

Green Sheet



and Cabrillo Times

Capitola, California, Thursday, January 15, 1976

Volume 7 — No. 3

32 Pages

Fire code solution: form study committee

By BOB SMITH

Following a meeting Tuesday with more than 100 persons about the controversial enforcement of the Aptos fire code, directors decided to call a special meeting to improve the department's public relations.

Until that meeting, now set for Tuesday at 7:30 p.m. at the Aptos fire station, firemen will not be making commercial building inspections, board chairman Richard Duchscher said after the meeting.

With the fire trucks parked outside, the board met for more than two hours in the chilly, cavernous apparatus room, listening to comments and explanations about the handling by firemen of the code.

At the close of the meeting, the board indicated it still supported the department, and the fire code, but believed there was a need for a better job of public relations by the department and better finesse by individual firemen in making inspections.

One change will take place as soon as the code inspections are resumed. Anytime the department issues a notice of needed corrections to a businessman or homeowner, the board wants a notice attached to it, telling the individual that he has a right to

appeal the department's decision to the fire board of directors.

The appeal procedure was inserted into the ordinance shortly after the original code was adopted, and resulted from a review of the code by the Aptos Council on Improvement Associations.

To date, two appeals have been made to the board. One was settled several months ago with the board allowing architect Richard Huyck to delay connecting his office fire alarm system to the fire department. Huyck later connected his system.

The second appellant lost. He had asked not to be required to hook up a residential alarm system in a water deficient area to the fire department. The decision was made following the conclusion of the public hearing on the code enforcement.

"The board is still proud of the fire department and the code and we are going to support it," Duchscher told the audience.

"The board feels extremely bad about Poor Clares and the way it has been blown out of proportion," vice chairman Stewart Davis added. "I don't care what inspections are made next week, but I do want them to follow the fire inspection manual."

The manual referred to by Davis is 43 pages, written by fire captain Bob Thompson and details the way the department is supposed to conduct inspections.

"We want the manual reviewed by two board members," Davis continued, "and two members of the Aptos Council of Improvement Associations. We need to improve our public relations."

"But in terms of fire fighting and rescuator capability, we'll not take a second seat to any department in this county."

County fire marshal Mel Angel presented a letter to Duchscher before the meeting, signed by county fire chiefs association president Ray Scott, of Scotts Valley, backing the need for a fire code and enforcement of it.

Thompson was in charge of the five-man inspection party that toured the Poor Clares convent late last year, and inadvertently touched off the controversy that led to Tuesday's meeting and suspension of all inspection activities.

They were accused at the meeting by supervisors candidate Mrs. Glenn Specht and others of forcing their way into the convent and inspecting the cloistered areas. Mrs. Specht said firemen wouldn't gain entry to her home.

That allegation was denied by Thompson and Poor Clares' caretaker Charlie Brown, the only representative of the convent present Tuesday.

Thompson told the audience that the week prior to the inspection, he called in person at the convent, requested to speak to Mother Joseph, and asked for an appointment to inspect the convent.

Thompson said he advised her that the firemen wanted to make a "pre-fire plan" and also examine the building for safety violations. An appointment was scheduled for the following week.

Originally, Thompson and three men were scheduled to make the inspection. At the last minute, off-duty fireman Phil Scofield asked to join the inspection party, looking for an opportunity to become familiar with the interior arrangement of the convent.

"We rang the doorbell," Thompson told the audience. "It was opened by an 'exterior nun' (one permitted contact with the public), and we were shown inside to Sister Magdalene who then showed us through the cloistered area."

Shortly after the inspection began, Thompson said the nun asked what procedures the

department would take if entry had been refused. Thompson said he explained that they would attempt to get voluntary compliance but if still refused, then a search warrant could be obtained, giving firemen a legal right of entry.

Brown said he agreed with Thompson's account of the inspection.

Earlier in the meeting, he said that some repairs are already being made, as requested by the fire department.

But he took issue with several points, particularly the need for an alarm system tie to the fire department and also the designation of the convent as an occupancy similar to a hotel or rooming house.

"There needs to be a separation between hotels and apartments and monasteries and convents," he told the board.

"Any entry, even with a search warrant," Brown continued, "is a serious violation of the cloistered order. We can't have four or five inspections a year. We can have only one inspection a year with just one or two persons."

