.	
704.4	Cur.	No comments	Staff recommends to adopt as written.	
704.4.1		There were concerns about the use of	Chapter 1 of the fire code and chapter 13	
		the word "unlawful" as the	of the municipal code defines the	
		consequences are unclear.	consequences which in this case would	
			be a citation. Staff recommends to	
			adopt as written.	
704.4.2	Cur.	No comments	Staff recommends to adopt as written.	
704.4.3		Concerns that this code does not require	The building code is concerned with	
		approval from the building official. It	applying the codes at the time of an	
		, ,	inspection but does not continue to	
		notice which the citizens thought should	inspect after occupancy and rather it is	
		be specified.	up to the fire department for	
			enforcement. The fire code currently	
			requires systems to be non-functional	
			for up to 4 hours without providing	
			notification. Therefore staff	
			recommends to adopt as written.	
704.5	Cur.	No comments	Staff recommends to adopt as written.	
704.5.1	Cur.	No comments	Staff recommends to adopt as written.	
704.5.2	Cur.	No comments	Staff recommends to adopt as written.	
704.6	Cur.	No comments	Staff recommends to adopt as written.	
704.6.1 704.6.1.1	Cur.	No comments	Staff recommends to adopt as written.	
	Cur.	No comments	Staff recommends to adopt as written.	
704.6.1.2	Cur. Cur.	No comments No comments	Staff recommends to adopt as written. Staff recommends to adopt as written.	
	Cur.	No comments	Staff recommends to adopt as written.	
704.6.1.4	Cur.	There were concerns that the first	The Fire Department would not require	
704.0.2	Cui.	exception is unclear.	an interconnected system if the existing	
		exception is unclear.	system was not. Major modifications	
			would need to be brought up to existing	
			code which could result in this change	
			but would be at the discretion of the	
			building and/or fire official to	
			determine. Staff recommends to adopt	
			as written.	
704.6.3	Cur.	Recommendation was made to strike	Staff finds that listing the exception	
		exception 1 because the power source is	·	
		in the main comment. Some disagreed	close a potential gap in code coverage.	
	<u> </u>	with this recommendation.	Staff recommends to adopt as written.	
704.6.4	Cur.	No comments	Staff recommends to adopt as written.	
704.7	Cur.	Concerns that the responsibility of the	Staff interprets that the decision	
		tenant is not clear and what happens in	between tenants and landlords for	
		the event of failure.	responsibility falls on the terms of a	
			lease and is not a code issue. The	
			landlord would still be responsible for	
			maintaining a safe environment. Staff	
			recommends to adopt as written.	
705: Carbo	n Mon	oxide Alarms and Detection		
705.1	Cur.	Question as to why the code doesn't	Carbon monoxide detectors need to	
		identify the specific location that carbon	follow the manufacturers	
		monoxide detectors should go. It isn't	recommendations for installation. Staff	
		defined like the fire detectors.	recommends to adopt as written.	
705.2	Cur.	No comments	Staff recommends to adopt as written.	

Jim Eden gave clarification that the fire department is proactive with their inspection program. Inspections are performed on commercial occupancies as well as residential occupancies. Apartment building inspections are performed only in the common areas, not occupied spaces. Typically the fire department performs 3000+ inspections per year. Violations are required to be repaired immediately and follow up in a specific time frame under the advice of city council. Life hazard conditions must be repaired immediately and are followed up within 24-48 hours. The building department makes sure buildings are built to code and the fire department makes sure they remain that way. With changes of occupancy the inspections make certain the buildings are up to code.

Tracy Deister – to give updates, this is the first meeting of several to present the building code. fire code, residential code, plumbing code, mechanical code, fuel gas code, etc. Does this format work? Are there any changes the Board of Appeals would like to see going forward? John Brown indicated that this process works well. The packet information will go out sooner. Jim Eden indicated that the fire code will not be looked at line by line. The rest will be presented the same way as tonight. Tracy Deister stated that we can discuss any part of the codes that the Board of Appeals chooses to. We will hit the highlights of what we're currently doing vs. the changes in moving from 2012-2018. Life safety and cost impacts will be looked at. Ryan Elam indicated that several municipalities across the metro have been meeting for common consistency purposes. We have been participating with other fire and bldg. officials to come up with a coordinated code for adoption. We are putting it into a format to use in several jurisdictions to show the differences and similarities. Areas have been identified to work toward as much consistency as we can get. No-one in the metro is on 2018 yet. Most of the region is on board with the 6 year code cycle. There are a large number of individuals participating in this group. Most of these municipalities intend to bring the 2018 code forward sometime between January – April 2019.

Rodney Loesch indicated that it would be helpful in the review to have these in advance so that specific issues can be addressed.

John Brown expressed appreciation for the hard work that has been done so far.

ROUNDTABLE

N/A

ADJOURNMENT

There being no further business, Chairperson Brown adjourned the meeting at 8:10 p.m.