



Request for City Council Committee Action from the Department of Regulatory Services

Date: May 16, 2011

To: Council Member Elizabeth Glidden, Chair – Regulatory, Energy & Environment Committee

Subject: Resolution establishing a Fire Code Variance Appeals Board

Recommendation: Approval of the resolution

Previous Directives: None

Department Information

Prepared by: Thomas Deegan, Director of Housing Inspections – (612) 673-3310

Approved by:

Rocco Forté, Director of Emergency Preparedness & Regulatory Services

Thomas Deegan, Director of Housing Inspections

Presenters in Committee: Thomas Deegan

Financial Impact

- No financial impact

Community Impact

- City Goals

Supporting Information

Background for the request to amend Resolution 83R-307:

The Minnesota State Fire Code allows property owners to appeal orders that are issued for violations of the fire code.

Minnesota Statute 299F.011 Subd. 5a. "Local board of appeals. Local governing bodies may appoint boards of appeal to hear and rule on appeals from orders issued under the fire code. An appeal from a local board of appeal may be made to the local governing body. If a board of appeal is not appointed, the appeals of orders must be made directly to the governing body. Local boards of appeal and governing bodies are not liable for damages in connection with granting variances, abatements, denials, or modifications of orders from the fire code that are made in good faith."

The original resolution passed in 1983 established an appeals board for the City of Minneapolis. This revised resolution changes the make up of the board to reflect the January 2011 transfer of the duties and responsibilities for fire code enforcement from the fire department to the Department of Regulatory Services. Additional changes were made to the resolution based on the renaming of the state fire code from the Uniform Fire Code to the Minnesota State Fire Code.

- See attached resolution