

**RESOLUTION
OF THE
CITY OF MINNEAPOLIS**

BY: _____

Amending Resolution No. 83R-307 entitled “Establishing a Uniform Fire Code Variance Appeals Board to hear applications for the granting of variances from the minimum requirements specified by the Fire Prevention Code”, passed on August 12, 1983.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to read as follows:

Establishing a ~~Uniform~~ Fire Code Variance Appeals Board to hear applications for the granting of variances from the minimum requirements specified by the Fire Prevention Code.

WHEREAS, the City of Minneapolis has by Ordinance No. ~~2009 Or 074 81-Or-003~~, passed ~~August 28, 2009~~ ~~January 16, 1981~~, adopted the ~~Minnesota State Fire Code~~ ~~Uniform Fire Code, 1973 Edition~~, under the authority of Minnesota Statutes, Chapter 299F; and

WHEREAS, Section 299F.011(5) of the Minnesota State Fire Code provides for the granting of variances from the minimum requirements specified in the Code, upon certain conditions; and

WHEREAS, no appeal to the State Fire Marshal for a variance from the Uniform Fire Code shall be accepted until the applicant has first made application to the local governing body and the local unit has acted on the application; and

WHEREAS, the State Fire Marshal is given the authority to consider the decision of the local governing body in making his or her determination concerning such variance application;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That a Board be hereby established to hear such applications for the granting of variances from the minimum requirements specified in the City’s Fire Prevention Code, consisting of two inspectors or ranking officials of the Fire Inspections Services Division, the Fire Prevention Bureau or any successor organizations thereof, and one senior ranking sworn officer of the Fire Department. Each member shall have had some demonstrated experience in the fire prevention field, and shall be named by the Director of Regulatory Services and Emergency Preparedness or the Director’s designee after consultation with the Fire Chief. ~~the Chief of the Bureau of Fire Prevention or his designee, the Fire Prevention Engineer assigned to the City’s Fire Prevention Bureau, and one senior ranking official from the Minneapolis Fire Department who has had~~

~~some demonstrated experience in the fire prevention field, to be named by the Chief of the Bureau of Fire Prevention.~~

Be It Further Resolved that such Board will be known as the ~~Uniform~~ Fire Code Variance Appeals Board and shall sit and render its decisions under the usual guidelines of such Boards and in compliance with the Ordinances of the City of Minneapolis and the Statutes of the State of Minnesota, so as to decide such matters based on substantial compliance with the provisions of the Fire Prevention Code, the safety of the public and occupants of buildings for which such variances are sought, and any demonstrable undue hardship which would result to an applicant unless such variance is granted.