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Yule Services In Aptos Get Fiery Message

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The Aptos Fire District will not issue permits to churches for Christmas Eve candlelight services. But, firemen won't make inspections that night, either.

The compromise, announced at a district meeting Tuesday night, may not insure Peace on Earth, but directors hope it will produce some silent nights at post-Christmas board meetings.

The district enforced the state and Aptos fire code regulation prohibiting the use of open flames last Christmas, citing the Christ Lutheran Church when firemen visited the candlelight service.

The citation produced a flood of protest by the congregation, citing a First Amendment provision for freedom of religion.

And, then-District Attorney Phil Harry refused to prosecute the violation.

Feeling the district lost all the way around last year, Chief Nick Baumgartner told board members he has met with the pastors of the churches, explaining that he will not issue permits.

Baumgartner said he provided the ministers with copies of the Aptos fire code and with a statement by state Fire Marshal Philip Favro, saying that use of hand-held candles by a congregation is prohibited.

"The use of hand-held candles by members of a congregation in a place of public assembly is prohibited by law, and there is very good reason for this restriction. Most ordinary clothing — and especially the variety typically associated with festive occasions — is highly flammable and will ignite immediately when in contact with open flame," Favro announced in a holiday safety message.

Baumgartner said that since he was informed that at least a couple of candlelight services are planned regardless of the code, he informed the pastors that should they proceed that they should warn their congregations of the hazard and have someone standing by with a fire extinguisher in the event a parishoner "gets torched."

Saying he was told by the district attorney's office that his warning would satisfy both health and safety and liability considerations, Baumgartner said he cautioned the pastors that the safety question "is morally on their shoulders."

Directors also learned of a no-win situation regarding their newest fire engine, which was ordered with, but delivered without, a "quick buildup" system for the air brakes.

The system allows instant operation of the engine, rather than having to wait a minute or so for the air brake pressure to build up to operating level.

"A minute or two may not make any difference to a long-haul trucker, but it sure does with an emergency vehicle," Baumgartner explained.

Bill Childers, representative for Howe Fire Apparatus which built the body for the Peterbilt chassis, explained that federal regulations changed while the truck was on the assembly line. Additions of such systems became illegal, Childers explained.

Baumgartner explained after the meeting that the situation is neither dangerous or critical on the engine, since it is being used as a tanker rather than a pumper and is not in a first-response role.

Childers and Howe plant superintendent Marshall Jones had more bad news, telling directors they owed an additional \$7,100 to the \$86,000 already paid on the rig.

The charges, Childers said, are for late changes to the design of the apparatus at the insistence of then-chief Richard Chinn.

Directors, who said they did not authorize such expenditures, decided to meet again with the Howe representatives and Chinn to discuss the matter.