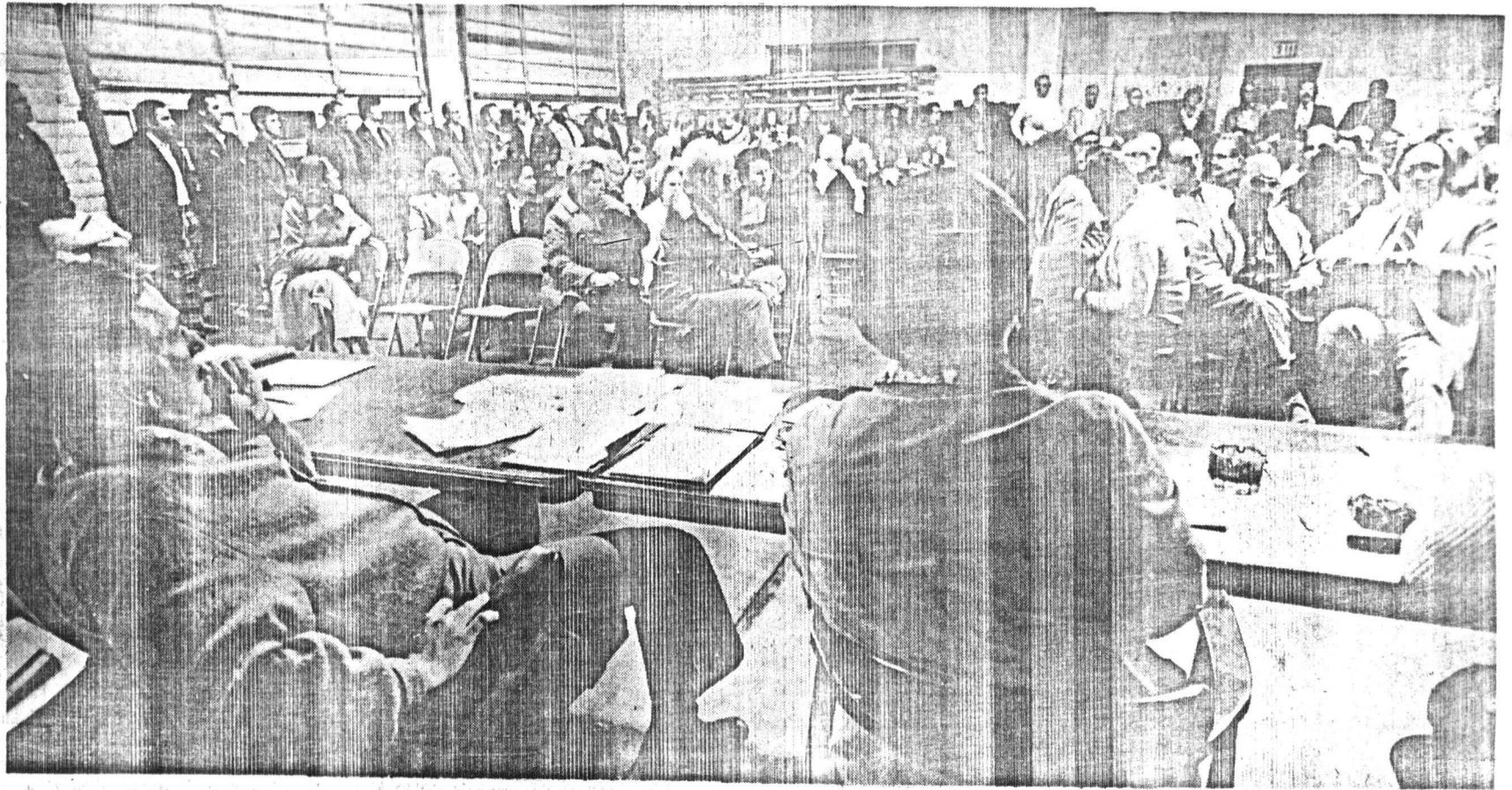
Duchscher said there may not be a need for alarm tie-in with the fire department, since the board has been assured that one

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Caretaker Charlie Brown: "A serious violation of the cloistered order. We can't have four or five inspections a year at convent."

Photos by Chris Stewart



For the Aptos fire directors, a record-sized crowd airs complaints about fire code and firemen.