



Legislation Details (With Text)

**File #:** 18-952      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/29/2018      **In control:** City Council

**On agenda:** 12/4/2018      **Final action:** 12/4/2018

**Title:** Pass the ordinance approving a First Amended Fire Suppression System Installation Agreement for 22, 24, and 26 W. Jefferson Avenue - BRB Case #95.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A Legal Description, 3. Exhibit B Existing Fire Suppression System Installation Agreement, 4. Exhibit C First Amended Fire Suppression Agreement, 5. Application for BRB 95, 6. 10-17-18 BRB Draft Minutes

Date	Ver.	Action By	Action	Result
12/4/2018	1	City Council	passed	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving a First Amended Fire Suppression System Installation Agreement for 22, 24, and 26 W. Jefferson Avenue - BRB Case #95.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Allison Laff, AICP, Deputy Director

**BOARD/COMMISSION REVIEW:**

At their October 17, 2018 meeting, the BRB made a motion to approve the extension of the Fire Suppression Compliance Date for 22, 24, and 26 W. Jefferson Avenue to January 1, 2021 (vote 7-0). Staff concurs.

**BACKGROUND:**

Bruce and Virginia Herkert, owners of the properties located at 22, 24 and 26 W. Jefferson Avenue, have submitted a request for an extension to the term of the fire suppression agreement established for their properties. This agreement, which was recorded against their property in 2009, provides that the owners shall bring the existing structures at the subject addresses into compliance with all City of Naperville fire suppression requirements by January 1, 2019. The owners are currently requesting an extension to this deadline based on the declining health of owner Bruce Herkert.

**DISCUSSION:**

In accordance with Section 2-4-3 (Building Review Board: Powers and Duties) of the Naperville Municipal Code, the BRB shall receive, investigate, hold hearings on, make findings of fact, and process, any application for a ruling on, or variation from, the fire/life safety regulations of the City. Accordingly, the BRB considered BRB Case #95 on October 17, 2018. Following a presentation by

Brian Herkert, son of the property owner, the BRB made a motion to approve the requested extension of the fire suppression compliance date to January 1, 2021 (vote 7-0); no members of the public spoke on this case.

Staff from the City's Building and Fire Departments have reviewed the request to extend the Fire Suppression Compliance Date as established within the Fire Suppression Agreement for 22, 24 and 26 W. Jefferson Avenue and support its extension for a 2-year period based on the health concerns noted by the owners. If the City Council supports staff and the BRB's recommended extension, the existing structures at the subject addresses shall be required to comply with all City of Naperville fire suppression requirements by January 1, 2021.

**FISCAL IMPACT:**

None