

*Of nuns and firemen

By BILL AKERS

When religious custom runs afoul of secular authority, there are bound to be hard feelings somewhere along the line.

In this case, the hard feelings are not held by the sisters at Poor Clares convent on State Park Drive in Aptos. Theirs are feelings of bewilderment more than anything else.

Nor are the hard feelings held by the inspectors from the Aptos fire department who were merely doing their job when they inspected the convent in September and again last month. They left behind two pages covered on both sides by violations which the sisters must correct to bring the convent into conformance with the fire code.

Things they must do include putting in lighted exit signs, smoke and heat detectors and fasten down the receptacles for the altar candles.

One thing they can no longer do is carry lighted candles in religious processions, something nuns have been doing for a dozen centuries or more.

The maintenance man at the convent — Charlie Brown — says it will cost \$5,000 to do all that the fire inspectors are requiring of them.

While Mother Joseph, the superior at the convent, and her assistant, Mother Clare, express their bewilderment, others outside the convent express their anger.

One such was Al Schwartz who, at the last Aptos Chamber of Commerce board meeting flailed the Aptos fire department in general and Fire Chief Richard Chinn in particular over what he considers was "harassment" of the sisters.

And the Rev. Francis Markey, former pastor at Resurrection Church in Aptos and St. Joseph's in Capitola, tells about his feelings in the matter in a column he writes for The Green Sheet (see page 10).

Chief Chinn, on the other hand, says he is merely enforcing laws that have been on the books for years. "We are not being arbitrary," Chief Chinn said. "We're perfectly willing to work with people and help them reach the ultimate goal" which is save lives by eliminating fire hazards.

The impression left by Schwartz at the chamber meeting was that the fire inspectors went into the convent against the wishes of the sisters. Neither Mother Joseph nor Mother Clares claim this.

They said the fire department contacted them in September and made an appointment to inspect the place. They admit they didn't particularly relish the idea since the order is a cloistered one and having strangers tromping around the halls does present problems. But they acceded because they knew the inspectors had the authority to make an inspection.

Six firemen showed up for the September inspection, and in late November a fire captain returned with the list of violations.

One of the charges being made against Chinn is that the inspection classifies the convent as a "hotel" and subjects it to the same stringent requirements as a hotel.

Mother Joseph pointed out that, unlike a hotel, with its transient guests, the convent is the permanent abode of the 30 who are there, and the rooms are individual rooms with nothing but sleeping accommodations in them.

Chief Chinn agrees it is not a hotel, but that it was given an "H Occupancy" rating which, under the code, does include hotels, apartments and other multiple (Continued on page 20)

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Candles are candles

(Continued from page 1)

dwelling. "It isn't a hotel," Chinn said, "but it does have multiple rooms where people sleep. It's the same category as a sanatorium."

Because it was given an H Occupancy rating, the sisters will be required to install lighted exit signs over all exits. According to Brown, this is what is going to cost the most money because it requires extensive re-wiring of the buildings.

"Hotels may need the signs," Mother Joseph said, "but we're here all the time and we know

where the exits are."

But Chinn responds to that by saying, "What they forget is that in the middle of the night, if there's a catastrophe, people have to be able to see where the exits are..."

As for fastening down the candleholders in the chapel, Brown said that presents no problems, but Mother Joseph pointed out that there is a sister in the chapel every hour of every day, "and they would see a candle if it fell over..."

Banning the use of candles in processions seemed hard for

Mother Joseph to take. "We've been doing this for thousands of years. It's a symbol of our life to have candles."

It has also been against the fire law for years, Chinn said. He said he ran up against this years ago in Los Angeles, where he served before coming to Aptos. "We got a lot of pressure from the church," he said, "but as the years went on they understood."

In most churches, Chinn said, the use of candles is permitted only around the altar and where the public cannot be exposed to them.

"When I got here they were even doing it at the (Aptos) high school... and in caps and gowns. I put a stop to that right away."

Chinn adds, "No one wants to interfere with religious practices, but candles are not permitted in the 10 western states."

Another ruling which bothered the sisters was the one which made their chapel a "public meeting place."

"Sure it is," Chinn said. "Anytime you can have a seating for 50 or more people, it is a public meeting place even though the public may not use it." This is

the law, he explains.

This requires that they flame-proof curtains, for instance, but does not require the panic hardware on the doors as Brown believed. Panic hardware is required only if the meeting place holds 150 people or more, Chinn said.

Brown said they didn't mind some of the recommendations, such as defects found in the furnace room, the need for additional fire extinguishers and the like, "the reasonable things an insurance man would want."

But having to board up the underside of open stairways and install the exit signs — things like that will be expensive and take some time. "We didn't sign anything," Brown said of the list of violations, for having done so would have committed them to a deadline for getting the work done, he said. The sisters have written their Bishop for some guidance in the matter, and Mother Joseph said they would no doubt appeal the H Occupancy ruling.

And the invasion of the cloistered halls was also disturbing to her. "He (the in-

REFERENCE
APTOS BRANCH

when it comes to fire code

spector) said his authority was the same as the police and he could come here at any time."

Of the enforcement of the fire code, she said: "They can overdo it and that doesn't seem right."

Chinn agrees he may have a "public relations problem with Poor Clares."

Enforcing the fire code, he says "is a selling program, an explaining program to let people know the reasons behind this."

He said he has a problem, too, in training the men to be fire inspectors and admits that some of them may not "be at the level they should be." So there can be misunderstandings, he admits.

"But what they should realize is the fire department has nothing to gain in all this. We're not in business to sell this stuff. We're in business to protect peoples lives, to make it safer for people to live there (in their homes)."

The biggest problem has been lack of enforcement on the fire code in the past.

"We have had the uniform fire code since 1965," Chinn said. "We're only upgrading that to today's specifications . . . things that have been in the state fire code for years. We haven't put in anything not required in state law," he said. "And now it is

being enforced."

He added: "Schools and religious organizations think they are different, but they are given no special consideration."

As far as Poor Clares is concerned, Chief Chinn said, the department is "perfectly willing

to work with those people."

Citing instances where they've allowed 1½ or 2 years for someone to bring their building into conformance, Chinn said the Poor Clares buildings "have existed this long. We'll take a reasonable approach."